

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — Nineteenth Legislature

April 16, 1980.

The Assembly met at 2 p.m.
On the Orders of the Day.

WELCOME TO STUDENTS

MR. A.S. MATSALLA (Canora): — Mr. Speaker, I'd like to introduce to you, and through you to the members of the House, a fine group of 34 Grade 11 high school students of the Canora Composite High School. Accompanying them are three adults: teacher, Larry Neufeld; their tour guide, Alfred Labas of Department of Co-operatives; and bus driver, Harold Gogol. They are seated in the west gallery. The group is here to visit our capital city and some of the co-operative development sites. The tour is sponsored by a co-operative Celebrate Saskatchewan program with the local co-ops in Canora, the Canora Gateway Co-op and the Canora Credit Union, participating along with the Department of Co-operative Development. The main purpose of the visit, of course, is to study the co-op movement and its development in Saskatchewan as well as to learn about the role co-operatives have in our society. Further, their study will provide for an outlook into career opportunities with co-operatives.

Earlier this afternoon and this morning, they visited the Co-op refinery and Cable Regina. Following their visit here, they are going to be visiting the Credit Union Central. I'm sure the visit here is going to be a learning experience for the entire group. I do hope they have an enjoyable day.

HON. MEMBERS: Hear, hear!

MR. R. KATZMAN (Rosthern): — Mr. Speaker, I'd like to introduce through you to the members, a group of 21 Grade 12 students from the school in Clavet who are here with us today. They'll be watching the proceedings. I'll be meeting with them later and the Minister of Education will be meeting with us as well. They are in the east gallery. We hope you have a good trip home. Thank you.

HON. MEMBERS: Hear, hear!

MR. J.R. KOWALCHUK (Melville): — Mr. Speaker, it is with a great deal of pleasure that I introduce to the members of this House, through you, Sir, a group of 25 Grades 11 and 12 students from the Neudorf consolidated district, the Neudorf High School. They are seated in the west gallery. They have their teacher with them, Mr. Skotheim, and their bus driver who brought them here safely, Rodney Hollinger. I'm sure that all members want to wish them a very enjoyable stay in the city here today and particularly the proceedings of the House here this afternoon. I will be meeting with them later to speak to them and also take some pictures.

HON. MEMBERS: Hear, hear!

HON. H.H. ROLFES (Saskatoon Buena Vista): — Mr. Speaker, it is my pleasure today to introduce through you to the members of this House, a group of 32 Grade 7 students from John Lake School from my constituency in Saskatoon. I recently had the pleasure, Mr. Speaker, of meeting with most of the students and teachers of that school to discuss with them Celebrate Saskatchewan and also to present them with a pictorial

book of Saskatchewan. I will be meeting with the students a little bit later. They are accompanied by their two teachers, Mr. Taylor and Miss Schultz.

HON. MEMBERS: Hear, hear!

QUESTIONS

GOVERNMENT POLICY RE PETRO-CAN

MR. R.A. LARTER (Estevan): — Mr. Speaker, a question to the Premier. Mr. Premier, your government and the federal NDP have completely supported the Petro-Can concept and have indicated that they would like to see it completely extended to credit cards and retail outlets throughout Canada. The Liberal Party, through its Speech from the Throne, is fulfilling your wishes. Mr. Premier, all government vehicles presently purchase gasoline from Co-op service stations where possible. Can you tell us what the government policy will be now that this Petro-Can deal is fulfilled and where will loyalty lie to the government-owned Petro-Can or the 100 per cent Co-op Canadian service stations?

SOME HON. MEMBERS: Hear, hear!

HON. A.E. BLAKENEY (Premier): — Mr. Speaker, I speak only for the Government of Saskatchewan in this regard and not for any federal political party. With respect to the particular question on the purchase of petroleum products by government vehicles, some of it is, as the hon. members will know, purchased by tender and then it is the successful tenderer. People like Sask Transportation Company obtain their fuel that way. But generally for government cars out on the road using ordinary service stations, we will encourage our employees to use Canadian suppliers and that will certainly include co-operatives and Petro-Canada or Phillips. We would be happy, other things being equal, if Canadian suppliers were used.

MR. LARTER: — Supplementary, Mr. Speaker. Is the Premier prepared to split up your business with Petro-Can service stations or Pacific Petroleum? Does the Premier know that the co-ops are deeply concerned because much of their business goes out through bulk to service stations, and if you are going to split this business now, which did go to co-operatives, you are definitely going to hurt the co-ops, and that approximately a 15 per cent drop in their business can be disastrous? Does the Premier know this?

MR. BLAKENEY: — Mr. Speaker, I don't know whether any particular drop in the business that Consumers' Co-operative Refineries Limited, or any other co-operative petroleum organization might have, would be disastrous or insignificant. I simply wouldn't know that and it's not within the knowledge of our government. We have been strong supporters of the co-ops. We are pleased that some others opposite are not joining us in that. We haven't always detected that in the past. We believe that while we certainly want to give a good deal of preference to co-ops, we also have obligations to other Canadian producers. We, therefore, I think will be able to provide opportunities to purchase petroleum products from various Canadian producers, including as I say the co-ops.

MR. LARTER: — Supplementary, Mr. Speaker. Mr. Premier, do you know that getting into the retail gas business with Petro-Can is really just a tip off the iceberg, that the plans are to get into chemicals and fertilizer, and by your admitted support of them,

possibly over co-ops or splitting your business up, you stand a good chance of destroying your co-op retail outlets?

MR. BLAKENEY: — Mr. Speaker, as a matter of fact I don't know all those things. I don't know the plans, the expansion plans of Petro-Canada. I very much hope that they include expanding their heavy oil activities in our province.

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — But it is our belief that the business which may come to — I was going to call it Phillips; it used to be Phillips; the Pacific 66 organization will not be such as to endanger the health and prosperity of Consumers' Co-op Refineries or any of the local co-ops in Saskatchewan.

MR. L.W. BIRKBECK (Moosomin): — Mr. Speaker, a question to the Premier of the province. Mr. Premier, first of all you have stated that you are going to give half of our resources profits away to eastern Canada. Now you are saying in fact that you are going to share co-op business in terms of retail sales of fuel in the province of Saskatchewan with Petro-Can. My question, Mr. Speaker, to the Premier is, when are you going to get off this eastern kick and get back to standing up for western Canada like the rest of the western premiers?

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — Mr. Speaker, I don't think I can answer the question since it's based upon a factual premise which is false. Certainly, we have not said we are going to give away 50 per cent of our resources or whatever the particular quote was. I think that simply will not bear any analysis. We do believe there are opportunities to assist a number of Canadian producers. We certainly are very happy to assist Consumer's Co-op Refineries Limited because they are the only owner of a major refinery in our province. However, we do not say that all petroleum products must be bought from co-operative organizations. That has never been our policy, however much we may favour the co-operative movement, as hon. members will know we do. We think there is room for other suppliers and we do not think that purchasing some fuel from other Canadian suppliers is necessarily a sell-out to eastern Canada (or whatever they phrase was that the member for Moosomin used).

CABLE TELEVISION

MR. J.W.A. GARNER (Wilkie): — Mr. Speaker, my question today is to the Premier. Mr. Premier, I don't know whether you are aware of it or not, but your minister in charge of Sask Tel has denied the people of Saskatchewan the right to view the House of Commons on cable television. What moral justification do you have to: (1) discriminate between Saskatchewan people, and (2) suppress the media in Saskatchewan?

MR. BLAKENEY: — Mr. Speaker, once again I have some difficulty with the hon. member's question. I understand that the program to which he refers, the House of Commons' debates, is being seen on cable television in Regina and in Moose Jaw. With all deference to the hon. member, I think citizens of Regina and Moose Jaw are citizens of Saskatchewan and it follows, therefore, that we are not denying the people of Saskatchewan the opportunity to see these programs. I am advised (and I know that if there are more technical questions my colleague, the minister in charge of Sask Tel would be able to answer them) that the same program is available to people in

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Saskatoon on exactly the same basis that is apparently satisfactory to Regina and Moose Jaw. And I am puzzled to believe that this can be characterized as a denial of anybody's right to see the program.

MR. GARNER: — Supplementary, Mr. Speaker. Mr. Premier, in light of the statement (and I will go into a little bit of detail so you'll know what area I'm talking about) made by your minister in charge saying he will continue to disrupt TV to the people of Saskatoon on telecable until this company agrees to use just Sask Tel ground stations, do you not agree that the government is simply trying to blackmail the company at the expense of the people of Saskatchewan?

MR. BLAKENEY: — Mr. Speaker, my understanding is that Sask Tel is taking the position that they are the suppliers for services pursuant to a contract and that — Mr. Speaker, the hon. member suggests that we table the contract. I want to say that it is the policy of our government not to reveal individual contracts between citizens and utilities. The citizen is able to make those contracts public if he wishes, but he has the right to know that when he deals with the utility of our government he has the right to some privacy in his business affairs. I am frankly shocked that the members opposite would suggest the contrary. I want to say that that will not be the policy of our government although it's obviously the policy of members opposite.

Mr. Speaker, to deal with the question of the hon. member for Wilkie, I say that it is the policy of our government that Sask Tel supply services pursuant to contracts in a manner which allows it to provide services to virtually all the people of Saskatchewan. Now this is going to mean that people in major centres are going to have to pay more than the economic cost in order that we may take telephone services to rural places and to smaller communities and constituencies like Wilkie. That's right. The member says . . . (inaudible interjection) . . . Mr. Speaker, may I have an opportunity to answer without the hon. member interrupting?

I will say this. I want to say that hon. members should not object to Sask Tel attempting to prevent cream skimming, should not object to Sask Tel trying to get a good recovery from commercial customers unless they want to stand firm for higher telephone rates in Wilkie. They cannot have it both ways. They cannot, at one and the same time, say that every commercial organization in this province should be able to supply their own services at as low a cost as possible and at the same time say that Sask Tel should discharge its response . . .

MR. SPEAKER: — Order, order. I want to take this opportunity to bring the House back into order. Order, order. The member for Wilkie used the phrase blackmail in his question. I have had an opportunity to consider this and I want to refer the member to Wilkie to the rules with regard to this. Beauchesne's Parliamentary Rules and Forms, chapter 5, citation 171. Order, order. Citation 171 says:

A question, oral or written, must not: (a) be ironical, rhetorical, offensive or contain epithet, innuendo, satire, or ridicule.

It goes on to specify some other questions that should not be placed in the House. I want to tell the member for Wilkie that I find the term blackmail unparliamentary. Order, order. I would have thought the member for Thunder Creek (Mr. Thatcher) would have learned something during his absence from the House (part enforced and part voluntary) and would not interrupt me when I'm making a point on a very important

point in the question period. I would ask the member for Wilkie to withdraw the use of the word blackmail.

MR. GARNER: — Yes, Mr. Speaker. O.k. I will withdraw it — no questions asked.

Supplementary, Mr. Speaker. Mr. Speaker, do you not agree that this is censorship of the media in Saskatchewan by the NDP government to control all of Saskatchewan, and this is why you have brought Bill 13 in, so you will censor just what you want the people to see and not maybe what they should see — what your government is doing wrong?

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — Mr. Speaker, to answer the hon. member, I do not agree. I want to say again that the very program which is alleged to be being censored in Saskatoon is being seen in Regina and Moose Jaw. It is not the belief of our government that the people in Saskatoon are in any greater need of protection from deleterious programs on television than the people in Regina and Moose Jaw. It is our belief that all of these programs are available to all of the people. The program is available through the ordinary channels and the ordinary channels are such as are designed to see that all of the people in Saskatchewan get television services made available to them, and to get telephone services at the lowest possible costs. It is a policy which has been followed by our government and by the previous Liberal government and by the previous Progressive Conservative government and which I think is a wise policy on behalf of all of the people of Saskatchewan.

SOME HON. MEMBERS: Hear, hear!

GOVERNMENT ASSISTANCE TO HOME-OWNERS

MR. R.L. ANDREW (Kindersley): — Question to the Premier. Mr. Premier, in prior question periods you begged off on the question of provincial assistance to homeowners faced with staggering interest rates. In view of the pronouncements in the throne speech, are you now prepared to advise the Assembly as to whether or not your government is prepared to do something for people caught in this dilemma?

MR. BLAKENEY: — Mr. Speaker, any government programs that may be introduced in this regard will be announced in due course.

MR. ANDREW: — In view of the announcement, Mr. Premier, that as low as 7,000 to a maximum of 10,000 people will gain from the future programs to be announced by the federal government, if we are to get our proportionate share in the province of Saskatchewan, approximately 350 people will gain from that program. Do you not feel there is a need in the province of Saskatchewan for some assistance to these people?

MR. BLAKENEY: — Mr. Speaker, I do not have the information about the bill which the new federal government is going to introduce that the hon. member apparently has. I frankly do not know what are the contents of the bill not yet introduced. His contacts in Ottawa are obviously better than mine, and accordingly, I am not able to comment on the basis of the facts which he gives since they are not available to the government.

REPLY TO QUESTION RE DISCONNECTING CUSTOMER POWER SERVICE

HON. J.R. MESSER (Minister of Mineral Resources): — Mr. Speaker, yesterday during

the question period, I took under advisement a question by the member for Regina South. I indicated at that time, the manner in which he brought the matter to my attention was an attempt to grandstand in this Legislative Assembly, and that is unfortunate. I said yesterday and I say today, any power disconnect is an unfortunate circumstance, one that SPC takes very seriously, and it only takes those steps as a last recourse. What the member did not bring to the attention of the members of this Assembly is the facts in respect to that power disconnect and I would like to do so this afternoon without using any names.

Mr. Speaker, the arrears account goes back to 1977. The customer in question has moved several times during that course of time. The customer has changed names during that course of time, to married from maiden and back to married. The customer has not (on several occasions) properly applied for service connect with SPC for fear of being detected and charged the arrears that were outstanding and owing. On January 24, 1978 SPC threatened this customer with disconnect. The date, Mr. Speaker, was January 24, 1978. Since January of this year, 1980, we have contracted the customer on a weekly basis indicating that the arrears had to be paid, or the recourse left open to SPC would have to be pursued and that would be a disconnect. The customer then tried to place the account in the name of a person she is now living with in order to avoid paying the arrears. That was not acceptable to SPC.

Finally SPC on February 29 gave a final notice and they ultimately agreed to settle. The agreement was that payments would be made in \$30 sums about which the member was accurate when he brought it to the attention of this House. Two payments were made, but they discontinued making payments after those two payments, indicating that their bank record showed the arrears in the account were in fact paid. Contact with the banking agency indicates that is not the case.

So on April 9, Mr. Speaker, they were served with notice of disconnect and indeed were disconnected. Two days later there was another attempt made by the person whom this woman in question is living with, to again connect with SPC under the other name using the ploy that they had moved into this address only recently. That was not acceptable to SPC. On that same day, April 11, the account was paid in full including the \$10 disconnect service. I think, Mr. Speaker, the information and the facts with respect to the case and the time involved, show that SPC was indeed most patient in attempting to collect an outstanding account. I indicated at the beginning of my remarks that a disconnect is a very serious matter and it is only pursued as a last recourse. I believe these facts show that and I would ask the member to consider apologizing to the House for the way he misled it.

MR. P. ROUSSEAU (Regina South): — My first comment is, dream on, Mr. Minister.

MR. SPEAKER: — Order, order! I don't know why the member is on his feet.

MR. ROUSSEAU: — Mr. Speaker, I am quite sure that had I, yesterday in my question, given the history of this case as the minister did today, I would have been called to order in short order.

Mr. Speaker, what the minister has said today is totally accurate. I would ask him then, this question. The customer involved was making payments of \$30. The last one made was on March 26. Arrangements had been made for a \$30 monthly payment . . .

MR. SPEAKER: — Order! The member is asking a supplementary question and quite

clearly, supplementary questions may be allowed at the discretion of the Speaker and must pertain to the question in order to clarify the answer, or to elicit further information on the issue. I can't allow a debate to develop over the particular case.

I think the minister's answer was factual and the member's question should be in the same fashion.

MR. ROUSSEAU: — Thank you, Mr. Speaker. I will accept your ruling. My question — in view of the fact that the arrangements had been made for \$30 per month payments, why did you disconnect on April 9, when a payment had been made on March 26? — less than 30 days prior to — in fact it was less than 2 weeks prior to the cut-off? The payment had been made. Then you turn around and disconnect. They were meeting the arrangements.

MR. MESSER: — Mr. Speaker, it is interesting to note that the member now admits he had the facts yesterday, but he left this Assembly with the impression that it was a divorced mother with a child, coldly treated by SPC.

AN HON. MEMBER: — A point of order.

MR. SPEAKER: — What's the point of order? . . . (inaudible) . . . I have you on my list.

MR. MESSER: — He did not listen very clearly to the facts that I conveyed to this Assembly. I told him that two payments had been made and on March 26, the last payment had been made but it had been recorded or conveyed to SPC by the person who is outstanding in this delinquent account, that that paid the account in full. Very clearly, the two \$30 payments amounting to \$60 was substantively away from clearing off the account. And we then gave them the final notice and the facts speak clearly for themselves.

SURVEY RE QUEBEC SEPARATION

MR. E.A. BERNTSON (Souris-Cannington): — Mr. Speaker, a question to the Premier. I was looking at the clock because the Minister of Mineral Resources happened to gobble most of it up, but it is our question period.

A question to the Premier, Mr. Speaker, and I paraphrase a quote of the Premier's to the effect that Quebec isn't unique with its problems in confederation, and in fact, Saskatchewan had a significant number of people who would favour separation. I think the number you used, Mr. Premier, was 30 per cent. I wonder if you would indicate to this House who conducted your survey and are you prepared to table the results of your survey here today?

MR. BLAKENEY: — Mr. Speaker, I'm sorry if that information was conveyed to the Hon. member in the way he has reported it. The figure was 13 per cent and it wasn't intended to be Saskatchewan, but western Canada. It is the report of the Canada West Foundation who did a survey on this. The Canada West Foundation is a well-known organization with governmental and non-governmental support headed by Mr. Stanley Roberts in Calgary. I don't know whether the hon. members would be interested in the report, but I think we could probably get a copy of the survey which they did, dealing with this general matter.

REPLY TO QUESTION RE NATURAL GAS DISTRIBUTION LINES

HON. J.R. MESSER (Minister of Mineral Resources): — Mr. Speaker, I took notice of a second question yesterday asked by the member for Arm River, in respect of natural gas lines built in the province of Saskatchewan. Under the term which this government has had the privilege of serving the people of Saskatchewan, the Leader of the Opposition indicated at that time, it was zero. I want to convey to the Legislative Assembly and to the people of Saskatchewan that we have in fact built 1,145.2 miles of distribution lines since 1971.

SOME HON. MEMBERS: Hear, hear!

MR. MESSER: — In the way of transmission lines, Mr. Speaker, we have built 1,173.9 miles of line.

He also alluded to wanting to know how many communities we have served with natural gas since that time. The number is 98, Mr. Speaker. The question is very clear here. It says, how many miles of line, and if the Leader of the Opposition wants to read the Debates and Proceedings referring to the question yesterday, then please do so. But it was a general question in respect to lines constructed.

He also wanted to know, I think, how many farms were served. Since 1973 we have served 1,002 farms, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

MR. E.A. BERNTSON (Leader of the Opposition): — Supplementary to the Minister of Mineral Resources. Would you not agree that your 1,000 miles, your measly little 1,000 miles, pales in significance, compared to the 16,000 miles for the same period in Alberta and that your total is only 3,000 miles . . .

MR. SPEAKER: — Order, order!

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: — That may say something to the members about extending the question period.

SOME HON. MEMBERS: Hear, hear!

RULING MADE BY MR. SPEAKER — APRIL 15, 1980

MR. SPEAKER: — Before orders of the day, I want to report back to the House briefly. The hon. member for Moosomin asked me to examine the record with regard to the question period and a ruling I made yesterday. I said at that time that:

I will examine the record and if my decision is any different from the decision I've given now I will return to the House. If necessary, if I am wrong I will make a correction. If the member is wrong, we'll assume the decision I've made at this time is correct.

I have examined the record now and I don't come back to the House because I feel my ruling was wrong, but I do feel it is important that I reinforce the ruling which I made yesterday. I'll make a slight correct in the citation. I made a citation with regard to

Beauchesne's Parliamentary Rules and Forms, Fourth Edition, I said Chapter 5(d). I wish to say that it was citation 171(f) and (k). It can be literally translated that questions must be stated without preamble or speech, or be in the nature of debate.

I looked at the statement the member made when he raised the point of order on page 1769. I want to quote in part:

... he was in fact hiding behind a departmental policy and as minister he was furthering the confrontation attitude with the private operators at the unnecessary expense of the people of Saskatchewan ...

I submit to the members of the Chamber, that is debate and therefore it is not permitted in the question period.

Now, in my ruling, I had said clearly, on page 1769, 'I have recognized a few words of preamble which will establish the context in which the question is asked: 'That still stands. I go back to page 1763 where the member originally asked a question. On page 1763 the member said, 'I'll direct a supplementary question ... 'Now it becomes even less evident to me why a member should be allowed a preamble on a supplementary question. I can understand why a member would be allowed a preamble on the initial question in order to establish the context in which he is putting the question forward. Earlier this question period I said a supplementary question must pertain to the question in order to clarify the answer or to elicit further information on the issue. Therefore, I say this to reinforce the decision I made to the House yesterday. I feel it was quite in order, having examined the record.

MR. L.W. BIRKBECK (Moosomin): — Mr. Speaker, may I ask a question for clarification on the point of order I raised yesterday and on which you are making a ruling on today? Thank you, Mr. Speaker, on your comments on page 1769 you said, and I quote:

I listened to the member's comments very closely at the beginning of what appeared to be his preamble. To me, it appeared to be debate and argument and consequently I ruled it out of order.

Mr. Speaker, on page 1763, I counted the words. There are but 20 words and they are:

I'll direct a supplementary question, if I may, to the minister responsible, Mr. Minister, it seems to me, and I would suggest ...

That's where it stops. That's 20 words before I asked a question of the minister. I am to understand today that your ruling is that that is preamble?

MR. SPEAKER: — I think it's common for members to believe, because something continues on in the Chamber unnecessarily, it may become a rule of the Chamber. Now for a member to say:

... what you have done is used your sweeping powers through this supposed broad policy to cut off the people of Saskatchewan from viewing the Speech from the Throne, and used the power to further your argument and your battle with the private cable ...

I cut him off there. When he is asking a supplementary question, this has to be regarded as debate. I realize members do this. For a member to make a debatable statement like

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that, then attempt to veil it by saying, 'and I ask you, would you not agree . . . 'merely attempts to veil the fact that the member is pursuing a debate.

If I could suggest something and it would help me to control members who give responses to answers, if members would begin (after a very brief preamble) to establish the context of the question, then immediately move the interrogative such as who, what, why, where and when, in that way I will be able to keep the questions short, as the rules of the question period suggest, and also keep the answers within a reasonable length of time. I would appeal to the members to try to adhere to that rule. I think it will assist us in the question period.

GOVERNMENT MOTION

INDIAN TREATY RIGHTS

HON. G. MacMURCHY (Minister of Agriculture): — moved, seconded by Mr. N.H. MacAuley (Cumberland):

That this Assembly commend the Government of Saskatchewan for its stand on recognizing and promoting the integrity of Indian treaty rights with particular reference to: (1) ensuring federal trusteeship and responsibility (2) the Government of Saskatchewan's position that outstanding treaty Indian land entitlements be resolved immediately and that the federal government approach this question with the sincere intention of an expeditious settlement.

He said: Mr. Speaker, in moving this very serious and very important motion, I want to refer the Assembly and you to statements made by Indian leaders in Canada. I lay before this Assembly first the words of the president of the National Indian Brotherhood, Noel Starblanket, speaking to the tenth annual general assembly in September 1979. I quote:

The larger society would have the world believe that French and English were the founding peoples of Canada and that these two peoples have a divine right of white man's burden or a manifest destiny to take our land resources and determine our future for us.

Secondly, I lay before the Assembly the words of the Federation of Saskatchewan Indians' Chief, Sol Sanderson, who put it this way in discussing social and economic rights in January 1980:

Our economic policies must reflect the things our treaty rights guaranteed, not just on reserves but in the entire treaty territory.

Mr. Speaker, Lawrence Whitehead, the former president of the Manitoba Indian Brotherhood, at a meeting with Prime Minister Clark in September 1979 said:

There are some things that constitutionally governments have never recognized, for example, the recognition of off-reserve Indians. Constitutionally and federally you, Mr. Prime Minister are responsible for Indians but it does not say on or off reserves. That has to be recognized. When the British North America Act mentions legal status of Indians, our status should

not be on residency. I think it is clear cut that this is a federal responsibility. There are many, many areas we are deprived of and grey areas when we deal with the cities and towns and provinces. The provinces say, you are a federal responsibility. They are right. Legally, under the constitution you, Mr. Prime Minister, are to recognize both Indians on and off reserves.

Mr. Speaker, the former chief of the Federation of Saskatchewan Indians speaking at the all chiefs' conference in Regina on January 1978 said:

The British North America Act refers to two types of Canadians: citizens and Indians. It does not refer to anything called native community or native people. The Indian Act firmly establishes that a person is either an Indian subject to the Indian Act or a non-Indian and therefore not subject to the Indian Act of Canada, and that it is upon the foundation of the British North America Act and the Indian Act, plus the treaties with the Crown, that the administration of Indian affairs is built.

The words of the former chief of the federation, David Ahenakew — he went on in that speech to show how the British North America Act, the Indian Act and the treaties, have established firmly and officially that Indians are Canadian citizens, but that they also have rights in addition to the rights of other Canadians. He says Indians call these separate rights recognition — recognition under the treaties, David Ahenakew says, means that:

- (1) Indians are guaranteed the right to retain their own way of life;
- (2) Indians are guaranteed they can continue their own social, political and economic institutions without interference.
- (3) Indians are guaranteed services in education, health and social services and are guaranteed exemption from taxation;
- (4) Indians are guaranteed hunting, fishing, trapping and gathering rights;
- (5) Indians are guaranteed these agreements will continue for all time.

Former chief of the federation, Chief Albert Bellegarde, in his last public address, delivered to the socio-economic conference in Regina said:

We've had continual support of the provincial government in terms of bringing forward our position as Indian people. They have told the federal government that you are responsible for the development of the Indian people of this country because of the terms and conditions of the treaties that were made within this province. It is up to the federal government to live up to the terms and conditions and spirit and intent of these treaties.

Mr. Speaker, what the last reference, made by Chief Albert Bellegarde, said is true. This government accepts the special rights of Indians that derive from the Crown through the federal government byway of the treaties. Our provincial government has taken great care to acknowledge the treaties and the special status of Indians in relation to the federal government because of those treaties. We will continue to acknowledge this special status. We will continue to help Indians in any way we can to achieve full

recognition of rights from Ottawa. We have said that the fulfillment of these special rights for Indians falls to the federal responsibility of Ottawa. The development of these rights for the benefit and advancement of Indians takes precedence over any other activities.

But, Mr. Speaker, we have said additionally that every Indian in Saskatchewan is a full citizen of Saskatchewan, just as he is a full citizen of Canada. And we have said that Indians should be able to avail themselves of provincial programs so long as those programs do not jeopardize their treaty rights.

Let us look specifically at each one of the special Indian rights and the progress that has been made to date with respect to those rights. Let's look at land entitlement — a good portion of this motion that's before us. The position of the Saskatchewan government on land entitlement is clear. The federal government neglected land entitlements for years, neglected them in Saskatchewan. It was the Government of Saskatchewan that decided something should be done about it. The low settlement of land claims is a federal responsibility. The provinces have accepted some obligation to assist Ottawa with its settlement.

In 1976 Saskatchewan made the commitment in an agreement signed by Ottawa and the Federation of Saskatchewan Indians in the province. Perhaps an agreement, perhaps a treaty was signed. Let me summarize that agreement as our government understands it. Saskatchewan offered all its Crown lands, unoccupied or occupied under the following conditions:

- (1) That the federal government make its lands available on the same basis;
- (2) Where occupied Crown lands were selected, the lessee's interest be satisfactorily discharged through compensation or by some other arrangement;
- (3) Acreage for the settlement or treaties would be based on the band population as established at December 31, 1976.

We remain committed to this agreement. We remain committed to the early resolution of unfulfilled entitlements. We remain firm in our conviction that resolution must occur by negotiation and by agreement. We reject the litigation-oriented approach suggested by the Government of Alberta. They've opted for settlements in the court. Yet there has not been any court action. There have been no agreements made. There have been no land transfers taking place in Alberta. Nothing has been resolved. Similarly, in Manitoba there have been no agreements. There is no land settlement process underway. The Saskatchewan government remains convinced that the agreements reached here are good ones, and that our approach of negotiating a settlement will work. But for the progress to continue we must stand together to insure that the federal government lives up to its signature on the agreement as well, for Saskatchewan is unable to act alone. The federal government must respond to Saskatchewan's initiative; must be prepared to meet its treaty land commitments. My colleague, the member for Shellbrook, and the Minister of the Environment, will be reporting to you in detail in this debate on the developments in land entitlements since our 1976 agreement.

Hunting, fishing, trapping and gathering, Mr. Speaker, this is closely tied to the issue of land entitlements — this issue of hunting, fishing, trapping and gathering. It's a treaty right. At our last meeting with the federation, they spent some time on the issue

reporting to us on the action of the courts concerning their treaty right for hunting, fishing and trapping. I think it appears to us as it appears to them that settlement of this entitlement must come in the same way as the settlement of the land entitlements through a negotiated approach; that the courts are something that can't settle the situation that exists today in this area. We are committed to begin negotiations with the Federation of Saskatchewan Indians to see if a negotiation of settlement can be achieved for this issue of hunting, fishing, trapping and gathering.

Education. In education the Government of Saskatchewan has worked to assist Indians in the expression of their special rights through the institutions that mean something to Indians. We've allowed the community college legislation to be used in enabling legislation for the Indian community college. Saskatchewan Indian Federated College of the University of Regina is an established federated college. There are good reports from that college, reports like 20 per cent of the enrolment at the federated college is non-Indian. The Indian teacher education program has assisted Indians in obtaining teaching certificates in Saskatchewan. It has granted 46 teaching certificates to Indians since the program began in 1973. All of this has been done within the context of the provincial role as a facilitating role, an enabling role, a developing role allowing the realization of rights guaranteed by the federal government.

Cultural Development. In cultural development we recognize the right of Indian people to identify their own cultural and social institutions as guaranteed by the treaties. Both federal and provincial governments are involved in assisting Indian people in maintaining their cultural identity. The province of Saskatchewan encourages cultural development both on reserve and off reserve through programs such as the Saskatchewan Indian Summer Games held annually for the last four years with the assistance of a grant from the Department of Culture and Youth. This year we'll be assisting the first Indian winter games on the Cote Reserve which took place April 4 to 13. We assist annually in area consultation programs which bring band chiefs together and encourage the preservation of culture.

The entrenchment of Indian rights. Mr. Speaker, Saskatchewan continues to work through the constitutional review process to ensure the entrenchment of Indian rights in the constitution and in federal law. Saskatchewan has played a leading role in asserting the rights of Indians to be directly involved in any discussions on the constitution which affect them. Indeed, Mr. Speaker, Saskatchewan has stood alone amongst provincial governments in maintaining full recognition of treaty rights, and in pursuit of federal obligations relating to those rights.

Economic development. In economic development we see the provincial role as being one of assisting in the development stages for on-reserve development. For example, Mr. Speaker, the province administers on behalf of the federal government a program to assist Indian farmers and since that program began in 1972 the number of viable, individual farm units on Saskatchewan reserves has grown from an estimated 40 farms to 340 farms, with an increase in production from just over \$1 million in 1972 to \$8.6 million in 1979. The Department of Co-operation and Co-operative Development and the Department of Industry and Commerce have provided technical advice and assistance upon the request of band councils for the development of small industries on reserves.

Projects at Fort Qu'Appelle, on the Key Reserve, up in Poor Man Reserve in Last Mountain-Touchwood constituency; in economic development as in other areas our position in that Saskatchewan Indians are full citizens of the province. That applies and

therefore they have rights to share any program for Saskatchewan people so long as that program does not jeopardize their treaty rights. The federal government has no obligation to fulfil its mandate responsibilities with respect to treaties and the Indian act. Therefore, it has responsibility for economic development on reserves and Saskatchewan Indians have full rights to share in the benefits of the larger Saskatchewan economic development.

Health and social services. Mr. Speaker, the treaties guarantee health and social services to Indian citizens. This has traditionally been accepted by the federal government. In recent years, however, the federal government has given indications they only respect these rights if Indians live on the reserve. This is a serious issue, Mr. Speaker. Currently about 30 per cent of all Saskatchewan Indians live off the reserve. Given present trends, by 1990 there may be 50 per cent of Saskatchewan Indians living off reserves. Under the present policy the federal government is responsible for Indians on reserves and for the first year off reserve in the case of social services.

Mr. Speaker, within the last month a directive has gone out from the director of operations for the Saskatchewan Regional Department of Indian Affairs that as of April 1, 1980 any Indians who have been living off reserve for more than one year will no longer receive federal social assistance. Mr. Speaker, I received a Telex from Chief Andy Michael, Saskatchewan district chiefs' representative. It's addressed to the Hon. John Munroe, Minister of Indian and Northern Affairs, Ottawa. It's regarding federal policy for off-reserve Indian social assistance program and it reads as follows:

One, the director of operations, Saskatchewan Regional Department of Indian Affairs, Mr. Emil Korchinski, has served notice to all the districts within the province that all social assistance to treaty Indians having lived off reserve for 12 months be withheld effective April 1, 1980. He has further directed district staff to send all welfare recipients in this category to provincial social services. But they, in turn, are refusing to give social aid unless the off-reserve Indians are in extreme emergency situations. And as an end result the off-reserve Indians in Saskatoon are being sent from one level of government services to another with no resolution to their problem.

Two, the executive council of the Federation of Saskatchewan Indians met with the provincial cabinet on April 9, 1980 and at that time the committee came up with the position to support the federation. The cabinet committee meeting came up with the position to support the federation on this matter and further withhold social aid to treaty Indians unless it is an emergency situation.

Three, the Federal Department of Indian Affairs (Saskatchewan Region) continues to withhold social assistance to treaty Indians who have lived off reserve for more than 12 months.

Four, the Saskatchewan district chiefs and the executive of the Federation of Saskatchewan Indians reiterate their position to both federal and provincial governments that the federal government is responsible for treaty Indians on and off reserves.

Five, because of the seriousness of the situation, we would expect some immediate response from the Minister of Indian Affairs regarding federal policy on overall social development programming, including social service

assistance, child welfare, etc., as it pertains to treaty Indians on and off the reserve. We expect the minister to immediately reinstate all off-reserve Indians who are under the provincial social services back to federal responsibility.

Six, we would like to further request that the minister investigate the social development program of Indian Affairs in the Saskatchewan region, not only as it applies to the urban setting but in our own Indian communities.

And I table the Telex!

Mr. Speaker, this is a serious situation, and our government's position is clear. First, treaty rights exist regardless of residency. The federal Indian trust relationship is intact and this means that the federal government has the responsibility for health and social services whether an Indian is a resident on reserve or a resident off reserve. Surely, Mr. Speaker, there can't be any argument that there is a loss of status under federal rights simply because an Indian in 1980 exercises his democratic right to live where he pleases to live.

Second, Mr. Speaker, Indians in Saskatchewan are welcome to all provincial programs that do not jeopardize their treaties. There is no question that most off-reserve band members stop utilizing federal services and opt for provincial and municipal programs and services. The question is whether acceptance of provincial services in the areas of responsibility that are clearly by treaty, federal government responsibility weakens the argument of special status for Indians. We will put that question to the Indian leaders in this province and we will continue to put that question to the Indian leaders of this province. I was gratified to receive the Telex from Chief Andy Michael of Saskatoon stating the position of the area chiefs there and the position of the federation.

Third, the Government of Saskatchewan is finalizing the plans for new initiatives in our larger urban centres. Discussions are ongoing with the federation with respect to these new urban initiatives. My colleague, the Minister of Urban Affairs, spoke on this program in the budget debate. I hope he will have an opportunity to speak on it again in this debate. The program will concentrate on action in three areas: education, economic development job training, support services for individuals and families. Our government recognizes that we have to give urgent attention to problems faced by Indians in the cities.

Any programs we bring forward are based on three principles. First, the province will maintain its position that as citizens of Saskatchewan the Indians are eligible for provincial programs. Second, this does not mean that this province is assuming responsibility for treaty rights. Third, this will require joint planning between the government and its citizens. In other words, this means a commitment of ongoing consultation and joint planning between the province and the Federation of Saskatchewan Indians.

Mr. Speaker, let me conclude, Indians in Saskatchewan will always be welcome in provincial programs, but Indians in Saskatchewan must always be vigilant of the possibility of erosion of treaty rights and the historical basis for these special rights. The Government of Saskatchewan believes that in order for the federal Indian trust

relationship to remain, the federal government must be responsible for policy and program delivery. The Government of Saskatchewan shares Indians' concerns when treaty rights are not adequately respected. Often in areas where the federal government is clearly responsible, Indian people are faced with inadequate services, quantitatively or qualitatively. Indian people are told that federal officials can't act on their behalf for treaty rights because there is no enabling federal legislation or maybe there is no federal policy.

I say this approach fools no one. It simply means full recognition of treaty rights by the federal government is not the case and it is reminiscent of the objectives to be found within the 1969 white paper. We do not accept this approach. We serve notice that Saskatchewan stands prepared at all times to provide whatever support is necessary to clarify federal recognition and fulfillment of its obligations to Saskatchewan Indians. Saskatchewan provides almost \$2 million to the Federation of Saskatchewan Indians in this budget to assist them in achieving Indian rights. Funding is used for a variety of areas: constitutional research, treaty interpretation, communication, research and development, cultural development, programs for Indian women. At the same time Saskatchewan rejects any attempts which lead to the assimilation of Indian people. This is our position. It will continue to be our position.

Mr. Speaker, the matter of fulfilling our obligations to the Indian people is larger than our day to day concerns with partisan politics in this legislature. It is a debt that extends well beyond our lives as politicians and even along the lines of all the parties. We in Saskatchewan (and here, Mr. Speaker, I am referring to all the citizens of our province, are making yet another pioneering step in our policy of fulfillment of Indian land entitlements. Ironically, we are attempting to fulfil commitments made before the province of Saskatchewan was even formed, before it existed — and that is something to be proud of. The efforts of my colleague from Shellbrook, the Minister of the Environment, are to be congratulated . . .

SOME HON. MEMBERS: Hear, hear!

MR. MacMURCHY: — . . . and should be congratulated particularly in this year of our celebration of the 75th birthday. But, Mr. Speaker, we are having more difficulty than we should have, because of the federal government. The party that should be leading the effort is shirking its responsibility. I heard the Hon. Minister of the Environment the other day saying he hasn't even had a reply to his letter to the new federal minister. It is important, Mr. Speaker, that the elected legislators of this province pull together to demonstrate to the federal government that we, the people of Saskatchewan, are united in our desire to fulfil the obligations made to the Indian people! The Indian peoples signed the treaties in good faith, Mr. Speaker, and they have a right to expect good faith in return.

The matter is a very serious one; the resolution is a very serious one. Mr. Speaker, I urge all members to support the resolution.

MR. SPEAKER: — After putting the motion before the Assembly, and before I recognize the next speaker, I will ask the Assembly to allow an introduction to be made from the gallery.

INTRODUCTION OF GUESTS

MR. C.O. WHITE (Regina Wascana): — Thank you, Mr. Speaker. I would like to introduce

to you and to other members of the House, eight students from the Canadian Mental Health Life Skills class. They are here with two chaperones and instructors, Adele Lasuita and Melinda Fister.

We hope they will find their stay in the gallery interesting and that they will enjoy their tour of the legislature. I will be meeting them in a short time for pictures and refreshments. Thank you.

HON. MEMBERS: Hear, hear!

GOVERNMENT MOTION (CONTINUES)

MR. N.H. MacAULEY (Cumberland): — Mr. Speaker, I am very pleased to second the motion regarding Indian treaty rights, and the government's position of outstanding land entitlements.

The present government of this province has come a long way in assisting the Indian people to get their just land claims settled. These entitlements of course, were promised to the Indian people in this province and other parts of Canada in the 1800s. The promises were accepted in good faith that they would be kept. Unfortunately, the federal government is still delaying settlements of land entitlements. The Saskatchewan government has been given the job of assisting in the allocation of land for the Indian people of this province, and the minister in charge of land entitlements of this province, the Hon. Ted Bowerman, now Minister of the Environment, has done a commendable job of getting these allocations under way.

In the northern half of the province, most of the band chiefs have made their selections of land from 125,000 acres of provincial Crown land, and have agreed upon 38,000 acres transferred. It only remains to the federal government to finish the job of signing this agreement.

In the southern part of the province, the land entitlements for the Indians are very slow in being achieved compared with the North, mostly because of the apparent lack of interest in Indian affairs on the part of the federal government.

Mr. Speaker, further in reference to the Indian land entitlement in southern Saskatchewan, I would like to bring to the attention of the House, a paragraph from Treaty No. 6, and I quote:

That the chief superintendent of Indian Affairs shall depute and send a suitable person to determine and set apart the reserves for each band, after consulting with the Indians thereof as to the locality which may be found to be most suitable for them.

Provided, however, that Her Majesty, reserves the right to deal with any settlers within the bounds of any lands reserved for any band as she shall deem fit, and also, that the aforesaid reserves of land or any interest therein may be sold or otherwise disposed of by Her Majesty's government for the use and benefit of the said Indians entitled thereto, with their consent first had and obtained.

Mr. Speaker, taking into account the above quote, I believe the Indian people in southern Saskatchewan are not asking for more than was promised.

April 16, 1980

Mr. Speaker, the slow rate of progress in settling the Indian land claims is a matter of very great disappointment and distress to me, for the following reasons:

1. Every treaty Indian and person of Indian ancestry cannot help but remember that Indians were already here before the white people came into this country.
2. Many Indian people have fought in two world wars, along with others, to preserve the freedom we now enjoy;
3. The Hudson's Bay Company received, in Saskatchewan, 3.3 million acres of land title to all land on which there were trading posts and 300,000 pounds.
4. The Canadian Pacific Railway received 10 million acres in Saskatchewan;
5. Over the three western provinces, Manitoba, Saskatchewan and Alberta, the Indian people received only 1.5 million acres.

Mr. Speaker, without settlement of these land claims the government of this country may find itself haunted by disappointed and dissatisfied Indian people in the future.

Mr. Speaker, as previously arranged, I would like to speak the items 1 to 5 in Cree, so the radio listeners will hear what has to be said in this House.

(The member spoke items 1 to 5 in Cree.)

Mr. Speaker, I urge all members of the House to whole-heartedly support the motion put by the Minister of Agriculture, the Hon. Gordon MacMurchy, and stand with the Indian people, thereby showing them Canadians indeed are on the side of justice.

SOME HON. MEMBERS: Hear, hear!

MRS. J.H. DUNCAN (Maple Creek): — Mr. Speaker, I would like to speak a few minutes on the motion which is before us. The motion reads:

That we, as legislators, commend the Government of Saskatchewan for its stand on recognizing and promoting the integrity of Indian treaty rights with particular references to: (1) ensuring federal trusteeship and responsibility; (2) the Government of Saskatchewan's position that outstanding Treaty Indian land entitlements be resolved immediately and that the federal government approach this question with the sincere intention of an expeditious settlement.

With reference to the first part, Mr. Speaker, ensuring federal trusteeship and responsibility, to me that is just a way of absolving government responsibility for our urban natives, and the Minister of Agriculture alluded to this problem.

By absolving themselves of responsibility they are absolving themselves of a very critical situation which now exists in Saskatchewan with reference to our urban natives. There have been dramatic shifts by Indian populations in recent years from reservations to areas like Regina and Saskatoon. Perhaps we mostly see it here in Regina where we have a large native population. Yet I feel that this government is doing very little to help these natives in the transition from a secluded life on a reserve into a

more urban setting where the pace of life is hectic and sometimes the sensibilities and the feeling that someone cares are completely lost.

One only has to look at the statistics with reference to our urban natives to see how horrible their plight actually is. Urban natives are almost solely dependent upon welfare. Housing conditions leave much to be desired. There is very little encouragement for urban natives to achieve any type of educational achievement. It's interesting, Mr. Speaker, that in Saskatchewan people of Indian ancestry form only 12 per cent of our population, yet 40 per cent of that population live well below the poverty line, and many of those live in urban areas. Yet the Government of Saskatchewan, on a motion by the Hon. Mr. MacMurchy, would like to pat themselves on their backs saying they are the only ones who have a patent on curing all the social ills that exist with regard to people of native ancestry. I say that is not right.

I was talking to a native, an Indian fellow who is on the SFI executive and he said that unless the social ills of his people can be cured their land entitlements would be all for naught. We all know the statistics on alcoholism; yet what are we doing to overcome this epidemic situation? Very little, very little. And we get into jurisdictional disputes over whose responsibility is this, whose responsibility is that. I think, not only as legislators but as human beings, we have to put aside a lot of these petty fights and come to grips with the problem, because the problem will not go away no matter how long we stand and procrastinate on it.

We must encourage Indian children to attend school. Here in the city of Regina a few years ago we had a very excellent program called Head Start which was specifically designed for native children to prepare them for kindergarten. The teachers of the particular school where this program was being run talked very favourably about that program. The Department of education cut off funding for it; yet they say they are the only ones who have the patent on curing the problems for our natives. We don't have enough social workers to help native people in urban areas overcome the cultural and emotional shock of moving from a reserve to a city such as Regina, and I think this is where we fail.

The Minister of Agriculture can say, well, we as a government feel natives are a federal responsibility whether or not they live on a reserve. Those people are caught very innocently in a dispute which they can talk about for the next 100 years. I doubt that they would come to a decision on what to do.

Speaking on the land entitlements, Mr. Speaker, in an address to the Saskatchewan Federation of Indians all chiefs' meeting in Saskatoon, the minister said that they were committed to negotiation. What is negotiation? Negotiation can go on for 10 or 15 years without solving anything or reaching some agreement. He goes on to say that any land entitlements must be made with the consent of the people involved (meaning the people who are leasing present Crown land) which brings up another point, Mr. Speaker.

Land entitlement in this province encompasses around a million or more acres of agricultural land. Yet in five years the bands which have legitimate land entitlement claims have selected around 115,000 acres, of which only about 40,000 of those 115,000 acres have actually been transferred to the bands in question. These entitlements are basically in the North. Now that we're moving to southern settlements, the government itself admits it's a little more tricky. It's easy for the Minister of the Environment to get up and say no lands will be taken away and given to the Indians

unless there is mutual consent. Well, that is pretty difficult to do, Mr. Speaker, when most of the lands being looked at are marginal at best. Most of the lands being looked at constitute a very viable part of a present agricultural operation. Perhaps it is going to be just a little tougher to come to an agreement than the minister might think. So that brings up another question.

The government stands up and says, we're the guys who are going to do this right. But what is the government giving up? They have shifted the entire burden of this debt, which everybody recognizes as being there, directly onto the backs of our farmers and ranchers in the province. All provinces recognize Indian land entitlements and they recognize that this is a debt which must be paid. Alberta recognizes it. Saskatchewan recognizes it. Manitoba recognizes it. But here in Saskatchewan, they have shifted that responsibility directly onto the backs of the farmers and ranchers. I say, Mr. Speaker, perhaps the total burden belongs not only to the people of Saskatchewan but to the people of Canada as a whole.

I would have to ask, why would this motion be brought up at this time? One would have to wonder if it is because Rob Milen, the Indian lands entitlement officer, has fired himself and is being slightly critical of the lagging negotiations, not only with the federal government but with the provincial government as well. Or you'd have to wonder, Mr. Speaker, if this motion was brought up because there are serious shortcomings coming to light within the Department of Northern Saskatchewan. Because of the timing of this motion, I feel it shows that once again this government is using our treaty Indians and non-treaty Indians as nothing more than pawns in a little game they are playing.

SOME HON. MEMBERS: Hear, hear!

MR. R.L. ANDREW (Kindersley): — Mr. Speaker, I wish to say a few words with regard to this matter and echo some of the words of the member for Maple Creek. I would first of all, refer, Mr. Speaker, to the article in the Saskatoon Star-Phoenix quoting the Minister of Environment, March 13, 1980:

I firmly believe that if this land agreement (referring to the Indian land claim settlement) had been fully settled years ago many of the Indians would not find themselves dispirited and despondent as they are today.

I think that is perhaps drawing somewhat of a long bow with regard to this whole situation.

I would look at the total question of Indian land settlement in the southern part of this province of Saskatchewan. What we are looking at is approximately 500,000 acres of land required in the southern part of the province to settle the Indian claims. I can say, along with the member for Maple Creek, that I think most members on this side of the House do recognize the rights of those Indian land claim settlements — at least the 13 or 14, I think there is a dispute with regard to one. That is a matter between the provincial government and the federal government. I am not familiar with that particular dispute.

I do say if you come down to the bottom line on the Indian land claim settlement, the bottom line becomes the point made in the agreement made by the Minister of Agriculture. That is, we must have satisfactory arrangements made between the patrons of the various pastures and the Indian bands making the claims on those given

pastures. What we come down to is the question of the land on the table in these particular cases, this particular land claim. The land, for all intents and purposes, is PFRA and community pasture. I say to the members opposite, exactly what are you giving up? You have some land; you have some pastures which are basically not generating money to you. In fact, in a lot of cases, it's probably costing money to operate those pastures, to keep those pastures going. What really are you giving up?

You are saying to the Indian bands, these are the pieces of land you can seize upon and identify as the property to settle the land claim dispute. It's a lot of grassland. In my constituency, one band identified a pasture as a particular land they wished to settle upon. That pasture was a PFRA pasture given up to PFRA back in the early '30s to create a pasture. It originally was settled land. It was originally homesteaded land the farmers went broke on, quite frankly. It blew away. This property was created by the farmers to develop a PFRA pasture. Quite frankly the patrons in that pasture were small farmers who had to have pasture land to graze their cattle on. If that was to be taken away from them, then their operation would become very shaky indeed. The net result of taking those people off that pasture land was that you were going to disrupt the farming operation of perhaps 10 or 15 farmers. For what in return?

I think that particular land claim was 15,000 acres and covered approximately 145 members of a given band who were going to seize upon that property. The farmers on the one hand were giving up their property or would be required to give up that property if they were to satisfactorily settle those land claims. Let's suppose the Indian band came along and settled on that. There are one or two options the band would have. Either the patrons could continue with the renting (if you like) of that given pasture, in which case if the rates were to remain anywhere close to where they are now, there would be virtually no income for the Indian band off that pasture land. Or, to satisfy the problem you would have to take the patrons off. The Indians would then become the farmers of that given property.

The Indians were given representation that this land, settled back in the twenties, was fairly arable land and could probably be produced into farmland. This land was chosen and was selected prior to the soil sample even coming out. If you were to read through the soil sample done by the Canadian Department of Agriculture, the summary, basically, said that the land was not arable land. The chances of farming on that land were very, very small, and probably, if it was to be farmed would have to be farmed with very modern farming techniques and this type of thing. I really question whether that Indian band would have gained a great deal from seizing on that property.

I say to the Minister of the Environment, what were you, with your great platitudes of what you are doing for the Indian people with the land claims, in fact giving those people? I suggest you weren't giving them a whole lot.

It strikes me in looking at this, and I don't profess to be an expert in the field of the problem with the Indians, far from it, that what happened to the Indians a long time ago was the settler saying, you people will sit on this little patch of land and we'll call it a reserve. I don't think those reserves have really done a great deal for the Indian people in the history of our province. Really we haven't done a great deal for the Indians by sticking them on a patch of land and calling it a reserve. That seems to be what the Minister of Environment, through his department, has been encouraging these Indian bands to do again; to say, we'll create another reserve on marginal land. To do what? To stay in a condition of poverty. And that is exactly where you are going to be.

Without taking away the question from the farmer, I throw this out and I know it's been rejected by this government on many occasions, what is wrong with the proposition of recognizing the Indian land claims on the one hand, and saying to the Indians, let's put a value on those Indian land claims? If it's 128 acres per person as of 1976, let's place a value on that. Do you want to give them \$50-an-acre land, as you're proposing at Glidden, or do you want to give them \$500-an-acre land? That can be up to negotiations. But having given them that, then why can't they, as an Indian band, invest that money and go and buy their own property? If they don't want marginal grassland then maybe they can buy farmland and become farmers with it. By doing that perhaps they can make a better way for themselves in the future. I don't see what's wrong with that.

Why should it be the farmer who is the person suffering here? Why shouldn't it be the person in the city every bit as much through his taxes who helps in, or leads to solving that problem of Indian land claims? Why should they guy who really has to be out of pocket be the farmer, and the rancher, and the patrons of the community in PFRA pastures in Saskatchewan? That is basically what you are asking for. Then you want us to pat you on the back for doing such a great job. I just question the sincerity of this particular motion at this point in time. I don't see where you really have done all that much, Mr. Minister, to solve this problem. In the case of the situation of Glidden, I don't think the Indian band would have had a great deal if you had made that particular deal come to pass. I don't think that's the solution.

HON. G.R. BOWERMAN (Minister of the Environment): — Mr. Speaker, I want to begin by making just a few responding comments to those speakers from the opposition who have entered the debate. One of them was asking about the objective of the resolution and why it is here at this point in time. I want to say that I think even though it's here at this time, it's on the records and in the debating forum of this House much later than it should have been. This issue has existed for a good number of years, much longer than any of us sitting in this legislature would care to agree to. And never before has there been enough courage or enough political will or enough public will to deal with the issue or get it out on the floor of this legislature and debate it in a manner where all sides can be heard. This is the forum for debate of public issues relevant to the Saskatchewan scene.

As well, I think the objective in this resolution was to acquaint the House with the issues between treaty and non-status. I can tell by the words chosen by those who sit opposite that they have not yet acquainted themselves with the issues because we heard urban native problems. We heard reference to urban natives. And then we heard reference to land claims. So obviously the members opposite have not, even to this day, fully informed themselves of what is at issue out there.

One of the other objectives of this resolution on the order paper is to acquaint not only this House but the public and the media with the issues out there. It does not have anything to do with urban natives. It has to do with treaty issues which are different and unrelated to urban natives. It has nothing to do with claims; it has to do with entitlements. It has to do with a debt that is owing, a debt which has never been paid. That's what it has to do with.

SOME HON. MEMBERS: Hear, hear!

MR. BOWERMAN: — The hon. member for Maple Creek made some reference to our poor showing in getting land transferred and made some reflection with regard to the

number of acres that have been selected out of the million in total and the number transferred as a result. I can only say this in response. There has been greater success in the last 5 years than in the previous 95 years. Another reference made by the member for Maple Creek says that Alberta and Manitoba recognize the debt; that is completely false, completely false, completely and utterly false. Alberta does not recognize there is a debt because they say to the Indian citizens of Alberta, you take your matter to the Supreme Court of Canada. There are no land rights in Alberta as far as we are concerned. That's the Alberta Conservatives' position. I suggest to you that Manitoba is a bit softer but yet the position of Manitoba is — well, we really don't have a position one way or the other. We just don't have a position and so the Manitoba position is not one of recognizing the debt. It is only Saskatchewan that has completely and forthrightly come out and said (not only among the politicians, but to the public of Saskatchewan, to the pasture patrons, and to the citizens) that there is a debt and the debt must be dealt with.

Mr. Speaker, the member for Kindersley attempted to waffle around, to verbalize, and to rationalize a situation down in his constituency relevant to a PFRA pasture, to soil classifications, and he reflects on whether or not the reservation approach was the right one. I can't and don't want to debate that at this point in time. I think it should not be debated. The issue and the fact of life is that in the development of this country and in the ceding of Rupert's Land to the new confederation, Indian people were called upon to give up the lands to which they have right entitle, on which they had lived for centuries; to give them up without fight and without struggle provided they received some things in return. All I can say to you, Mr. Speaker, is they did not get those lands in return. That's what we're attempting to resolve at this point in time. I suggest to you that if it is possible, and if it is thought to be reasonable that farmers in a community can graze cattle in a pasture and be successful in grazing their cattle in that pasture, why is it that cattle owned by treaty Indian people cannot graze in the same pasture and be just as successful. So, no matter how you try to waffle on that issue I think you must at some point in time deal with the question fairly and come down on the side of the position you take one way or the other.

Mr. Speaker, I would like to return to the notes I have before me. I think if we reflect on the present and past activities of Camp David we would see the implications of our own situation here in Saskatchewan. One of the oldest and I think one of the most revered histories of man's dealings with man, assures us that some of the basic ingredients involved in our land rights and settlement issues here in Saskatchewan are not dissimilar to the 2,000-year-old scattering and reassembling of a nation of people to their homeland.

One of the issues we must face has never gone away. People are still gathering back, or people are still claiming a land (even though centuries have passed) to which they believe they had right 2,000 years ago. There has been bloodshed over these issues and will continue likely to be shed over where the boundary should be or where it should not be, or whether they should have the West Bank or whether they should have the Gaza Strip. Some of those basic ingredients are involved in the land settlement issues in Saskatchewan today — as to whether or not treaty Indian people have right to those agreements which were made long before any of us in this Assembly were here, but agreements which were made and called treaties; treaties which were never fulfilled with respect to land issues and land rights.

I believe it is instructive, Mr. Speaker, to examine these struggles taking place and which currently have taken place. In essence what we are witnessing in those areas is

violent struggle for the control of lands. Thankfully this method of violent struggle for land control was rejected in the original process of land entitlement and land settlement in what was then known as Rupert's Land. They came out here; we didn't have a land settlement situation like they did south of the border where there was a great deal of bloodshed over who would maintain and who would have land rights, but here it was essentially established on the basis of non-violence. Thank goodness for that! But in the giving up of large tracts of land on the basis of Treaties No. 4, 2, 6, and a number of other treaties you could name, many thousands of acres that were to be given undeniably, the bands were to receive 128 acres per person, or 640 acres for a family of five.

Mr. Speaker, I want to clearly establish with you that the opening up for settlement of western Canada required the resolution of two obligations in order to deal with the question of whether or not the lands would be ceded.

First, there was the settlement with the Hudson's Bay Company, because as many of us know from our history, the Hudson's Bay Company claimed the right, whether they had the right or not, to the land then known as Rupert's Land. Firstly, we had to settle with the Hudson's Bay Company. Secondly, we were requested to settle with the bands which existed on the prairie at that time.

Negotiation and agreement, and not violent struggle, were the means by which the new federation of Canada wanted to gain control of the vast lands in western Canada from the Hudson's Bay Company, and from the Indian people.

Let me comment upon these two agreements. And there is one other that I would like to comment on as well, the agreement entered into by the federal government with the CPR. Firstly, I have always been impressed with the magnitude of the federal generosity in handing the Hudson's Bay Company, to which my hon. colleague referred to earlier, one-twentieth of all the land in the fertile belt in western Canada, from the Ontario-Manitoba border to the foothills of the Rocky Mountains. One-twentieth of all of that land in the fertile belt was given in payment to the Hudson's Bay Company for their giving up title. One-twentieth of it was given so that the Hudson's Bay might be satisfied.

In addition to that they were given title to all lands upon which their trading posts were constructed. They not only had title to one-twentieth of all the fertile land in Rupert's Land, but in addition, wherever they had a trading post, wherever they occupied land, they might have title to that. And in addition, there was a payment of 300,000 pounds cash. In land alone, the Hudson's Bay Company received over 3.3 million acres in Saskatchewan, and generous amounts, almost similar amounts, in both Alberta and Manitoba.

Secondly, I would like to point out that Treaty No. 4 in southern Saskatchewan, Alberta, and part of Manitoba, was signed to extinguish Indian aboriginal title to lands so that the CPR could be built. In Saskatchewan alone, the CPR generously received close to 10 million acres, and almost the same amounts in both Manitoba and Alberta. And they still have title to that land.

Thirdly, to finalize title to the vast lands in what is today, Saskatchewan, Manitoba and Alberta, Ottawa entered into treaties with the Indian people, which was to leave them 128 acres per head. This totalled at that time, 1.5 million acres plus certain educational, health, social, economic benefits, for which Canada claimed the full area

of Saskatchewan to the federal Crown.

I have to say, Mr. Speaker, this was hardly a generous trade by the federal government with the people who basically owned this land. But, Mr. Speaker, in addition, to realize that Canada has only provided such a small amount of land in return makes it one of the greatest, if not the greatest, land frauds in the history of our nation. Therefore, according to the treaties, the federal government has the sole responsibility for registered treaty Indians and Indian lands. The federal government has a legal and a moral obligation to settle all outstanding treaty debts owed to Indian people today.

SOME HON. MEMBERS: Hear, hear!

MR. BOWERMAN: — As we have said, one such debt is land. Complete settlement of this debt has been overlooked or has been ignored by the federal government for over 100 years at this point in our history.

Currently, there are 14 bands which are to receive in the neighbourhood of one million acres of land. Nine of these bands are in the agricultural belt of Saskatchewan. These nine bands receive half of the one million acres or so that have been allocated or considered for allocation or will be selected in that settlement process. Those of you who want to can pull out a highway map and look at the relationship of the million acres. Take about one-half of the Prince Albert National Park, and you will see what the Indians in the southern agricultural area would be receiving for their land settlement. See the size of that in relationship to the rest of the province of Saskatchewan, and you would still see, Mr. Speaker, in my opinion, the land settlement of treaty Indians is not a generous one.

Permit me to elaborate with respect to Crown lands that are to be used to settle this debt. These include provincial Crown lands which Saskatchewan is legally and constitutionally obligated to supply to the federal government. Let me elaborate on Saskatchewan's involvement.

In 1930 the British North America Act was amended to grant the prairie provinces ownership and control over natural resources. Alberta, Saskatchewan and Manitoba did not receive ownership and control of the resources when the provinces were established. Therefore, Canada could have resolved treaty Indian land debts to bands between 1870 and 1930, but they did not. They did not resolve or solve that issue even though they had made the treaties. Even though land settlement was taking place during those years, they did not settle the treaties which they made. They didn't settle with the Indians of that time. Therefore, legislation affecting the transfer of resources from the federal government to the prairie provinces thereafter obligated prairie governments to assist Canada. It involves us as a result of the resources transfer agreement. It involves prairie governments assisting Canada in meeting the treaty land commitments.

The federal government still has, Mr. Speaker, the sole responsibility to settle this debt. However, the prairie provinces which now make up that land, originally known as Rupert's Land, are to assist Ottawa by supplying unoccupied — unoccupied is the word used in the natural resources transfer agreement — Crown lands.

I must also stress, in the agricultural belt in excess of 79 million acres were surveyed prior to 1930. The Hudson's Bay Company received 3.3 million acres. The CPR

(Canadian Pacific Railway) received 10 million acres. All railroad companies combined together received 15 million acres. Thirty million acres were taken up by homesteaders. Indian bands received 1.5 million acres of which, Mr. Speaker, 375,000 acres were subsequently sold off by the federal government prior to 1930. Even though they had allocated the lands, they went back in and subsequently sold 375,000 or more acres of Indian lands prior to 1930.

In the agricultural belt, Saskatchewan received only 4.8 million acres of vacant Crown lands of which 1.8 million acres were covered by water. The remaining lands, small, scattered parcels of little or no economic value, were the dregs left over from Canada's national immigration homestead policy up to 1930. As well, some of these holdings were returned to Canada for PFRA pastures which the member for Kindersley made reference to. In short, the Indian bands, as the original owners, received the least land by agreement. The agreements have never been completely fulfilled even to this day.

Notwithstanding the foregoing, Saskatchewan responded to a letter from the Minister of Indian Affairs in August of 1975 to co-operate in resolving this long, outstanding debt. In 1976-77 agreement was reached upon the means of resolving this debt. Crown lands will continue to be used to settle this debt. However, satisfactory arrangements must be made by the federal government with the present users of any occupied Crown lands.

Selection by an Indian band does not necessarily guarantee transfer (and that's an important aspect of the policy). This must be accomplished through a negotiation process spearheaded by the federal government with the province and the lessees. This must occur through a process of negotiation and agreement. It will not proceed on the basis of expropriation.

Since April, 1979 Saskatchewan has not had formal response to its correspondence with the federal government regarding selections of federal and provincial pasture lands. This is regrettable, Mr. Speaker, because Saskatchewan believes that Saskatchewan citizens basically want an early resolution to this problem.

SOME HON. MEMBERS: Hear, hear!

MR. BOWERMAN: — We are pleased with the broad support we have received in Saskatchewan for early settlement of this debt from the Saskatchewan Association of Rural Municipalities, from the Saskatchewan Stock Growers' Association and from the Saskatchewan Wildlife Federation.

SOME HON. MEMBERS: Hear, hear!

MR. BOWERMAN: — Let me review briefly progress made to date. Agreement has been reached in northern Saskatchewan, where 125,000 acres of provincial Crown lands have been agreed upon and 38,000 acres transferred. More settlements and transfers will take place this year.

It is in the agricultural belt where there are causes for some concern, Mr. Speaker. The federal government has not responded to the band selections of federal PFRA or provincial community pastures. The federal government has not responded to our other concerns. As a result, on March 6, after dealing earlier with four different federal cabinet ministers, I wrote the new federal minister, the Hon. John Munro, requesting an early meeting to once again review this issue. I have expressed my interest in

discussing two major issues —resolution of pasture selections and the potential loss of tax base to rural municipalities.

In order to receive input from Saskatchewan taxpayers I requested the presidents of SARM, Saskatchewan Wildlife Federation and the Saskatchewan Stock Growers' Association join me to meet with the federal minister and head of the Federation of Saskatchewan Indians, Chief Sol Sanderson.

SOME HON. MEMBERS: Hear, hear!

MR. BOWERMAN: — SARM, the wildlife federation and the stock growers' association have all expressed a keen interest in that meeting. Their input is necessary to ensure this debt is finally paid.

I do want to point out that if pasture selections do not go forward then public funds must be expended to resolve that debt. Before I go on to that point, Mr. Speaker, I should say, with respect to the letter of March 6 (which I made reference to earlier), I have received no response to this date, not even an acknowledgement the letter arrived in Ottawa.

I do want to point out if pasture selections do not go forward, Mr. Speaker, then public funds must be expended to resolve the debt. Saskatchewan believes since the treaties were signed on behalf of all Canadians, Canada alone must assume payment for lands purchased.

SOME HON. MEMBERS: Hear, hear!

MR. BOWERMAN: — Saskatchewan's feelings are reinforced when one remembers that Canada alone disposed of virtually all the fertile lands owned and controlled by Canada in Saskatchewan up to 1930. I must make it clear, Mr. Speaker, that Saskatchewan is firmly committed to the resolution of this long outstanding debt. But Saskatchewan believes that transfers of land must not cause major disruption to present users of Crown land. The federal government must ensure that the livelihoods of present users are not unduly affected. We will not deviate from this position.

SOME HON. MEMBERS: Hear, hear!

MR. BOWERMAN: — The federal government and not the Indian people hold title to Indian reserve lands. Reserve lands are held by Canada in trust for Indian bands. As a result any agreements made with present users will be made by the federal government as title-holders of the lands and not with Indian bands. I hasten to add, of course, and it is without question, that Indian bands must be consulted with respect to the land transfer issues. I believe it important to review the position taken by Indian bands where negotiations involved users of Crown land. Indian bands are firmly committed to a negotiated settlement that is fair to the present users. As bands have stated on many occasions in my meetings with them, they do not want occupants of pastures to be treated like Indians have been treated with respect to their lands.

In summary, Saskatchewan believes that settlement of this debt must be paid. We believe it should be paid soon. We continue to look for federal leadership. We believe this debt is but one of many problems facing Indian people. As quoted earlier, I say again — as long as Indian people are required to press their leadership for action and settlement of land rights, then Indian leadership cannot get on with helping their

people in so many other problem areas they face today.

I sincerely hope settlement of this land debt will assist in giving Indian bands a more sound economic base for the future, however, it will not end welfare and the dependency on others. Even we, who have owned the good lands of Saskatchewan, have those problems within our society today. But I firmly believe that if this land agreement had been fully met years ago, many Indian people would not find themselves as dispirited and despondent as they are today.

I want to urge Saskatchewan people and opposition members to co-operate in the settlement of this land debt. It won't go away. It won't get any smaller. In fact, I want to point out to you that if we had not made the agreement and established the date as December 31, 1976 and we were attempting to settle that same agreement as of December 31, 1979, we would add another 125,000 acres to the million already committed. So I suggest to you the agreement which the Indian people were prepared to make was an agreement in which the negotiation process required some commitment on their part as well. It won't get any smaller, Mr. Speaker. However settlement will permit us, I believe, the rare opportunity to re-establish a basis of trust and co-operation with Indian people. I think that is one of the basics if we are going to come to the point where we have some confidence and credibility with each other. One of the issues is that we must settle what we said we would do as early as the 1870s. We must come to grips with that issue. And so I believe it will provide us with a rare opportunity to re-establish a basis of trust and co-operation with Indian people.

Settlement will not be easy to resolve; there is no question about that fact. There will be difficulties such as the kinds of questions the hon. member for Kindersley raises. Yes there are going to be questions in the minds of pasture patrons; there are going to be questions by rural municipalities; there are going to be questions raised by others in the rural municipalities. But the land question is still not going away. Given all those problems and all those situations, it is not going to go away, Mr. Speaker. Settlement will not be easy to resolve but justice and not compassion dictates that this debt must be paid. I would support the motion.

SOME HON. MEMBERS: Hear, hear!

MR. E.A. BERNTSON (Leader of the Opposition): — Mr. Speaker, the member for Shellbrook in his opening remarks indicated this was the first time this issue has come to the floor of this legislature. I point out to the member for Shellbrook his party has been in power since 1944 almost continuously. I think it's shameful it took until today to bring this issue to the floor of the legislature. I think it's doubly shameful when you bring it to the floor of the legislature and set yourself up as the only party, and the only province, that has any conscience.

You are trying to say here today you're the only people that have recognized these entitlements. The entitlements have in fact been recognized by Manitoba. I think the groundwork of these entitlements was put together under the Shreyer government. Their treaty entitlement transfers shall include mines and minerals based on 128 acres per treaty population — not too much unlike yours. By Alberta's land entitlements policy, the province will transfer unoccupied Crown lands sufficient to fulfil the treaty entitlement based on 128 acres per treaty population. Alberta does say they exclude mines and minerals, but also say at the present time the policy is being reviewed.

It is shameful the members opposite would stand in this House and set themselves up as having the only people with the social conscience or a judicial conscience, and they've been sitting in power almost continuously since 1944. It took them until today to bring this to the House. We all recognize the entitlements. We all want to see the settlements. You have already squandered away the money that could have otherwise been used as the member for Kindersley suggested, buying up 1 million acres of land bank land for a program that hasn't worked. We have 8,000 fewer farms than we had in 1972. The member for Shellbrook also indicated that as it relates to occupied Crown land, those occupying the Crown land such as community pasture tenants, etc. would be involved in the negotiations and discussions to be sure amicable arrangements were met suitably for all those parties concerned. In fact the first knowledge community pasture tenants had of any such proposal was on October 1, 1979 in a letter written to the patrons of community pastures in Saskatchewan by a Harry M. Hill, director general of PFRA. That was the first time community pasture tenants had been informed of the discussions of what was going on as it related to treaty land entitlements.

I was out of the House a little earlier today so maybe this has already been asked. Why is it that Rod Milne effectively fired himself in protest because there was inaction on the part of the bureaucracy at every level?

We have some concerns about the quality of land, Mr. Speaker, put on the bargaining table, if the quality of land is as indicated here. This is done by the Canadian agriculture soil survey until at the University of Saskatchewan, I'll give you the name — Dr. R.W. Lodge. This has to do with the Newcombe (?) pasture.

Kindersley soils are found primarily in a few small isolated areas near the edge of the pasture. They occur mainly on nearly level topography and to a lesser extent on gently sloping topography in areas where they are closely associated with black loam soils. In total, however, they occupy about 275 hectares or less than 2 per cent of the total area. Arable agriculture is not recommended in these areas. Areas best suited for arable agriculture in the west pasture are several small areas in the southwest corner that are rated class 3 — less than 2 per cent. That particular pasture makes up part of several surrounding viable units. In itself it couldn't stand up. It just wouldn't. Low average yield and relatively high incidence of crop failure can be expected in these areas, although reasonably good yields can be expected in years of above average precipitation.

The fact is, you've squandered away enough money to buy one million acres of land in your land bank program. You're now trying to slough off marginal land that would do nothing but aggravate the existing situation, create other small patches of land and perpetuate the poverty that already exists. This government comes in here today after sitting in power, almost totally since 1944, and sets itself up . . . It's shameful, Mr. Speaker.

I have one other concern. One small inconsistency crops up of late. August 17, 1978 the Premier said the provincial government believes mineral rights on reserve land belonged to Indians but were given up along with lands surrendered by treaty. This implies, or seems in my view to say the Premier is not prepared to include mines and minerals with any land entitlements that might be transferred. And that's what I'm getting to. Mr. Bowerman, the member for Shellbrook, says he has no choice. They have to be transferred with the land.

I would suggest to you, member for Shellbrook that you get together with your Premier and decide which one of you is right. Maybe you need a good lawyer to stop in at the

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Attorney General's department on the way by. There are concerns expressed by many groups. I think legitimate concerns. We've been over them before. SARM is supportive but has concerns. They have concerns about losing revenue from taking community pastures. Their biggest concern is the member for Shellbrook.

But what has the government done? We've recognized the entitlement is somewhere around 1 million acres. That was a tough one; all we had to do was multiply 128 times the population as of 1876. What have you done beyond that? You've negotiated around and around. You've maybe transferred somewhere in the neighbourhood of 50,000 acres. You really haven't done a great deal. One million acres . . . You've done it for land bank. Now you're trying to satisfy the entitlement.

The motion reads that this Assembly commends the Government of Saskatchewan for its stand on recognizing and promoting the integrity of Indian treaty rights. As I've said, everybody has recognized the integrity of treaty rights. As it relates to promoting it, you've promoted it primarily with rhetoric and nothing more. There's been no action, little action in this regard. I think it's shameful as I've said earlier. It took you from 1944 until today to bring this motion to the House.

I intend to amend the motion, Mr. Speaker. My amendment will effectively change the motion to read:

That this Assembly urge the Government of Saskatchewan to not only recognize, but to promote the integrity of Indian Treaty rights with particular reference to items 1 and 2.

You can take it as read. Just in closing, Mr. Speaker, I think it's shameful that this motion would come today after 36 years of that party being in power and in all of that time they have managed to transfer about 50,000 acres of a one million acre entitlement. I move therefore, seconded by the member for Meadow Lake (Mr. McLeod), that the word 'commend' where it appears in the first line be deleted and the word 'urge' substituted therefore and that the words 'for its stand on recognizing and promoting' be deleted and the following substituted therefore: 'to more than recognize but also promote'.

MR. L.E. JOHNSON (Turtleford): — Mr. Speaker, I would like to put a few remarks on the record regarding this particular issue. To start with, I'd like to go back some 25 years when as a boy in a hayfield, I sat and sipped coffee with a number of people there, some of them from one of the local reserves, as they discussed with my father the issues that were of concern to them. One of the issues that concerned them was the fact that they had, in their minds, been cheated out of land and eventually or sometime in the future they were going to secure this land back. It gives me a great deal of pleasure to be the MLA for the Turtleford constituency when three of the reserves in that constituency are because they were shifted from the Battleford area up into the area near Turtleford. In my mind the land which they held in and around Battleford was literally swiped from them. And this is the reason they have an entitlement today. I would like to indicate that the Witchekan Lake Reserve, which is also in that area, has a land entitlement because there was simply not enough land provided to fulfil the land entitlements at the time they initially received the reserve.

There's a possibility, Mr. Speaker, that two other reserves in that area, Chitek Lake and Saulteaux, will be seeking land as well. Their entitlements have not been fully recognized but are probably in the process of being recognized. And these particular

reserves are doing it for different reasons as well. In the Chitek Lake case there were a number of individuals who came into treaty at a later date and no land was provided for the fact they had signed a treaty with the new families.

I would like to indicate to some of the members opposite that it is my understanding that over the past number of years the federal government has not only not provided a move in settling these entitlements but at different times has actually undertaken the destruction of files to see to it that there would be no further possibility of coming up with the information to indicate they should have received an entitlement.

I think even with the completion of what is presently the case, the entitlement will not be a fulfillment of the original agreement but will simply be a negotiated settlement. It is therefore something we should all support because it is not meeting everything, it is only a negotiated settlement which we can agree upon.

I'd like to comment a little bit about some of the things I have heard the opposition leader in this House state as well as the member, I believe, for Kindersley. And if I understand correctly what both of them were saying, they were presenting the case for purchasing land entitlements for cash. I do not believe this ever will be satisfactory in these situations. We must first of all meet the land area and then meet some of the other problems which are facing us as a community in Saskatchewan. I wish to say I will be supporting the original motion and I thank you very much for the time.

MR. G.M. McLEOD (Meadow Lake): — Mr. Speaker, in rising to speak on this debate, I agree with members on the opposite side and members on our side who say this is a very serious debate. I do not believe that legislators in any province . . . We've been talking about the positions of Alberta, Manitoba and Saskatchewan and the federal government. I hear people across there talking about the blame being put on the federal government and so on. I don't think we should move this very serious social and economic issue into the realm of partisan politics because certainly we're involved in politics. But an issue like this, as the Minister of the Environment said, has been around for a long time and will continue to be around for a long time. It will be here a lot longer if we continue to put it into the arena of partisanship.

So, I'll appeal to you gentlemen over there to take it out of the partisan arena of politics. The offering of marginal Crown land in my view will do very little to enhance the social position or the economic position of native people. I represent a constituency with pastures selected by Indian bands.

All this marginal land will do is perpetuate the serious problem the reserve concept has been for Indian people over the last 100 years. In effect, all the transfer of marginal pasture land will do is present a hardship for the present patrons of these pastures, who are dependent upon their pasture allotment to supplement their farming operations.

I acknowledge Canada has a debt to pay, as have members opposite as well as members on our side. I don't acknowledge the government's position that agricultural people who just happen to live in proximity to the marginal pasture land put on the selection table should pay a greater portion of the debt than other Canadians, Canadians all across the country, people who live in the cities and pay taxes and so on.

In this regard I was glad to hear the minister responsible for land entitlements suggest that if the pasture selections do not take place, funds may have to be put on the table on behalf of the citizens. I think that is a positive statement. I was glad to hear it.

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Mr. Speaker, as members on the opposite side may know my background is one of living in a constituency which has a good percentage of native people. My background is of one living among them. I was born in that area. I went to school with Indian people. I participated in athletic activities alongside them. I have many lifelong friends among them. That fact will not be disputed by any one in my area where I am known among the Indian people.

I also spend the last 10 years seriously approaching the problem Indian students face, the social and educational problems they face in our school system. As it happens, that was the business I was in.

Mr. Speaker, I would like to read to the Assembly today and into the record, a heart-rending statement by a famous Canadian of Indian ancestry, Chief Dan George. The statement has meant much to me in my attempts to approach the wider problems Indians are facing. I hope all members will give this serious thought. I quote, Mr. Speaker:

Was it only yesterday that men sailed around the moon? Can they now stand up on its barren surface? You and I marvelled that man should travel so far and so fast. Yet if they have travelled far, then I have travelled farther. If they have travelled fast, then I faster. For I was born a thousand years ago, born in a culture of bows and arrows. But within the span of half a lifetime I was flung across the ages to the culture of the atom bomb. And from bows and arrows to atom bombs is a distance far beyond the flight to the moon.

I was born in an age that loves the things of nature and gave them beautiful names like Teswalowit (?) instead of dried up names like Stanley Park. I was born when people loved all nature and spoke to it as though it had a soul.

I can remember going up Indian River with my father when I was very young. I can remember him watching the sunlight light fires on Mount Paynane (?) as it rose above its peak. I can remember him singing his thanks to it, as he often did; singing the Indian word thanks, so very, very softly.

Then the people came; more and more people came; like a crushing, rushing wave they came, hurling the years aside. Suddenly, I found myself a young man in the midst of the 20th century. I found myself and my people adrift in this new age, but not a part of it, engulfed by its rushing tide but only as a captive eddy going round and round on little reserves. On plots of land we floated in a kind of gray unreality, ashamed of our culture which you ridiculed, unsure of who we were or where we were going, uncertain of our grip on the present, weak in our hope of the future. That is pretty well where we stand today.

I had a glimpse of something better than this. For a few brief years I knew my people when we lived the old life. I knew them when there was still a dignity in our lives and a feeling of worth in our outlook. I knew them when there was unspoken confidence in the home and a certain knowledge of the past that we walked upon. But we were living on the dying energy of a dying culture, a culture that was slowly losing its forward thrust.

I think it was the suddenness of it all that hurt us so. We don't have time to

adjust to the startling upheaval around us. We seem to have lost what we had without a replacement for it. We did not have time to take our twentieth century progress and eat it little by little and digest it. It was forced feeding from the start and our stomachs turned sick and we vomited.

Do you know what it is like to be without moorings? Do you know what it is like to live in surroundings that are ugly and everywhere you look you see ugly things, strange things, strange and ugly things? It depresses man, for man must be surrounded by the beautiful if his soul is to grow.

What did we see in the new surroundings you brought us? Laughing faces, pitying faces, sneering faces, conniving faces, faces that ridiculed, faces that stole from us. It is no wonder we turned to the only people who did not steal and who did not sneer, who came with love. They were the missionaries and they came with love and I for one will ever return that love.

Do you know what it is like to feel you have no value to society and those around you; to know that people came to help you but not to work with you for you knew that they knew you had nothing to offer? Do you know what it is like to have your race belittled and to come to learn that you are only a burden to the country? Maybe we did not have the skills to make a meaningful contribution but no one would wait for us to catch up. We were shoved aside because they thought we were dumb and could never learn.

What is it like to be without pride in your race? Pride in your family? Pride and confidence in yourself? What is it like? You don't know for you never tasted its bitterness. I shall tell you what it's like. It is like not caring about tomorrow for what does tomorrow matter. It is like having a reserve that looks like a junkyard because the beauty in the soul is dead and why should the soul express an external beauty that does not match it? It is like getting drunk for a few brief moments, an escape from ugly reality and feeling a sense of importance. It is most of all like awaking next morning to the guilt of betrayal for the alcohol did not fill the emptiness but only dug it deeper.

And now you hold out your hand and you beckon to me to come across the street. Come and integrate, you say, but how can I come? I am naked and ashamed. How can I come in dignity? I have no presents. I have no gifts. What is there in my culture you value? My poor treasury, you can only scorn. Am I then to come as a beggar and receive all from your omnipotent hand? Somehow I must wait. I must delay. I must find myself. I must find my treasure. I must wait until you want something of me, until you need something that is me. Then I can raise my head and say to my wife and family, listen, they are calling; they need me; I must go. Then I can walk across the street and I'll hold my head high for I'll meet you as an equal.

I will not scorn you for your demeaning gifts and you will not receive me in pity. Pity I can do without; my manhood I cannot. I can only come as Chief Capilano came to Captain Vancouver, as one sure of his authority, certain of his worth, master of his house and leader of his people. I shall not come as a cringing object of your pity. I shall come in dignity or I shall not come at all.

You talk big words of integration in your schools. Does it really exist? Can we talk of integration until there is social integration? Unless there is integration

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in the hearts and minds you have only a physical presence and the walls are as high as a mountain range.

Come with me to the playgrounds of an integrated school. See how level and flat and ugly the blacktop is? But look. Note it is recess time. The students peer through the doors. Soon over here is a group of white students. And see over there near the fence, a group of native students.

And look again. The black is no longer level. Mountain ranges rising, valleys falling and a great chasm seems to be opening up between the two groups — yours and mine. And no one seems capable of crossing over.

But wait. Soon the bell will ring and students will leave the play yard. Integration has moved indoors. There isn't much room in a classroom to dig chasms, so there are only little ones there, only little ones.

But we won't allow big ones at least not right under our noses. So we'll cover it all over with blacktop. Cold, black, flat and full of ugliness in its sameness.

I know you must be saying tell us what you do want. What do we want? We want first of all to be respected and feel we're people of worth. We want an equal opportunity to success in life. We cannot succeed on your terms. We cannot raise ourselves on your norms. We need specialized help in education, specialized help in the formative years, special courses in English. We need guidance counselling. We need equal job opportunities for graduates, otherwise our students will lose courage and ask what is the use of it all. Let no one forget it.

We're a people with special rights guaranteed to us by promises and treaties. We don't beg for these rights, nor do we thank you. We do not thank you for them because we've paid for them. And God help us, the price we paid was exorbitant. We paid for them with our culture, our dignity, and self-respect. We paid and paid and paid until we became a beaten race, poverty stricken and conquered.

But you have been kind to listen to me. I know that in your heart you wished you could help. I wonder if there's much you can do and yet I believe there's a lot you can do. When you meet my children in your classroom respect each one for what he is — a child of our Father in Heaven and your brother. Maybe it all boils down to just that.

And now it is the end. May I say thanks to you for the warmth of your understanding.

End of quotation, Mr. Speaker. I would ask all members once again to take those kind of comments very seriously. Take them when you're thinking of the whole question of land entitlements, the whole question we're dealing with here today. When you take it back to the negotiating meetings dealing with this, and when you come across all the statements coming from both sides — both the native band statements and the polarization that's taken place in some of the areas — think about it. Forget the partisan politics. Let's solve the problem as soon as possible.

SOME HON. MEMBERS: Hear, hear!

MR. R.G. LONG (Cut Knife-Lloydminster): — Mr. Speaker, I would have to this afternoon echo the comments of many members regarding this motion before us today. It is indeed, a very serious issue. I am privileged, Mr. Speaker, to represent the constituency of Cut Knife-Lloydminster. In that particular constituency I believe we have one of the most serious and difficult Indian land entitlement problems in the province of Saskatchewan.

There are really two bands seeking land entitlements in my constituency. The Little Pine band is seeking a major portion of land. The Lucky Man band is seeking just a reserve. They were excluded at the time the reserves were allocated. When the reserves were allocated they were away on a hunting trip. The lodges of the time, used to count for the amount of land they would have available to them, weren't in sight so the surveyors or the person who was involved in allocating the land didn't allocate them a reserve. They've been all these many years without a reserve.

I said this was a serious problem in my constituency because of the fact that the Little Pine Reserves is in the middle of a very good piece of a farmland, a very productive piece of farmland. It is also right in the middle of the path of what may be heavy oil development of the future.

Mr. Speaker, the federal government's procrastination on this issue, I believe, is causing a greater problem all the time in my constituency. The farmers of that area are concerned. They keep hearing rumors; they keep wondering what is to be done. And I have to agree with the member of Meadow Lake. I think he is right in saying what we need is proper communication. We need to get together with people and discuss this problem and be sure people on all sides of this issue fully understand what we're talking about.

As I have said, Mr. Speaker, the Little Pine Reserve is right in the middle of (or looks like it could well be in the middle of) heavy oil development in my constituency, so it is obvious that the Indian people of that reserve, of that band, would like to make the selections where they could take advantage of this kind of revenue in the future. So this just adds to the problem and make sit that much more difficult.

But, Mr. Speaker, the people of Little Pine Reserve and the Lucky Man band are a patient people, and an understanding people. I have met with them many times discussing this issue and other issues they have on the reserve, and I must say, Mr. Speaker, I find it rather frustrating at times, in dealing with the Indian people, finding that so many of their problems are indeed, because of the federal government. There is often very little I can do as a provincial member, to help them.

I feel a great deal of frustration about this, Mr. Speaker, at times, because I find them as I said before, to be a patient and a good people, an understanding people. The other day in conversation with some of the people on the Little Pine Reserve, I said to them (and I am at the point where I can be quite frank with these people), you know, you must realize how difficult it is — some of those farmers out there whom you may well be approaching, or the federal government may well be approaching to settle your entitlement, have been there for three generations, and you can understand their position. They have been on those farms for so long and it is their home. One of the band members looked at me with a smile on his face and said, yes Bob, but considering the high cost of production in farming today, we may well be doing them a favour. So

they understand and they have a sense of humor that I very much enjoy.

As you know, Mr. Speaker, my constituency is along the Alberta border and I have occasion to rub shoulders with our Conservative friends across the border, and I might say, Mr. Speaker, the member, my neighbor across the border, I work with a great deal. When you represent the constituency of Cut Knife-Lloydminster, You find yourself working with Alberta people in the city of Lloydminster almost as much as you do with Saskatchewan people because there are joint boards and these sorts of things, and I work with the Alberta member a great deal.

During the time that we discussed land claims, Indian land entitlements, he said to me, I don't understand your government's reasoning for settling with the 1976 census figures as a basis for your land entitlements. And I think, Mr. Speaker, that should be pointed out here today in this debate, that the reason we settled as a government (in our agreement with FSI and with the federal government) for those figures, the 1976 census figures as a basis for land entitlements, was that our legal advice was that the treaties were open-ended, and in fact, the Indian people at that time actually made a concession by settling for the 1976 census. I think it is important that we realize they did make that very major concession. I pointed that out to my Alberta friend and colleague and he really didn't have any retort for that. I think he probably went back to his lawyers to see where the Alberta government stood on that particular issue.

Mr. Speaker, as I said at the start, this is a very serious issue. I find it a difficult issue to deal with. I think it will take all the communication, all the co-operation all of us can muster. I would call on the members opposite to co-operate with us on this side of the House. I think over a period of time we can resolve this problem.

Mr. Speaker, I will be supporting the main motion. I will be opposing the amendment and I now beg leave to adjourn this debate.

Debate adjourned.

COMMITTEE OF FINANCE

STATEMENT BY MR. CHAIRMAN

MR. CHAIRMAN: — Order, order. I have a statement I'd like to make. A point of privilege was raised in the committee of finance on Monday, April 14, 1980 by the member for Regina South requesting that the member for Regina North-West withdraw certain remarks made in the committee on Wednesday, April 9. I reviewed the member's point and find that this case ought to be considered as a matter of unparliamentary language and not a matter of privilege. I refer all members to Beauchesne's Parliamentary Rules and Forms, Fifth Edition, page 114, paragraph 323:

- (1) Unparliamentary words may be brought to the attention of the House either by the Speaker or by any Member. When the question is raised by a Member it must be as a point of order and not as a question of privilege.
- (2) The proper time to raise such a point of order is when the words are used and not afterwards.

Members will note that points of order of this kind should be raised immediately. It has been the practice of this House to allow members sufficient time to check the official.

record before raising his point of order at the earliest opportunity thereafter. I believe this Assembly should adhere as closely to this practice as possible. The member for Regina South did not raise his complaint against the member for Regina North-West until Monday, April 14 while the official record of the remarks was available to all members by 10 o'clock on the morning of Thursday, April 10. Because of the delay in raising this point, I am unable to rule on this case.

MR. E.A. BERNTSON Leader of the Opposition): — I stand to be corrected. But as I understand it the matter was in fact raised with Mr. Speaker and referred back to committee. He wouldn't deal with it.

MR. CHAIRMAN: — Order. Just to clarify it, I don't want to get into an argument on my statement. There were two raised at the time it was raised with Mr. Speaker: the question of remarks raised by Mr. White and by Mr. Hammersmith. This third one was raised at the time I ruled on Hammersmith and White.

MR. BERNTSON: — We are to accept then that it was in fact unparliamentary but because of the delay it won't be dealt with?

MR. ROMANOW: — Mr. Chairman it is 4:50, I think it is worthwhile getting your ruling out of the way, and no use starting tourism estimates given the fact we adjourn at 5 o'clock, I think the only option now is to move the committee rise, report progress and ask for leave to sit again, if that meets with the approval of my hon. friend, the member for Moosomin.

The committee reported progress.

The Assembly adjourned at 4:54 p.m.