

my intention to bring on this motion as quickly as possible so that you may have the views of the legislature in respect thereto.

With kindest personal regards.

Yours faithfully,

Byron I. Johnson
Premier

Premier's Office
Saskatchewan

Regina, February 10, 1951

Hon. Stuart Garson, K.C.,
Minister of Justice and Attorney General,
Ottawa, Ontario.

Dear Mr. Garson:

Attached please find copy of our "Routine Proceedings" of February 8, in which you will note the resolutions which I placed on the order paper and which will probably be discussed and dealt with in the course of the next few days.

I thought you would be interested in having this, lest there should be any question raised as to the position which Saskatchewan takes with reference to the two constitutional amendments which your government has suggested.

Yours sincerely,

T. C. Douglas

Extract from Routine Proceedings and Orders of the Day of the legislative assembly, province of Saskatchewan, No. 6, Thursday, February 8, 1951. "Government Motions

1. Hon. Mr. Douglas (Weyburn), to move the following resolution:

That this assembly approves in principle the amendment of section 95 of the British North America Act, as proposed by the government of Canada, following the federal-provincial conference held in December 1950, under which, notwithstanding anything contained in the said act, the parliament of Canada may make laws in relation to old age pensions.

2. Hon. Mr. Douglas (Weyburn), to move the following resolution:

That this assembly approves in principle the amendment of section 92 of the British North America Act as proposed by the government of Canada, following the federal-provincial conference of December 1950, under which, in addition to the power already possessed by the province, the province shall have power to raise revenue for provincial purposes by:

'Indirect taxation within the province in respect of the sale of goods (except goods sold for shipment outside the province) at a rate not exceeding three per centum of the sale price, but not so as to discriminate between sales of goods grown, produced or manufactured within the province and sales of goods grown, produced or manufactured outside the province, and not so as to discriminate between sellers or classes of sellers of the same class of goods.'

TEXT OF LETTER SENT TO THE PREMIERS OF ALL THE PROVINCES

Office of the Minister of Justice

Ottawa, Canada, February 28, 1951

Hon. Byron I. Johnson, M.B.E.,
Premier of British Columbia,
Parliament Buildings,
Victoria, B.C.

Dear Mr. Johnson:

On January 2, 1951, I wrote you forwarding two enclosed proposed amendments to the British North America Act respecting old age pensions and a provincial sales tax. On January 20 I wrote another letter setting out the text of a further amendment to the sales tax amendment which had been included in my letter of January 2.

In response to these letters I have now had replies from the provincial governments. In order that every provincial government will know what position every other provincial government has taken in relation to these amendments, I now enclose copies of all letters and enclosures which I have received from the provincial premiers and their colleagues in this connection which I list as follows:

Letters to me from

Premier Jones dated January 5, 1951;
Premier McNair dated January 6, 1951;
Premier Douglas dated January 8, 1951;
Premier Duplessis dated January 8, 1951;
Premier Macdonald dated January 19, 1951 and enclosures;
Premier Frost dated January 24, 1951;
Premier Jones dated January 25, 1951;
Premier McNair dated January 25, 1951;
Premier Manning dated January 26, 1951;
Premier Smallwood dated January 26, 1951;
Premier Campbell dated January 31, 1951;
Premier McNair dated February 2, 1951;
Premier Douglas dated February 5, 1951;
Premier Johnson dated February 6, 1951;
Premier Douglas dated February 10, 1951 and enclosure;

Telegram from Premier Jones to myself dated January 23, 1951;

Telegram from Premier Macdonald to myself dated January 31, 1951.

One reason for the language in which we drafted the amendment regarding old age pensions which we sent out in my letter of January 2, 1951, was to indicate that the federal government should also have powers to pass laws relating to old age pensions in addition to the powers which the provincial legislatures have already exercised in that behalf. We therefore drafted this amendment as follows: "Notwithstanding anything in this act the parliament of Canada may make laws in relation to old age pensions".

The premiers of Ontario, Nova Scotia, and Alberta raise the point that this language might perhaps be open to misinterpretation as giving the government of Canada sole jurisdiction in the field of old age pensions legislation. This was not what we intended, nor do we think that this is the effect of the language in question; but we are quite willing to try to draft a new wording which will reassure the premiers of Ontario, Nova Scotia and Alberta on the points they have raised. In an endeavour to do so I now submit a new draft of a new section 95A (not a new subsection to the section 95 itself) to read as follows: