

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — Sixteenth Legislature
12th Day

Wednesday, February 19, 1969.

The Assembly met at 2:30 o'clock p.m.
On the Orders of the Day.

WELCOME TO STUDENTS

Mr. E. Whelan (Regina North West): — Mr. Speaker, through you it is my pleasure to introduce to all Members of the Assembly 31 grade 7 and 8 students from Al Pickard school in northwest Regina. They are seated in the west gallery, behind me. Their teacher, Mrs. Alice Samkoe, who is with them, advises me that they are taking a special interest in debating and have organized a "mock parliament" at their school. All Members join me, I am sure, in expressing to them our wish that their stay with us will be pleasant and educational.

Hon. Members: — Hear, hear!

Hon. D.T. McFarlane (Qu'Appelle-Wolseley): — Mr. Speaker, I would like to draw your attention and the attention of the Members of this House to a group of approximately 60 students from the Fort Qu'Appelle composite high school. This is a grade 12 class under the direction of their teacher, Mr. Megaw. I'd like to remind Members of the House that Fort Qu'Appelle is one of the oldest and one of the most historic areas in the province. They've just completed their annual winter festival. I'm sure that the students from Lebret and Fort Qu'Appelle will enjoy themselves this afternoon in the Assembly. Wish them all a safe journey home.

Hon. Members: — Hear, hear!

Mr. H.H.P. Baker (Regina South East): — Mr. Speaker, I'm very pleased to welcome a group of grade 8 students from Thomson school. They are accompanied by their principal, Miss Gayton, and the assistant principal. I may say that Thomson school is right in the centre of my constituency, the largest constituency in Saskatchewan by population, and I might say that Miss Gayton is an accomplished musician and directs a wonderful school choir which did much for our Centennial and has in the past few years as well. We'll be looking forward to them doing a lot during the Homecoming in '71.

Thomson school is really my home school, for my daughter had attended there, taken her public school education and I had the privilege of being President of that Home and School

organization for many years. We welcome you this afternoon and I hope that the visit will be fruitful and that you will learn much as to how our provincial laws are made.

Hon. Members: — Hear, hear!

Mr. J.J. Charlebois (Saskatoon City Park-University): — Mr. Speaker, it is a pleasure for me to introduce to you and through you to the Members of this Assembly, a group of students from Holy Family school in Saskatoon. This is one of the separate schools and it is situated of course in my constituency of Saskatoon City Park-University. These students are here today with two of their teachers, Mr. Micatuch and Mr. Hudy. We certainly hope that they enjoy the proceedings of the House and that they will have a very pleasant and safe journey home.

Hon. Members: — Hear, hear!

Mr. F.A. Dewhurst (Wadena): — Mr. Speaker, I would like to introduce to you and to the Members of this Assembly, a group of 27 grade 10 students seated in the Speaker's gallery from the school at Wishart. They are under the guidance of their teacher, Mr. Millham and are escorted by two bus drivers, Mr. Adam Zemlak and Mr. Peter Zack. I know each of the Members will join me in wishing them an enjoyable afternoon, an enjoyable trip to the city, and a safe journey home.

Hon. Members: — Hear, hear!

Mr. J.E. Brockelbank (Saskatoon Mayfair): — Mr. Speaker, I'd like to introduce to the Chamber, through you, a group of students from Estey school in Mayfair constituency. I understand that they are escorted this afternoon by Mr. Demus and Mrs. Lohti. I would also like to say that their school is named after a rather well-known Saskatoon and Saskatchewan personality of years past. I am not sure as to the whereabouts of Howard Coad school students, whether they're here this afternoon or not. I understood there was supposed to be a group of them in Regina for the session today. I think they are 52 in number and if they are here, I will feel that I have introduced them to you. They are accompanied by Mr. Clark and Miss Dyck. I hope that their stay here this afternoon will be interesting and informative, and I'm sure that all Members wish them a safe journey back to Saskatoon Mayfair.

Hon. Members: — Hear, hear!

Mr. F. Meakes (Touchwood): — I would like to add my good wishes to those of Mr. Dewhurst to the pupils coming from Wishart and the Wishart school. The reason that I do this is because when I look at them I see young folks whose parents I went to school with.

Many of them came from my home community of Westmount and I would like to add my good wishes to them.

Hon. Members: — Hear, hear!

ANNOUNCEMENT

FREIGHT RATE CHANGES

Hon. W.R. Thatcher (Premier): — Mr. Speaker, before the Orders of the Day, I should like to make a brief announcement. The Government of Saskatchewan has been concerned by recent changes in the freight rate structure in Western Canada. The railroads gave certain new rates to such points as Winnipeg, Calgary, Edmonton and Vancouver but refused the same schedule to Regina and Saskatoon. The Government of Saskatchewan protested this apparent discrimination to the Federal Minister of Transport, and to officials of the railroads.

I wish to tell the Legislature that the President of the CPR, Mr. Ian Sinclair, phoned me in connection with our complaint this morning. He informed me that rate action has been commenced today which will remove the cause of Saskatchewan's concern.

Some Hon. Members: — Hear, hear!

Mr. Thatcher: — The new rates that have been complained about will be withdrawn. The four points in Alberta, Manitoba and British Columbia will be restored to the situation that existed before the recent experiment was commenced. While we would have preferred to have had the lower rates applied to Saskatchewan, nevertheless the most recent step will remove the discrimination against our province.

May I say that I found the railroad officials, and particularly Mr. Sinclair, most reasonable in this regard. The President informed me that it would take about 30 days to effect the changes.

Some Hon. Members: — Hear, hear!

QUESTION

ORDERS FOR RETURN

Mr. W.S. Lloyd (Leader of the Opposition): — Mr. Speaker, before the Orders of the Day, may I direct a question to the Attorney General (Mr. Heald), and I stand subject to some correction but it's my impression, and according to my records, that there are still three Orders ordered last year, not as yet down and I wonder if the Attorney General could inform us about them.

Hon. D.V. Heald (Attorney General): — Yes, Mr. Speaker, I think that those Returns, it's either two or three, I'm not sure, and I would think that in the next day or so . . . I just sent a great volume of material from my Department down to the Provincial Secretary's office, so hopefully in the next day or so we'll be able to complete them.

SECOND READINGS

Hon. D.T. McFarlane (Minister of Agriculture) moved second reading of Bill No. 25 — **An Act to amend The Family Farm Improvement Act.**

He said: The two amendments contained in the Bill are proposed for the purpose of updating the present Act. The Bill proposes to broaden the Act to cover activities of the Family Farm Improvement Branch in providing water and sewage installation services to small communities and to remove specific limits imposed by the present Act on reporting details of expenditures of the Family Farm Advance Account reported in the Public Accounts.

The Family Farm Improvement Branch, Mr. Speaker, which operates under The Family Farm Improvement Act, has provided technical services and materials to facilitate modernizing small communities for some years. Under the Small Communities Water and Sewage Program, we provide free technical assistance and make considerable materials available to facilitate modernizing our hamlets, villages, small towns and settlements. We work with about 60 of these communities each year in the farming area, including Indian reserves and the Northern Administration Districts.

There were 19 community water systems, and 11 community sewage systems installed in 30 communities in 1968. These systems were more extensive than the 29 water systems and 17 sewage system installed in 31 communities in 1967.

Section 6 of this Act authorizes the sale of materials and provision of technical and financial assistance for modernizing farmsteads. Section 7 provides for some extension of technical services to a building other than a farmstead, situated in an area where water and sewage works are being installed on farmsteads. And this is the only place in the Act where any service, except to farmsteads, is authorized. The program of assisting in installation of water and sewage services in small communities has become increasingly popular and I believe will continue to provide a very worthwhile service to many more small communities for several years to come.

With this in mind, Mr. Speaker, we propose to specifically authorize the extension of providing technical planning services and materials to small communities by renumbering the present

Section 7 as subsection (1) of Section 7 and adding subsection (2) as follows:

The minister may, subject to the regulations, sell any materials purchased pursuant to this Act and provide technical assistance for the purpose of assisting in and expediting the installation of water and sewage works in a town, village or hamlet, or a settlement, in an Indian reserve, or in the Northern Administration District.

The second amendment, Mr. Speaker, is one of a housekeeping nature. The Select Standing Committee on Public Accounts and Printing has recommended, as set out in the Votes and Proceedings of the Legislative Assembly, dated March 21st, 1967:

that salaries under \$4,000, travel expenses under \$300 and other payments under \$1,000 be grouped by purpose and reported in total.

This procedure was followed in the 1967-1968 Public Accounts. Because clause (c) of Section 12 in this Act requires that all payments of \$100 or more made by the Family Farm Advance Account be published with Public Accounts, I propose that clause (c) of Section 12 be repealed. This amendment will eliminate the variance in methods of reporting as recommended by the Select Standing Committee on Public Accounts and Printing.

These are the amendments proposed in the Bill before us, Mr. Speaker.

Mr. J. Messer (Kelsey): — Mr. Speaker, I have two questions for the Minister. In Section 7 could you give me some example as to the type of building he may think may be occurring in this situation. If I'm correct in regard to the participation and assistance in regard to modernizing hamlets, villages and small towns, has this not been provided before or what is the basic difference here? I'm sorry if I missed it when you were giving the explanation. Could you just elaborate on that, just briefly, please.

Mr. McFarlane: — Mr. Speaker, I didn't get the second question. The first question could be a house, the farmer's house in a hamlet rather than on his farmstead and I didn't get the second question.

Mr. Messer: — May I address it again, Mr. Speaker. I was under the impression that the assistance to hamlets, villages and small towns in regard to having water and sewer brought in was already available under The Family Farm Improvement Act. What is the difference here that's laid out in the Bill? Is it something to do with the Family Farm Advance Account only?

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Mr. McFarlane: — I don't think the assistance was previously spelled out. This is why it's being taken care of in the Act, to authorize the granting of the grant through the Department of Municipal Affairs.

Motion agreed to and Bill read a second time.

Hon. J.G. McIsaac (Minister of Education) moved second reading of Bill No. 17 — **An Act to provide for the establishment and Maintenance of Public Libraries.**

He said: Mr. Speaker, this Bill, Bill No. 17 is The Public Libraries Act. I believe that, while this Bill is certainly not a controversial one, or sensational one in that sense, it is one of the more important Bills that the House will be dealing with in this session. And it's important because of the increasingly vital roles that are played by libraries in today's education and cultural fields. All around the world, public libraries are rapidly developing as education centres in themselves, which meet the tremendously increased demands today for more and more information.

We find that other countries, Britain, Australia, Denmark, and some of the African countries have been revising and updating their library legislation. I know that the House will be well aware that this Government in appointing the Library Enquiry Committee in 1966, I think, gave very tangible evidence of the concern for the changing concept in the whole library field.

Now, the Library Enquiry Committee, Mr. Speaker, reported back to the Government in August, 1967, and again, as I'm sure most Members are well aware, the Government has been acting on many of the recommendations contained in that report. The Major recommendations, many of them, form the basis for this legislation that is before us at this time.

The public library which has long been the institution for supplying books for leisure, general information and all other such purposes, has, as I mentioned, been assuming a greater role in this field. I think we also recognized, as far as that goes, that the public library has certainly come more to the forefront in the field of general education, because it is the only institution that can provide information service for the total population, not only for the school children but for everybody. I believe we do recognize, Sir, that the small public library in the old sense cannot in itself hope to be a complete information centre as such. There's no single municipality in the province, including our two largest cities, which have very good public libraries, can possibly supply all of the information and other services that are needed to meet today's demands in the field.

So with this in mind, the Library inquiry Committee recommended the development of library services in the Province

of Saskatchewan under the following general guidelines.

First of all, the growth of a province-wide system of libraries. Information services would be developed, maintained and made available through inter-library loan, central reference centres, some specialization of the collections in the various regions and other such reciprocal arrangements.

Secondly, the Provincial Library would be the overall co-ordinating agency.

Thirdly, local service in the main would be provided in this province by branch libraries grouped together in regional systems.

Fourthly, the two largest libraries in Regina and Saskatoon, in co-operation with the Provincial Library, would develop as major resource centres. I think here again, Mr. Speaker, we all realize full well that in this province we will perhaps never have the library resources in a single centre such as we find in Winnipeg, Toronto or Vancouver.

Fifthly, settlements in the northern parts of the province beyond the regional library boundaries would be served by municipal or community libraries which again would be co-ordinated by the Provincial Library.

So basically, Mr. Speaker, the legislation that is before us is based on these recommendations and on this thinking. Again, this legislation in many respects is an upgrading and a clarification of The Libraries Act that was passed in 1953, the existing Act. In essence, very little material has been added that was not either in the old Act, or more particularly, in the regulations pertaining thereto.

The role of the Provincial Library, in respect to co-ordinating library service, has been clarified in this Act, but the structure of course of the Provincial Library itself has not changed or will not be changed by this legislation.

The Library Advisory Council has been replaced by the Saskatchewan Library Development Board and has been given increased power, namely, the power to work more closely with the Provincial Librarian in developing and implementing library services. In practice, the Library Advisory Council has been largely doing this very thing for a number of years.

Thirdly, the four types of public libraries have been more clearly defined in the present legislation. There has been some confusion and probably still is in terminology in this respect. Municipal Libraries, regional Libraries, community libraries are spelled out more clearly in this current legislation. Services provided by the Provincial Library to remote areas are spelled out.

Fourthly, emphasis is placed on regional systems because of the services which can be provided only through such co-operation, and this fact has already been recognized not only here but right across the country. I think everyone is aware of the trend that has taken place in this province in this regard. We now have four regional libraries serving well over a ¼ million people and of course offering services to more people than are within the regional boundaries.

At present we only have 26 municipal libraries that still exist outside of the regional systems. Many of those are committed to eventually enter either present or proposed regional libraries as they come along. Only one community library still remains operative. Provision is retained, however, for the establishment and operation of community libraries because of the possible need for these in the northern part of the province.

Only necessary changes have been made concerning the establishment and the operation of libraries. Basically the procedure for the establishment of municipal, community and regional libraries remains the same as it has been.

Speaking of the operation of libraries, the Boards of Regina and Saskatoon Public Libraries have been granted somewhat wider powers, I think more in line with their responsibilities. Provision is made for the inspection of libraries and for surveys of public library systems through the co-operative action of the Library Board and the Provincial Librarian. Additional sections of the Bill provide for measures such as the legal protection of the board members, protection of library property.

I should like to draw to the attention of the House the specific provisions of the Bill with respect to the financing of libraries. First, the responsibilities of library boards and municipal councils in this matter are outlined in the part of the Bill affecting that particular library. Part 5 of the proposed Bill then provides enabling legislation for provincial grants. I think, in my opinion here, Mr. Speaker, that the idea of having the actual amounts of the grants subject to regulation rather than bringing them back into the House for any changes such as the one announced yesterday by the Provincial Treasurer (Mr. Steuart) makes good sense, and I think it follows the general pattern in this regard that's been established in other such legislation.

As well, Mr. Speaker, I could tell the House that the Bill that's before us has been reviewed and gone over by officials from other libraries in the province, by members of the Saskatchewan Library Advisory Council. They have examined it in detail as well as in principle. So in summary here, Mr. Speaker, the Bill that is before us sets out many of the existing practices that have developed. We think it provides a blueprint and a framework within which we can continue to expand the library system of the province.

Mr. M. Kwasnica (Cutknife): — I mention that we will be supporting this Bill. It seems to be a move in the right direction, but we will have a few more questions in Committee of the Whole.

Motion agreed to and Bill read a second time.

Hon. D.V. Heald (Attorney General) moved second reading of Bill No. 3 — **An Act respecting Agricultural Leaseholds.**

He said: Mr. Speaker, this Act will make permanent what we have been doing on a year-to-year basis with respect to agricultural leaseholds. On second reading I won't go into the details except to say that this Bill is really a repeat of the temporary Bills that we have been passing from year to year. Section 3 is the heart of the Bill and you will note that it lists the circumstances under which the Act will apply. Hon. Members, many of whom were in the House at the time, will recall that, when this Bill was first passed on a temporary basis, it was because of agricultural conditions in the province resulting in carry-over of crop, both from the point of view of standing crop and from the point of view of crop that was threshed and in the bins. And because of the marketing situation, it wasn't possible to market the grain by the termination date of the lease, which in most cases, is December 31 of the year. So this statute in a general way then – to describe it in a general way – makes permanent as a part of the permanent law of the Province of Saskatchewan, the rights of people to go onto land that they had a tenancy on before, after the expiration date of the tenancy and harvest the crop, if it is still standing until a certain date the following year. In the case of threshed grain where it is in the bins along with the landlord's share or the owner's share, they can go in in the spring up to a certain time in the year and haul out their share of the crop. If it weren't for this Bill and the predecessors to this Bill, they would of course be trespassing on the land. But this puts them in the position where they can go in and haul the grain out just as though their lease was still in existence. So, this doesn't change the law, Mr. Speaker. It puts it in a permanent position and if this Bill is passed it will become a part of the permanent law of this Province. We can go into the details when we get into Committee. There is nothing new in it, but it does codify the situation and with that short explanation, I would move second reading.

Motion agreed to and Bill read a second time.

Mr. Heald moved second reading of Bill No. 4 — **An Act to amend The Land Contracts (Action) Act.**

He said: Mr. Speaker, this Bill and the next Bill, Bill No. 5 are really companion amendments. This amendment has been asked for by the Industrial Development Bank in respect to The Land Contracts (Action) Act. The Land Contracts (Action) Act, as

you well know, confers certain discretionary powers upon the Court of Queen's Bench in respect of mortgages and agreements for sale affecting land. This Act provides, among other things, that no action shall be commenced for foreclosure or cancellation, except by leave from the Court of Queen's Bench, and that a person desiring to commence an action must first give notice of same to the Provincial Mediation Board and wait for a period of 30 days. Now with the Court's discretionary power it is quite conceivable that it may be rather hesitant and reluctant to readily permit foreclosure proceedings in certain instances, particularly if it protects a farm homestead. This is a good thing because this provides for protection. But those of you who were in the Legislature 10 years ago will perhaps recall that in 1959 this Act along with The Limitation of Civil Rights Act was amended so as to permit a corporate body to agree in writing to waive the benefits conferred upon it by this Act. Now all this amendment does and the amendment to the next Act, is to permit the Industrial Development Bank to lend to an individual, free from the restrictions of the Act, without the individual having to incorporate in order to waive the provisions of the Act, in other words, the way it has been over the last ten years, Mr. Speaker. In order for a person to get a loan from the Industrial Development Bank, he has been put in a position where he had to incorporate and spend three or four or five hundred dollars or perhaps more depending on the lawyer that he went to to get incorporated. Now there is really no point in requiring him to incorporate in order to get his loan. So what we are doing here is simply placing the individual in the same position as though he were to incorporate his business and put him in a position where he can apply to the Industrial Development Bank for a loan. We are advised by the Industrial Development Bank and by their local people that the existence of this provision has restricted considerably their activities in the Province of Saskatchewan.

Motion agreed to and Bill read a second time.

Mr. Heald moved second reading of Bill No. 5 — **An Act to amend The Limitation of Civil Rights Act.**

He said: Mr. Speaker, this is a companion amendment to The Limitation of Civil Rights Act. This Act provides amongst other things that every final order of foreclosure of the mortgage on land shall operate in full satisfaction of the debt secured by the mortgage. In other words, there can be no deficiency judgment. And again the amendment was made in 1959 to provide that the provisions of this Act may be waived by a corporation but not by an individual. This amendment, as was true in the last Bill that we considered, exempts the bank from the Act and so places an individual borrower in the position where he can save the expense of having to incorporate in order to obtain the advantage of waivers by a corporation.

Motion agreed to and Bill read a second time.

Mr. Heald moved second reading of Bill No. 6 — **An Act to amend The Magistrates' Courts Act.**

He said: Mr. Speaker, this is a very simple amendment and it is very clear. The purpose of the amendment is to increase the salary of Provincial Magistrates from \$13,500 per annum to \$15,000 per annum. The first Magistrates' Courts Act being Chapter 80 of the Statutes of 1963 came into force on the first day of January 1964, and the Act at that time fixed the salary of the Magistrates' Court judges at \$12,000 per year. This salary was increased from \$12,000 per year to \$13,500 per year effective April 1, 1967, by Chapter 110 of the Statutes of 1967. Now this proposed increase will make it \$15,000 so that the total increase from January 1, 1964 to April 1, 1969, a period of 4¼ years amounts to \$3,000. This is an increase of 25 per cent in a period of a little over four years. I would also point out, Mr. Speaker, and I would remind Hon. Members, that under the provisions of The Magistrates' Courts Act there is provision for a non-contributory pension and the financial equivalent or the fiscal equivalent of that non-contributory pension to the recipients thereof, that is the judges of the Magistrates' Courts — it is a little hard to calculate it — but it is probably worth \$2,000 to \$3,000 a year, I would think, in the case of most of these individuals. So that what I'm saying is that, with this increase to \$15,000, probably the annual salary with the perquisite, the fiscal equivalent of the pension which they don't contribute to, puts the salaries of the judges of the Magistrates' Court, I would think, in the neighborhood of about \$18,000. If it does bring them to a level of around \$18,000, I believe that we will be competitive with other provinces.

I think that our Magistrates are entitled to a great deal of credit in this province. As all Hon. Members know they do deal with a very large percentage of the cases that come before our courts from the point of view of volume. It is a very important part of the administration of justice in our province and it is very important that we have good people. I think I can tell the House that certainly now the situation has been improved to the point where we do have more applications than vacancies. When a vacancy does occur we do have a number of well-qualified applicants applying for these jobs. This wasn't always true. We were behind a bit, I think, for a year or two, but I think that with this increase we will be in a position where we will be able to adequately staff our Magistrates' Courts with skilled and experienced counsellors in the law and they will become, I think, good Magistrates.

Some Hon. Members might well ask why we are not raising it higher. I think this is a good question. However, I would remind you that we started at \$12,000, it went up to \$15,000 and this is an increase of about 25 per cent over a period of four years. I do now feel that we are competitive and I think we have to continue to look at this every year or two, not more

than every two years. If we do fall behind and get to the point where we aren't competitive and it is affecting the quality of justice that's being meted out in our province, then of course we have to have another increase. But with this increase as I say and with the perquisite that they have, the non-contributory pension, I think that this is competitive with other provinces. Some of the Prairie Provinces run from about \$15,000 to \$18,000, I think. The highest is \$19,000. So I think with this increase in this Bill we are competitive and I would accordingly move second reading.

Mr. W.G. Davies (Moose Jaw South) — Mr. Speaker, I was going to ask before you rose if the Minister before taking his seat would answer a question but no doubt he can close the debate and do it in the same way. For comparative purposes, Mr. Speaker, Mr. Minister, what is the salary for judges of the Court of the Queen's Bench and the Court of Appeal and what is the average age of Magistrates in Saskatchewan now?

Mr. Heald: — Mr. Speaker, answering the first part of the Hon. Member's question, I can't tell you exactly what the salary of the judges of the Court of Appeal or the judges of the Queen's Bench or the judges of a District Court is. It is a matter of academic interest to me at the moment. I would think that the District Court judges get about \$21,000 or \$22,000 and then they go up from there. I think the Queen's Bench is around \$26,000. Perhaps the Member for Riversdale (Mr. Romanow) or the Member for Regina Centre (Mr. Blakeney) are more up on these salaries of the judges. I'm not sure, but I think they run from about \$21,000 to about \$26,000 or \$27,000.

Now on your question about the average ages of the judges of the Magistrates' Court, I can't answer that at the moment, but I can get you that information and I'll be glad to provide it to you. Some of them are young. They have to, under the Act, have at least five years at the bar. We have some of them in their thirties, thirty-five, thirty-six, some of them are in their forties, all the way up. I wouldn't want to hazard a guess as to the average age. Then we have some that are quite old.

Motion agreed to and Bill read a second time.

Mr. Heald moved second reading of Bill No. 7 — **An Act to amend The Saskatchewan Evidence Act.**

He said: Mr. Speaker, the purpose of this amendment is to add two new sections, 30A and 30B to the Bill, and these are at the request of the Law Society of Saskatchewan. They are based on similar provisions which were introduced into The Ontario Evidence Act in 1966. The amendment is intended to allow in evidence certain matters which could not be admissible without calling the witnesses to prove each particular item in the record. While the document is admissible by this amendment,

the question of weight, that is how much weight the judge places on this particular kind of evidence, the question of weight is still a question for the judge to decide, and in dealing with the question of weight of course, the judge will still apply all of the old rules of evidence which have stood the test of centuries. This is the English common law. We expect that the amendments will facilitate the handling of court cases and save many hours of court time. It won't be necessary to have a parade of technical witnesses to prove technical matters.

I draw to your attention the fact that the definition of "record" includes information that is recorded or stored by means of any device, including a computer. The amendment to Section 31 is for the purpose of including computer records. The amendment to Section 49 is to make it clear that the reference to a "Commissioner for Oaths without Saskatchewan" refers to a person appointed as such under The Commissioner for Oaths Act and not a commissioner appointed under the authority of the statute of any other province. We have had a bit of a problem with this. When you talk in statutes about a Commissioner for Oaths without Saskatchewan, some people have interpreted this to mean that, because you are a Commissioner in the Province of Manitoba, holding a commission from the Government of Manitoba, you are a Commissioner for Oaths without Saskatchewan, and that this gives you authority to deal with documents to be used in the Province of Saskatchewan. It is clear that the intention of the Act was to only to restrict it to Commissioner for Oaths without Saskatchewan but appointed by the Government of Saskatchewan. So this amendment clarifies that problem which has led to some confusion. With the explanation, Mr. Speaker, I would move second reading.

Motion agreed to and Bill read a second time.

Mr. Heald moved second reading of Bill No. 8 — **An Act respecting the Variation of Trusts.**

He said: Mr. Speaker, Resolution No. 13 of the Law Society of Saskatchewan at their last annual meeting recommended the enactment of legislation similar to The Ontario Variation of Trusts Act. This proposed Act that is before the House today is The Variation of Trusts Act adopted by the Conference of Commissioners on Uniformity of Legislation in Canada in 1961. The Uniform Act is based on the Ontario Act adopted in 1959, which in turn is based on The Variation of Trusts Act passed in England in 1958.

Now what is the purpose of the legislation? The purpose of the legislation is to permit the Court of Queen's Bench in the interests of certain persons and those persons are referred to in clauses (a), (b), (c) and (d) of subsection (1) of Section 1. The purpose of the legislation is to permit the Court in the interests of these people to approve an arrangement doing two things: (a) varying or revoking all or any of

the trusts or (b) enlarging the powers of the trustees of managing or administering any of the property subject to the trusts.

Now what results flow from this kind of an Act, The Variation of Trusts Act? When The Uniform Act was passed, it was stated that the results flowing from this kind of Act maybe summarized as follows: First of all, the impact of the limitations of many trusts may be disastrous to both the trust funds and the beneficiaries because of inflation and income and estate taxes. In other words, when a man makes a will and creates a trust, he may have well provided for his wife and children at the time he made his will. But maybe he made his will back in 1945. The cost of living and everything has gone up many, many times since that and he hasn't changed his will. So this will provide that the impact of the limitations of these trusts can be reduced upon application to the Court, the Court looks at all the circumstances and the Court can change the terms of this trust.

Secondly, taxpayers may legally arrange their affairs with respect to their own property to reduce taxation to a minimum. That is really what tax planning and estate planning is all about. Well now if a taxpayer, a testator who makes a will, who owns property, can arrange his affairs through his lawyer and his chartered accountant and so on to take advantage of every legal means under the provisions of The Income Tax Act, if he can do that, the argument is that there should be no sound reason why the beneficiaries of a trust should not have similar arrangements made on their behalf. So this Act enables that to take place with the approval of the Court.

The third result that will flow from this Bill, I suggest, is that the welfare of a beneficiary of a trust may, if the Court sees fit, displace or take precedence over the intention of a settler or a testator. The circumstances are all set forth in the Bill and we can probably talk about different kinds of cases when we get to Committee study, but there is a fairly wide discretionary power given to the Court. You will notice the last part of it. The Courts shall not approve an arrangement on behalf of any person coming within these classes unless the carrying out thereof appears to be for the benefit of that person. So when somebody comes to Court they have to show to the Court that this is necessary, in the kind of circumstances that I described, somebody who has had a fairly large amount of money settled on them in a will but the monthly provision was made according to the 1945 standards and now the situation is entirely different. So this does provide some flexibility with respect to trust conditions in wills and other types of trust.

Motion agreed to and Bill read a second time.

Mr. Heald moved second reading of Bill No. 12 – **An Act to amend The Wills Act.**

He said: Mr. Speaker, this is a very simple amendment but it

permits a fairly complicated explanation. I have an example here that I think perhaps will make it easier for Hon. Members to really understand what this amendment does. The addition of the words "spouse or" and those were in quotation marks in the provision clause, so that it will read "leaves a spouse or issue any of whom is living at the time of the death of the testator" provides a benefit of the entire gift to the widow if she alone survives and that is not the way it has been before. At present she receives a share only if issue survives. The addition of the words, "except that the surviving spouse of that person is not entitled to receive a preferential share of \$10,000 as provided under Section 4 of The Intestate Succession Act" will prevent the wife from receiving a second preferential share of \$10,000 to the detriment of the issue.

Now I am going to take an example, Mr. Speaker, as to what the result would be under the existing Bill and what the result would be after the amendments. We will take a case, the testator, whom we will call A and this is a man who owns property, disposes of that property by his will. He gives some of this property to his wife and some to several of his children. But before he dies, some of the children predecease him. Now by Section 31 of The Wills Act, and if it wasn't for Section 31 of The Wills Act, the gift to the son who dies before the father would lapse. That would be gone and the members of his family, that is the wife and so on wouldn't get this gift. So that is why Section 31 was put into The Wills Act.

Let's take a simple example of a gift of \$20,000 in testator A's will. This gift is prevented from lapsing and is prevented from being cancelled out, if the deceased beneficiary is first of all a child or other issue; secondly, a brother or sister, and thirdly, survived, under the present Act by issue or under the proposed amendment by widow or issue. What we are doing in this amendment is putting the widow in a position, that is the widow of the son, and putting her in the position where she will partake of this gift to her husband in the husband's father or her father-in-law's will. Now let me give you an example. You take this \$20,000 gift. At the present time, this \$20,000 gift would be divided as follows: The widow would take the first \$10,000 and share the balance, one-half if she has one child and one-third if she has two or more children. So let's take the situation of the widow only surviving. Under the present Act the gift would lapse and the widow would not get any share. Under this amendment she would receive the \$20,000. That is the first thing it does. It puts the son's widow or the daughter-in-law in a position where she can take her husband's share which he got under his father's will. So I think that is beneficial, that was an obvious omission before and the widow of the son should have been covered.

Now let's take the case where there is a widow and one child. Under the present situation, the widow would get \$15,000 and the child would get \$5,000. Under the amendment the widow would get \$10,000 and the child would get \$10,000. Take the case

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of a widow and several children under the present setup, the widow would get \$13,333 out of the \$20,000 and all the children even if there were 10 of them only get \$6,666 between them. That is now changed under this amendment so that the widow would get one-third of that \$20,000, which would be \$6,666 and the children, if there are three of them, would share the other \$13,333 between them. So what this amendment does in brief, Mr. Speaker, is to provide for the widow of a son in my example, and it also provides in a better way for the children of the deceased son or the grandchildren of the testator. We think it makes for a more equitable division in the event of a lapse where a son or daughter dies ahead of the testator. So with that rather complicated explanation, Mr. Speaker, and looking forward to the kind of examples that Hon. Members will probably pose to me in Committee I would move second reading.

Motion agreed to and Bill read a second time.

Hon .J.R. Barrie (Minister of Natural Resources) moved second reading of Bill No. 16 — **An Act to amend The Forest Act.**

He said: Mr. Speaker, the first amendment covered by this Bill to amend The Forest Act is a very simple one. It is a matter of changing the title of “Director of Forests”, as now contained in the Act, to The Director of Forestry which is considered a more proper description of the position. The description of the property as set forth in the Act and has spelled out the legal descriptions of the deletions and inclusions under The Forest Act, I believe, they are explanatory to anybody that has the Bill. With these explanations, Mr. Speaker, I move that this Bill now be read a second time.

Mr. E. Kramer (The Battlefords): — Mr. Speaker, I could care less whether it is Director of Forests or Director of Forestry. I think the boys must have been hard up for something to do, to find this particular amendment and feel they needed it.

I don't know how you direct a forest better than you direct forestry. It means the same thing I think in the long run.

However, I would like to ask the Minister about the schedules. There are apparently four parcels of land and there is a fairly large section of land in the Meadow Lake area, just west of Green Lake. There is some fairly good land in that area, fairly good agricultural land. I wonder if the Minister could tell us what is the purpose of this transfer of land, and also what the purpose of the transfer is in the area at Dorintosh. This is also adjacent to a good farming area. I wonder what the disposal of this land is and what the purpose is in transferring it?

Mr. Barrie: — The first deletion from the Northern Provincial Forest

covers 12 sections of land southwest of Green Lake, and the Department of Agriculture is to assume the administration of this particular property, because this block contains very, very little in the way of merchantable timber and the area is required for a livestock farm.

The other section referred to by the Member from The Battlefords, I believe, was east of Dorintosh, is that right? This consists of a section and one quarter of land, which will be administered by the Department of Agriculture. The block contains practically no timber and at present there are about 180 acres of this section and a quarter broken and cultivated, land of good quality soils that could make useful additions to nearby farm units. It will be under the administration of the Department of Agriculture.

I might say that the schedule of all this land that is transferred or deleted has been land that the Co-ordinating Committee of Land Use has recommended for these particular changes.

Mr. Kramer: — Would the Hon. Member permit another question. On the first parcel at Green Lake you indicated that it was for a livestock farm. Would this be a lease from the Department of Agriculture to one individual or would this be for community pasture purposes?

Mr. Barrie: — I am afraid, Mr. Speaker, that is a question that I couldn't answer. This is a matter for the Department of Agriculture as to what use it will allocate this land to. All I know is that it has proposed to transfer this land over to the Department of Agriculture, and the information I have is that it is required for livestock farm.

Mr. Kramer: — Would the Minister permit another question? Was this request made by the Department of Agriculture, the request for the transfer? Who initiated the action?

Mr. Barrie: — Yes, and approved by the Land Co-ordinating Committee which is composed of members of the Department of Agriculture and Department of Natural Resources.

Motion agreed to and Bill read a second time.

Hon. J.C. McIsaac (Minister of Education) moved second reading of Bill No. 18 — **An Act to amend the Secondary Education Act.**

He said: Mr. Speaker, Bill No. 18, an Act to amend The Secondary Education Act provides for a number of amendments which I will try to deal with one at a time.

Your first amendment refers to Section 14 and arose as a result of the House last year having passed The Urban Municipal Elections Act. This Act was in operation for the first time in October's municipal elections in the province. As a result of that there is this change proposed in this Act, and there will be a number of others proposed in The School Act when that is introduced, to bring the school legislation into a greater conformity with the municipal voting legislation.

Under The Urban Municipal Elections Act passed last year provision was made that a city or town might dispense with the preparation of a voters' list. Because we have urban districts that take in some rural territory, it is still necessary to have the list of ratepayers for voters who reside in that part of the district outside of the city or town since the rural municipality has not dispensed with their preparation of a voters' list.

This amendment is to ensure that where this is the case, the voters' list being prepared shall consist of that furnished to the clerk by the secretary of the board of the school district of ratepayers outside the town or city, and that shall be sufficient for purposes of voting.

Section 19, Mr. Speaker, has reference to the procedure for filling a vacancy on a high school board when such a vacancy occurs between regular elections. The amendment proposed here is identical in principle to one that is presently in The School Act as such itself. If a vacancy occurs between elections the city or the town council, as it stands under existing legislation, must forthwith hold an election to fill that vacancy. Accordingly these two changes here are put forth in an effort to remove that possibility and to bring this Act in line with The School Act. This will permit the appointment of a trustee by the Minister to fill a vacancy for a very short period, pending the normal process of a school election perhaps the coming fall.

Section 60 refers to night classes only in the present legislation for which high school boards may make provision. In the modern context it was felt that adult classes of course may be, and in fact are being, conducted at any time, not only at night, so the phrase "adult classes" is used here instead. The object of this new Section is to broaden the application of the Act to encompass any adult program carried out under school board sponsorship and to authorize boards to charge fees for such courses offered.

At present, another section, Section 72, subsection (1) of The Secondary Act restricts religious instruction in a high school to the last half hour of the school day. This proposed amendment again is in line with one that is now in effect in The School Act passed by the Legislature a few years ago. It provides flexibility in that a board may authorize such instruction in any period of the day and in a language other than

English. It brings high schools into the same pattern as those schools organized under The School Act.

Section 78, paragraph 3 of the present Act, provides for what has been known as grade 11 and 12 non-resident grants. This grant was instituted, Mr. Speaker, many years ago when many students perhaps or some students, I should say, did not have access to high schools in the local community and had to go out to attend high school where they had to pay fees. This grant of \$30 per year per student was paid to boards which admitted non-resident students. The fee then charged to the non-resident was to be reduced by the amount of this grant. Now as all Hon. Members are well aware, for several years it has been mandatory on school boards to provide instruction to all students without fees charged of any kind, either at a school under their own jurisdiction or by arrangement with another board. In the latter instance, the board would have to pay the tuition fee and not the student himself. Hence the receiving board under the regulations could charge a sufficient fee to cover the cost of providing instructional service. At the same time the boards that are making the tuition fee payments on behalf of the student can include such payments in the assigned costs that are used in calculating grants to that board.

The non-resident grant in effect, Mr. Speaker, is obsolete and has been obsolete for some time. This Section will repeal that.

Section 78, subsection (5) provides for payment of grants on account of night classes at present, 40 per cent of the cost of salaries of instructors with a maximum of \$2.50 per night. Again related to the other change I mentioned earlier and to conform with the concept of adult classes, referred to earlier and to widen the provision of it, this amendment provides for grants on account of adult classes with grants of not more than \$2.50 per hour for each instructor employed.

The final provision in this Act before us, Mr. Speaker, is one that deals with the disposal of certain records of school districts. I think this has been a matter of some concern to some school boards and some of the officials in the Department. In view of the changing pattern over the years, the old school house is a thing of the past, the rural school, as we have known, is pretty largely gone and so are many of the smaller village schools. During Centennial Year again, I am sure all Hon. Members are well aware, there were many centennial projects of a small nature. Many of them erected plots and cairns to commemorate school sites. It was felt and still felt by some that some provision should be made in The Secondary Act and in the other relevant Acts as we come to them, to provide for the preservation of certain historic documents relating to the older days. That is basically what this provision will provide.

I think, Mr. Speaker, there may be some questions on some of these amendments that can be better dealt with in Committee.

Motion agreed to and Bill read a second time.

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Mr. McIsaac moved second reading of Bill No. 19 — **An Act to amend The Department of Education Act.**

He said: Mr. Speaker, Bill No. 19 is a Bill that contains two amendments to The Department of Education Act.

The first one is a very minor change really. In the Act at present it sets out a number of other Acts, 17 or 18 I believe in number, that do come under the administration of the former Teachers' Salary Negotiation Act, having been replaced by The Teacher Salary Agreement Act last year. This merely acknowledges that change.

The second Section in this Bill, Mr. Speaker, is one that will rectify a situation that has been brought to our attention. Again I am not sure whether it is from the Public Accounts Committee or the Provincial Auditor as such. But in any event, for many years the Department has paid grants to a variety of educational institutions, agencies and associations, for example the Saskatchewan Federation of Home and School, the IODE, CEA, and many others. They have been provided for in the budget of the Department and authorized of course by individual Orders-in-Council when the time came for payment. Apparently our legislative authority in so doing was questioned last year and this amendment is brought in to rectify that situation. Certainly everyone is aware that these grants and the payments thereof have come to be a pretty well established practice, so we are legalizing what has been done for many years in this regard.

Motion agreed to and Bill read a second time.

Hon. D.V. Heald (Attorney General) moved second reading of Bill No. 20 — **An Act to amend The Trustee Act.**

He said: Mr. Speaker, the proposed amendments to The Trustee Act and the proposed amendments to The Infants Act, item 14 which we propose to take next, are companion amendments. The purpose of these amendments is to make additional monies available for the maintenance and education of an infant.

The amendments which have been recommended to me by the Official Guardian of Infants, are first of all to increase the allowance for an infant from \$60 per month, which is \$720 a year, to \$1,200, or \$100 a month; secondly, to authorize payment of sufficient amounts to pay for books, fees and school equipment, as the official guardian or judge in the case of a court application may determine; thirdly, these amendments will provide for the payment of such additional amounts as are considered by the official guardian or the judge in the case of a court application under The Trustee Act to be required.

Mr. Speaker, it is felt that the present limitation of \$60 per month is unrealistic in view of the current costs of board

and clothing. In addition, no account is taken now in the law of the need for expenditures for fees, books, school equipment and other requirements, such as glasses and so on.

It will be noted that under Section 48 of The Infants Act the official guardian may authorize an executor or administrator to advance monies on behalf of an infant and under Section 49, the official guardian may spend funds in his custody on behalf of an infant.

Under The Trustee Act, Section 53 provides for an application to the courts and that a court order is not limited to a \$10,000 overall expenditure. Under Section 55 of that Act, the official guardian can authorize expenditures on behalf of an infant where all the real and personal property belonging to or held in trust by the trustee for an infant does not exceed in value of \$10,000. It will be noted that the sign and figure \$5,000 has been replaced by the sign and figure \$10,000, in Section 9(2a) and Section 48 of The Infants Act and also in Section 55 of The Trustee Act. In short, Mr. Speaker, the purpose of this amendment to this Act is to provide for larger allowances to people who are the beneficiaries of a trust because of the increased cost of living. We are increasing it from \$60 a month to \$100 a month.

Motion agreed to and Bill read a second time.

Mr. Heald moved second reading of Bill No. 22 — **An Act to amend The Infants Act.**

He said: Mr. Speaker, everything that I have said with respect to The Trustee Act has equal application to this Act. It does the same thing in respect of infants.

Motion agreed to and Bill read a second time.

Mr. Heald moved second reading of Bill No. 21 — **An Act respecting Absentees.**

He said: Mr. Speaker, Resolution No. 2 of the Law Society of Saskatchewan recommended to us that an Absentee Act be passed by this Legislature. While this Act has been prepared with reference to The Absentee Act of Ontario, a comparison of the two Acts will note that there are some differences between this proposed Bill and the Ontario Act.

I think we could state in a general way that the object of the Act is two-fold: first of all to prevent wastage of the estate of a person who absents himself in such a way that his whereabouts are unknown and it is not known whether he is alive or dead; secondly, to authorize dealing with the assets of such a person in such a way as to provide for his family during his absence. This Act will apply to any case involving property in the Province of Saskatchewan. You should also note that it is

not a requirement that the alleged absentee is a resident of Saskatchewan. As long as he has property here the Act applies.

In Ontario the original Act was not applicable where the usual place of residence was outside Ontario. But in 1961, they put in a new Section which made it apply to property in the Province of Ontario, and that is what we have done in this Act here. I would direct your attention to the provisions of clause (viii) of Section 2 which provides that the judge may by order, and I quote:

Authorize the sale, lease or other disposition of this property where in the opinion of the judge, it is required in the interests of the absentee or his family.

So that property of an absentee can be disposed of only where the judge is of the opinion that it would be in the interests of the absentee or his family. Now in a general way, this is a kind of preservation statute, but with that specific provision that, where a man has flown the coop and has left his wife and children, and has property in the Province of Saskatchewan, and the wife and children need this property very badly, there is provision under that subsection for them to apply to a judge. Where the judge is satisfied that it is in the interests of the absentee or his family, he can make an order for sale, lease or other disposition of the property.

That is the general principle involved in the Bill, I'll have more to say when we get into Committee on it. I would commend it to all Hon. Members as being a progressive piece of legislation.

Motion agreed to and Bill read a second time.

Mr. Heald moved second reading of Bill No. 23 — **An Act to amend The Executions Act.**

He said: Mr. Speaker, the purpose of Section 2 of this Bill, which will add a new section 9A to The Executions Act, is to render rights under Letters Patent of Invention, subject to seizure. This has become necessary because of a certain law suit in this province. The case was known as, Toronto Dominion Bank vs Car-Tree International Limited and it was decided by Mr. Justice Johnson last year. In that case, that case held that the present Executions Act disclosed no statutory basis for executions binding patents or industrial design rights, nor did it give any authority to the sheriff to seize any such rights owned by a judgment debtor. In his judgment, Mr. Justice Johnson said, and I quote:

In the Ontario Executions Act there is now and has been for many years, specific authority to the effect that patent rights shall be deemed to be personal property and may be seized and sold under execution and like manner as other personal property.

He goes on,

No such similar provision is found in the Saskatchewan Executions Act.

In my opinion, therefore, in that case the bank's execution does not bind the patent rights or industrial design rights of the judgment debtor and I find accordingly.

This is an amendment to place the execution creditor in a position where, if the debtor, as was in that case, has certain rights under Letters Patent or Invention, they couldn't be seized as one of the assets of the debtor. This places these rights in a position where they can be seized. The purpose of Section 3 of the Bill is to simplify the procedures for seizing and selling stocks and shares and so on. About a year ago, His Honour Judge Friesen of our District Court expressed the opinion that the Saskatchewan provision, the present provision, with respect to the seizing and selling stocks and shares was too cumbersome and expensive. Judge Friesen suggested that we adopt provisions similar to those found in the Alberta Act. So this proposed amendment is based on the provisions of the Alberta Seizure Act.

Motion agreed to and Bill read a second time.

Hon. G.B. Grant (Minister of Public Health) moved second reading of Bill No. 26 — **An Act to amend The Union Hospital Act.**

He said: Mr. Speaker, this Bill basically contains three amendments. One amendment provides that where a Union Hospital ceases to provide in-patient services and the board decides to sell the hospital it can do so without a vote of the burgesses. As the Act now stands, the Union Hospital Board cannot sell the hospital unless the proposed sale has been referred to a vote of the burgesses of the hospital district and two-thirds voting on it are in favor of the sale. We feel that this puts the burgess to an unnecessary expense in many cases. There is nothing to prevent the burgesses insisting on such a vote, if they so desire. The decision is left in the hands of the local hospital board.

The second amendment stipulates that a hospital board cannot make loans where these payment periods extend over two years without the approval of the Local Government Board. The Act presently allows the Union Hospital Board to borrow money from the bank or a credit union, without referring the matter to the Local Government Board for approval. We feel that this should be altered.

The third amendment to The Union Hospital Act provides that where a municipality is entitled to an additional member on the board because of a change in assessment, the appointment

becomes effective immediately. Under the existing provisions the appointment does not become effective until the first day of January in the following year. The amendment would waive this time lag. In some cases it could be almost a year before the appointed person has the right to participate as a member of the board.

Mr. G.T. Snyder (Moose Jaw North): — Mr. Speaker, just a few words in connection with the amendments before us, I think that I would have to agree with the Minister that two of the amendments would possibly be appropriate amendments and well considered. There appears to be some good logic for the provision of long-term loans being approved by the Local Government Board. I think probably there is a good and logical reason with respect to the provisions for the appointment of new board members. However, Section 5 of the amendment which intends to amend Section 67 of the Act, appears to provide in a very arbitrary way that the Minister may, after the hospital has ceased to provide in-patient services, by Order-in-Council authorize that the hospital board can sell buildings or equipment or grounds and other assets without the consent of the burgesses who were formerly obliged to register their approval by a two-thirds majority of those voting. I think that this has to be regarded as a far-reaching step, Mr. Speaker, and one that I think will be frowned upon by a good many of the communities that are presently faced with the situation where their hospital may find itself in this kind of peculiar position. I think that we would have to concede the fact that hospital districts were set up by the vote of the burgess and, when the discontinuance of service comes about, I think that the burgesses should clearly have the opportunity to register their approval or their disapproval and have the opportunity to express their feelings on the whole matter of whether the assets will be disposed of or whether they will be converted or put to some other use, that might be an appropriate use from the point of view of the burgesses who have a financial consideration and should have a voice in the matter. I think it would have to be our position, Mr. Speaker, that the bulk of the Bill, with the exception of the last clause, meets with our approval, but certainly when the Bill arrives in Committee we will have something further to say about Section 5 of the printed amendment, Mr. Speaker. I would hope that the Members would support the Bill on second reading but we will have something more to say about the Bill when it arrives in committee.

Mr. W.J. Berezowsky (Prince Albert East-Cumberland): — Mr. Speaker, the Member that just sat down (Mr. Snyder) said some of the things that I would like to have said. I would like to point out to the Hon. Minister (Mr. Grant) that he may be overlooking something that is very important, which I have brought up in the past and which has to do with control of assets and loans and such other things that a board of course should have the responsibility for. It is that, as the boards are now

set up, appointed by municipalities, cities and villages, they are really not responsible to anybody. Therefore, I think the reason why you now require the Local Government Board, or a vote of burgesses is to try to keep some kind of control over these boards. But I do think that either now or, if you can't do it at this time, then in the very near future you should have some new legislation which will make the boards, elected boards which would be responsible to the burgesses or the voters of the area in which the union hospital may be situated. As it stands I submit to you, Mr. Minister, (Mr. Grant) that the board has too much power and I think you will recognize what I say and why you have this kind of situation. Now I want to see the Bill go through, but as I say I am not too happy with the provisions, I think that probably you could go much further at this time.

Mr. Grant: — In reply to the Hon. Member from Moose Jaw (Mr. Snyder) I would point out that this doesn't remove the option of a vote by the burgesses for the disposition of the property. It's permissive and the initiative must be taken by the Union Hospital Board and not by the Lieutenant Governor in Council. We feel, and it has been demonstrated over the years, that this is an unnecessary encumbrance placed before a Union Hospital Board where it is deemed by all concerned that a vote is not necessary. In the discussion of the Bill I would be glad to point this out.

In reply to the comments of the last speaker (Mr. Berezowsky) I think there is some merit for what he suggests and it has been discussed by personnel in the department and by municipal people. We recognize there are some pros and cons and the problem is under current study.

Motion agreed to and Bill read a second time.

MOTIONS FOR RETURNS

RETURN NO. 23

Mr. W.J. Berezowsky (Prince Albert East-Cumberland) moved that an Order of the Assembly do issue for Return No. 23 showing:

- (1) The total amount of payments to NorCanAir for guaranteed services to January 31, 1969.
- (2) The total amount received from NorCanAir in payment for property formerly owned by SaskAir up to January 31, 1969.

Hon. A.C. Cameron (Minister of Mineral Resources): — I have an amendment which I wish to move to this Return No. 23. I move, seconded by Mr. Boldt (Minister of Highways):

That the words “for guaranteed services” in part (1) be deleted and the words “other than for the supply of goods or services in the normal course of business” be substituted therefor.

Mr. Berezowsky: — The amendment won't cover the purpose that I intended the motion to mean. You will recall, Mr. Speaker, that very recently it was announced in the press that NorCanAir had paid up all its liabilities to the Government. I am not certain if we will be able to get very much more information in this House during Committee. I do know, as you know, Mr. Speaker, that NorCanAir was given a guarantee of a certain amount of money for each year during the term of the agreement and that is the purpose of my question. I think it is quite proper that this Assembly should get a true picture of what transpired, the kind of deal that this Government made with friends at Prince Albert. I think that we have a right to know, Mr. Speaker, how much money the Government passed on to NorCanAir for guaranteed services to date and in what way the Company acquired these services. I think it was a subsidy, an uncalled for subsidy to help the purchasers to obtain this property. In other words, it was a gift from the Government. This is my opinion. Now if the information is refused, as it will be by the amendment, then I can only assume that the Government is ashamed to answer my question or is trying to evade giving the requested information to the public. Therefore, I am going to vote against the amendment.

Mr. W.S. Lloyd (Leader of the Opposition): — Mr. Speaker, I am going to support the comments of the Member (Mr. Berezowsky) who has just taken his seat. One can't help but wonder why it is that the Minister (Mr. Cameron) moved his amendment. The Legislature will have noted that he made no reference to any difficulty of understanding what the original motion meant. He made no reference to any difficulty in getting that information. He made no explanation as to why there was anything irregular in asking that we know the total payments to NorCanAir for these services. He simply moved another kind of wording and took his seat. This doesn't at all seem to me to be an adequate reason for asking us to accept an amendment which does very vitally change the meaning of the resolution itself. It is quite true, as the Member for Prince Albert East-Cumberland who has just taken his seat said, that there was an agreement between NorCanAir and the Government. The Government undertook some continuing responsibilities with regard to this Company. The Government agreed that it would pay for a number of years to NorCanAir a very substantial amount of money each year regardless of services rendered. The Government allowed NorCanAir to break a part of its contract originally entered into. It will be recalled that NorCanAir guaranteed to continue certain services in Prince Albert. They were allowed to break this. The Government made no protest whatsoever at the time. What this amendment seeks is to get some sort of clarification as to how this agreement has been carried out and just what the

relationship is. I agree that we ought to have the wording of the original motion rather than the amendment which circumscribes the requests in a very considerable way.

Hon. D.G. Steuart (Provincial Treasurer): — Mr. Speaker, the only point I wish to raise in this debate is that to correct the erroneous impression that the Leader of the Opposition (Mr. Lloyd) tried to leave that NorCanAir in fact broke their agreement and we in fact did. He nods his head and he can nod it all day, but NorCanAir never broke their agreement. They agreed to keep a shop in Prince Albert, they have kept the shop in Prince Albert. They never agreed to keep on all the people that had worked for NorCanAir or for Saskatchewan Government Air. They found that they were losing money just as SaskAir was losing money and they laid some of them off. But they never at any time agreed to keep every person that was employed thereon. In fact they have kept the shop there. It is still there and if the Hon. Leader of the Opposition wants to go up to Prince Albert sometime and go over there, he will find that the shop is there and it is in operation now. It may be in a different way than it was then, but it is still there and most of the original employees are still there.

Mr. E. Kramer (TheBattlefords): — . . . You say the shop is still operating in a sort of a fashion, I think that is right. Mr. Speaker, I would like to ask the Member: is it possible for people to come from Manitoba, Alberta and so on as they did before and get full repair service? And is it not true that that particular shop did not lose money either under SaskAir or I don't know what happened under NorCanAir?

Mr. Steuart: — Well, in answer to the question it did lose money. It lost money when SaskAir operated it. It is still a repair shop. Whether someone can come and get a certain kind of airplane fixed from Manitoba or Alberta, I don't know. But it is a repair shop. They go there and repair their own aircraft. They repair other people's aircrafts and the shop is still maintained in Prince Albert as they agreed to do. They never broke their agreement and we have kept our agreement. The agreement was tabled and the Member from Prince Albert East-Cumberland knows this. He knows what the agreement was. We have kept our agreement, no more and no less.

Mr. W.E. Smishek (Regina North East): — Before the Minister is seated would he permit a question? I would like to ask him if he can tell us how many employees were employed by NorCanAir in the shop when the sale was made and how many are employed there now? Also the total number of employees that were employed by SaskAir and how many are employed now by NorCanAir?

Mr. Steuart: — Oh, I haven't got these figures. If you want to ask these questions I will find out. If you want to give me the question I will find out. I'll tell you what. Some of them that worked for SaskAir and had been used to working under the Socialists and weren't prepared to do a day's work, I think some of those have left. But they hired some other real good people and they are working very hard. They decided that unlike SaskAir it wasn't to be a sinecure for a few overpaid and under-worked Socialists, so they went on their way to some other place and we never missed any of them.

Mr. W.G. Davies (Moose Jaw South) — I think the Deputy Premier (Mr. Steuart), Mr. Speaker, is again trying to get the House haring off in another direction than the amendment that has been proposed by his colleague. Just, however, to speak about what he's been speaking about, I think the people of his constituency are going to be very, very interested in his remarks. I am sure we will oblige and I am sure some of my colleagues will too. But the fact of the matter is that he is saying that certain technical parts of the agreement are enabling him and his colleagues to evade what they should be adhering to and he knows it.

Mr. Steuart: — You should be cut out, Bill. You know too much.

Mr. Davies — The point is that the amendment is deliberately evading what the motion of the Member for Prince Albert East-Cumberland (Mr. Berezowsky) is asking for and he well knows it. The Deputy Premier will also have to answer to the people in his constituency for failing when he turned down the request of my friend. He is going to have to answer why he is evading the proper request for information in this House. This is just in keeping with a number of other actions of its same type during the time since this House opened. There have been a series of evasions and obstructions to what this House has a right to know.

Amendment agreed to on the following recorded division:

YEAS — 31
Messieurs

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

NAYS — 22
Messieurs

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

Motion as amended agreed to.

RESOLUTIONS

RESOLUTION NO. 3 — INTRODUCTION OF STUDENT GROUPS

Mr. I.H. MacDougall (Souris-Estevan) moved, seconded by Mr. Loken (Rosetown):

That this House request Mr. Speaker to introduce all student groups sitting in the Galleries before the Orders of the Day are entered into, and should the House be in a Committee of the Whole, request the Deputy Speaker to perform the same function.

He said: Mr. Speaker, I think this is a fairly important motion that I would like to see passed in this Assembly with all due speed. I should like to move a motion to have Mr. Speaker introduce all student groups that visit the Legislature each day. I think this should be tried for this session anyway as a means of streamlining our procedure. I think it is more by custom than by rule of the House that for years Members have asked to introduce students from schools in their home constituencies. Sometimes several Members rise and waste an awful lot of time in this House introducing students from their home cities, say of Saskatoon or Regina and not even from their own constituencies but from all over creation. We have witnessed this the last two days. We get the Member from, say, Regina North East (Mr. Smishek) introducing his outfit, and then the Member from Regina South East (Mr. Baker) introducing them and thanking them for coming and wishing them well and Godspeed home and all the rest of it. Then we have the Member for Lumsden (Mr. Heald) making a little political speech on people that come from his constituency and the Members from Moose Jaw making little political speeches on their students, just to let them know they are in the House. We are having a Committee set up to study the Rules of this House, to streamline our operation and I am sure that Mr. Speaker in his own eloquent style would welcome all students for the day on behalf of all of us. Mr. Speaker, there are 58 other reasons why I believe that you, yourself, should introduce and welcome all the students, I won't

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go into each one of them. I hope all Members in the House will agree to this change to speed things up. Surely all Members will approve of this.

Some Hon. Members: — Hear, hear!

Mr. F.A. Dewhurst (Wadena): — Mr. Speaker, this is a motion which I think we could take a lot of time in this House talking on, because it is a motion which the Member for Souris-Estevan (Mr. MacDougall) has brought in, not because he really believes that students should not be introduced but because he is jealous because he can't organize anyone to come in from his constituency. He's jealous of our Attorney General (Mr. Heald), he's jealous of the Member from Saskatoon City Park-University (Mr. Charlebois) who introduces students. He is jealous of other Members here because he doesn't know how to organize his groups and bring them in.

An Hon. Member: — He doesn't want them to see it!

Mr. Dewhurst: — I think, Mr. Speaker, if he would take time and keep track of the length of introductions he would find that they are very short. It is true the other day that we had a little bit of fun joshing the Attorney General (Mr. Heald) because we said he was making a political speech, but we did it in good humor and he accepted it in good humor. But these speeches have not been political speeches, they have been introductions. I think any Member who goes to the trouble to help to organize groups of students and get them to come in — and some of them come 200-300 miles, maybe in some cases more — surely in the amount of time we take in this House to introduce students, on the average three to four minutes a day, we are wasting much less time of the Members of this House than we have done on many other things, including the waste of time which the Member from Souris-Estevan and myself are contributing to. I believe that students appreciate the fact that there is someone that they know here who says a few words on their behalf. I think that the Member for Souris-Estevan would feel different if he had someone to introduce. Now I know my colleague from Kinistino (Mr. Thibault) who has as many students as anyone here is very anxious to speak on this Resolution, but unfortunately he had to leave the House a little early this afternoon. He didn't think this Resolution would be called. So for that reason, Mr. Speaker, I am going to ask leave of the House to adjourn the debate to give my colleague a chance to speak on this motion.

Debate adjourned.

The Assembly adjourned at 5:25 o'clock p.m.