

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Third Session — Sixteenth Legislature
25th Day

Friday, March 20, 1970.

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

ANNOUNCEMENTS

SOUTH SASKATCHEWAN RIVER IRRIGATION PROJECT

Hon. D.T. McFarlane (Minister of Agriculture): — Mr. Speaker, before the Orders of the Day are proceeded with I wish to announce that the Government has decided to postpone for a year the declaration of year one in the development of the South Saskatchewan River Irrigation Project. The effect of this decision is that no water rates will be charged for the project in 1970. Members will recall that the rate established under our irrigation policy for the project is \$4.50 per acre. This step has been taken because of the new Federal wheat acreage reduction program which offers little to the irrigation farmer.

WOLLASTON LAKE AREA — GULF MINERALS

Hon. W.R. Thatcher (Premier): — Mr. Speaker, last evening an announcement was made from Ottawa concerning uranium. The Government of Saskatchewan was most disturbed by the announcement. For several years, I think Hon. Members know, Gulf Minerals which has a Canadian-owned subsidiary, has been doing exploration work in the Wollaston Lake area in Northern Saskatchewan. We believe they have one of the significant finds on the continent. We had hoped and expected that a major refinery would probably be feasible and economic in the not too distant future, although there are many hurdles yet to be overcome. The Government of Saskatchewan recently completed a tote road into the area. I think that action expressed our confidence. So when I read the press announcement, I phoned the Hon. Joe Greene this morning to see whether this Gulf deposit would be affected. He directed me to one clause in his press release. May I quote it to the House:

To protect foreign companies now involved in exploration, the Government will grant an extension to give them time to prove they have found a commercially productive deposit.

I have received this morning full and complete assurances from the Hon. Mr. Greene that if Gulf proceeds within a reasonable time — and he suggested that maybe two years would be considered a reasonable time — they will be exempt from the provisions announced last night. I am pleased that this is so and we will continue to work with Gulf to try and persuade them to pursue this project at the earliest possible date.

Some Hon. Members: — Hear, hear!

Mr. W.S. Lloyd (Leader of the Opposition): — Mr. Speaker, I wonder if the Premier would indicate which provisions are particularly bothering him?

March 20, 1970

Mr. Thatcher: — It was announced of course last night that foreign ownership of uranium would not be permitted. At least this is the way newspaper headlines read. When we read the story we were afraid that the Gulf project might not be allowed to go ahead. This Government takes the position as far as ownership is concerned that we would always prefer Canadian capital. But if Canadian capital isn't available, then we want American capital or whatever kind of capital we can find. We would have been most concerned if on top of the wheat crisis, the potash problem, the oil difficulties, and everything else, that uranium development had not been allowed to proceed.

Mr. Lloyd: — Mr. Speaker, if I may, while naturally we share the interest of the Premier and the Government in the development in Canada, we don't necessarily agree that development is going to be hampered by actions which would, indeed, encourage and to some extent make possible Canadian ownership. As I said the other day in the House I think it is extremely important for the sake of the future of Canada, that the ownership and development of uranium in particular be kept in Canadian hands. I would have hoped that the Premier would encourage the Government of Canada to keep this ownership in the hands at least of Canadian people. Canadian corporations, and, indeed as I said, that he would go further and urge the Government of Canada to take public ownership development in this field.

Mr. Thatcher: — The great problem, Mr. Speaker, is that we have waited for 60 years as a province, and nothing has ever happened up there. There is no Canadian capital that we know of that is willing to invest in the area. We think if this refinery proceeds there will be several hundred jobs. We want those jobs now not 50 years from now whether it's American capital or Canadian capital that must generate them.

Some Hon. Members: — Hear, hear!

The Assembly recessed from 12:30 until 2:30 o'clock p.m.

WELCOME TO STUDENTS

Mr. Deputy Speaker: — Before we start the proceedings this afternoon I would like to introduce to the Members of this Assembly a group of students from Yellow Creek school situated in the constituency of Kinistino, represented by the Hon. Member, Mr. Thibault. On behalf of Members of the Legislature I wish to extend a warm welcome to all these students. We hope that they find their visit here enjoyable and educational and we wish them a safe trip home.

Hon. Members: — Hear, hear!

1969 SOCCER CHAMPIONS

Mr. A. Thibault (Kinistino): — I would like to add to the introduction that amongst the students this afternoon we have the 1969 Soccer Champions who have won the championship six times out of eleven tries. I think for a little village like Yellow Creek they certainly have put in a great deal of effort in accomplishing what they have

accomplished. I would like the Soccer Champions to stand up so the House can really see them.

Hon. Members: — Hear, hear!

Mr. Thibault: — Their names are Gerald Swicheniuk, assistant captain, Frank Stefaniuk, Morris Chytyk, Ron Stefaniuk, Glenn Fleming, Daniel Nemeth, Larry Nemeth, Barry Olexsyn and Ken Mazur. They are led here by their teacher, Mr. Clement Bertoncini and their bus driver is Mr. Andy Lypchuk. Now I certainly think that they deserve a big hand for their accomplishment and I want to wish them a safe journey home.

Hon. Members: — Hear, hear!

SECOND READINGS

Hon. J.C. McIsaac (Minister of Education): — Moved second reading of Bill No. 49 — An Act respecting the Superannuation of Teachers.

He said: Mr. Speaker, Bill No. 49 is a major rewrite of The Teachers' Superannuation Act. The first Teachers' Superannuation Act passed in this Legislature to provide for teachers' pensions was effective July 1st, 1930, and it has been amended and revised, of course, many times since that date with the latest revision being brought in here in 1965. The Act in its present form contains a number of ambiguous clauses, several provisions contain inequities by way of today's standards. In 1966 the late Mr. R.J. Davidson, well known to some of the Members opposite and many here on this side, I am sure, a former chairman of The Teachers' Superannuation Commission, was retained to review The Teachers' Superannuation Act. His primary terms of reference were first of all to discard obsolete clauses and secondly to reword others for a clearer and more concise interpretation. Using that report of Mr. Davidson as a base, officials of the Department then went to The Teachers' Superannuation Commission for a number of lengthy discussions the last few years, and the Bill before you is a product of those discussions.

The new Bill was drafted and written with four points in mind. They are first of all to improve the present pension benefits; secondly to simplify clerical and technical administration; thirdly to eliminate some inequities within the plan and selection against the fund; and last but not least to give the present Act a good house-cleaning from a legalistic point of view in writing the Act.

I would like to deal very briefly with some of the major changes, Mr. Speaker, First of all under the heading of improved benefits, at the present time the maximum retirement allowance payable under the Act is \$6,000 per annum. Commencing July 1st, 1970 the maximum pension level will be increased from \$6,000 to \$7,000 and eventually to \$8,050 per annum over the next six years. The maximum salary upon which contributions are to be made will be increased to \$11,500 from the present \$10,000. The second improvement under benefits provides that, if a teacher terminates employment after 10 consecutive years of teaching service in the province, he is entitled to a deferred allowance payable at normal retirement age. If he does not have a 10-year period of consecutive years of service during his teacher career, or her teaching career, then he must have a total

of 20 years of service before qualifying. The 20-year period is a service qualification that is now required, of course, under the present Act. The third significant improvement, I think, deals with the calculations of the teacher's superannuation allowance. After July 1st, 1970 of this year, the allowance will be calculated on the basis of the average of the six highest years of salary. At present the calculation is on the basis of the eight highest years of salary, and I suggest to you, Mr. Speaker, this is one of the major improvements in this Act that will be of benefit to well over 90 per cent of the teachers in this province.

The New Act increases the number of days a teacher in receipt of an age and service allowance may teach from the present 80 days to 120 days. This provision will allow a superannuated teacher to teach a full spring term without having his pension reduced. Here again this is a provision that was sought by both the Teachers Federation and the School Trustees and one that we think is a move in the right direction. The fifth improvement has been that all teachers who have at least five years of service will be credited with four per cent interest on their contributions when such contributions are refunded. Previously no interest was paid on contributions up to four years' service and two per cent for up to 10 years and three per cent on 10 years plus. A sixth change has been to extend dependants' allowances to age 21 from age 18. The dependant in this category, however, must be attending an approved educational institution on a full-time basis after attaining age 18 to qualify for an allowance.

Now the second major area I referred to earlier is simplification of administration, Mr. Speaker. The first step here was to eliminate the two-account concept and to substitute that with one account, which will be known as the contributions account. In the existing legislation it is administratively awkward to initiate transfers of funds from one account to the other with nothing really constructive being accomplished as a result of that transfer. The one account proposed will contain both teachers' contributions and Government funds. The teachers' interest, the overall interest of all teachers contributing, will be safeguarded in that the fund will always contain at least the value of the teacher contribution and interest at the rate prescribed by Treasury Board at that time, and the Government will guarantee to continue that sufficient monies will be available in the fund to meet the monthly superannuate payroll. Another step is that school boards will be required to submit superannuation contributions deducted from teacher's salaries at the end of the month in which the deduction is made. Presently contributions are submitted to the commission in December and July of each year. This, I suggest, is in keeping with the practices adopted by other provinces, along with income tax payments, Canada Pension Plan and so on which must presently be submitted on a monthly basis.

Another change in the present legislation before us, Mr. Speaker, deals with the reduction of optional retirement plans. The current Act provides seven basic options with numerous combinations thereof. These options were not necessarily in the interests of the teacher, and certainly not always in the interests of the fund or the plan itself. The new Act will provide three basic options or normal forms of benefits if you will. Firstly, if a superannuate dies leaving a widow, half of his allowance shall be paid to the widow for life, or if no widow,

to any dependant or dependants named by the superannuate. Secondly, if a superannuate has no dependants on his death and if such superannuate has not received by way of allowance payments up to the date of his death an amount equal to the amount of his contributions with interest at his date of retirement, the amount by which his contributions and interests exceed the total allowances paid to him, shall then be paid to his estate or to a person named by the deceased. In other words, a retired teacher or in the event of early death, his estate is guaranteed in benefits an amount equal to his contributions with interest. Thirdly, an allowance may be adjusted prior to age 65 to take into account the old-age security pension.

A further improvement proposed is the discontinuance of accepting voluntary contributions to the fund. Voluntary contributions have been made for many years and of course are contributions which are made by a teacher over and above the regular contributions. It is now felt that with the calculations of allowances being made on a final earnings basis, the allowance that a teacher receives is at a high enough level that it should not require supplementation. I think it is also a recognized fact, Mr. Speaker, if anyone examines the figures and the interest rates, that a teacher could well realize a better investment and a better return in the private money market than he could receive from the Commission.

A third major objective in rewriting the legislation was to eliminate some of the iniquities within the plan and some selection against the fund. the old Act required that a teacher have at least eight years of teaching service within the 15 years immediately prior to retirement. This qualification sometimes prevented teachers from obtaining allowance even though they had a total of 20 years or more of service. The new Act will be phasing out this requirement by providing that a teacher must have taught eight years from June 30, 1954.

Application from a teacher for a disability allowance will not be considered until expiry of a 60-day period after the last day for which the teacher was paid by the school board. This is intended to discourage application in case of temporary disability. The question of disability benefits is under continued study with the possibility that this liability may eventually be underwritten by some other method. Bearing in mind the fact that teachers are assured of receiving benefits at least equal to their own contributions with interest upon retirement, the need for 10, 15 and 20 year guaranteed options, I suggest, have become unnecessary. It will still be necessary for a teacher to meet the age-service requirements in order to qualify for an age and service allowance.

Another point that is covered in the new legislation, Mr. Speaker, is that a teacher who had previously received a refund of contributions will not be required to return to teach in Saskatchewan. Let us assume he took a refund and left the province. When he comes back to teach in the province he must teach for at least two years before being permitted to restore the refund. Interest payments on refund restorations will be adjusted of course to bring them in line with whatever the current rate values are at that time.

Provision has been made in this Act to allow any teacher employees or professional employees of the Saskatchewan School Trustees Association who are engaged in duties directly related

to teaching and who possess the qualifications and experience of a teacher to participate under the scope of the Act to come into the Superannuation Commission subject to the approval of the Commission. This is merely extending the same privilege as was extended to teachers employed by the Saskatchewan Teachers Federation. It should be pointed out here, I think, that the employers in both of these cases will be required to match the contributions which the employee has to make to the fund.

Now, Mr. Speaker, I mentioned at the outset that another major objective was to provide for more positive definition to try and avoid as much ambiguity and possible misinterpretation as was possible. Numerous sections of the old Act have become obsolete and numerous existing sections have been reworked to hopefully bring about that particular thought. I suggest that there are a number of other provisions and changes in this legislation, Mr. Speaker, that could be much better dealt with in Committee.

Mr. M. Kwasnica (Cut Knife): — Mr. Speaker, we on this side of the House have scrutinized the Bill carefully and we agree with the Bill in principle. It is a fairly progressive bit of legislation and except for possibly a few very minor amendments in Committee of the Whole, we won't object to the Bill at all.

Motion agreed to and Bill read a second time.

Mr. McIsaac (Minister of Education): — Moved seconding reading of Bill No. 50 — An Act to amend The School Act.

He said: During the last two years I am sure Members will recall that legislative changes in The School Act have been introduced designed to reflect and accommodate several of the important new directions that were seen taking place in education here and else where. We have concentrated a good deal of attention on curriculum reform, new classroom organization and teaching techniques in keeping with the concepts of the nongraded elementary school as one example. I think we have recognized that if teachers and trustees are to adapt their programs and to utilize the most modern techniques and instruction then they must have more freedom and more flexibility in the use of staff, school facilities and time and so on. We have found for example that teachers implement new courses and teaching techniques more readily of freed from some of the restraints of conventional time-tabling, more rigidly prescribed courses, single textbook authorizations and so on. In the same vein I suggest that school boards are now finding it desirable and even necessary to consider ways and means of extending the use of school buildings, school facilities as well ass staff. Members, I think, will recall our legislation of 1969 when we relaxed prescriptions relating to the length of day, the week, the year and so on. Some of the amendments that are in this Act, Mr. Speaker, are designed to carry forward that line of thinking.

I think there is one particular proposal that deserves the attention of the House at this time and that is the proposal with respect to special education. Traditionally our schools have been geared to the needs of the large average group of the school population. Services for handicapped children have customarily been provided chiefly by way perhaps of voluntary effort. Boards may provide these services and in many cases

did and do so. However, Service Clubs, the Council for Crippled Children, The Red Cross Society, and many other groups, were and are of course involved in providing education for handicapped children. Our law did not require a school board to take care of the retarded, the physically and emotionally handicapped. However, as I say, school boards in recent years have become increasingly concerned and have been doing a much better job in this general field. I am sure that Members here are well aware of efforts in this regard.

Many people, including trustees, public and private agencies, have urged the necessity of making services to handicapped children an integral part of the school system. We certainly agree that this is a desirable objective and necessary to ensure continued progress toward a fully integrated program in the school system. Toward this end an amendment to Section 122 will make educational services to handicapped children mandatory on the school board effective September 1, 1971. A board may provide these services within its own system or may do so by agreement with other boards, with other agencies, with other institutions. In this regard we do not expect any rapid proliferation of special institutions or building necessary to accommodate this. We believe as a matter of fact, Mr. Speaker, that from experience with special classes of various kinds, even for the hard of hearing and the blind, a great many can be served by special classes within the regular school system. The children can then remain in their home and in their home community and grow up in that normal environment available to most of our children. Facilities for the School for the Deaf and of the School for the Blind, of course, will be continued to be made available for those who require them. There are others, of course, with varying degrees of disability, both hard of hearing and blindness. For that matter, a number of special classes are not being operated throughout the province and supported by the Department of Education to accommodate these children.

Turning to one other Section in this Act, Mr. Speaker, I should like to refer for a moment to teacher aides. For several years we have been looking at ways and means of freeing professional teachers from some of the routines of schoolwork which occupy in many cases a good per cent of their time in school. For the past two years we have had some experimentation in the use of teacher aides in the province and certainly it has demonstrated I think to us and to any school that has been involved with these people, that this type of employee has a definite potential in the programs of our schools. Some may argue that only those people holding a teaching certificate should have anything whatever to do with the instructional program, but when one thinks that a good deal of time, of some teachers at least, is spent in clerical work, filling in forms, checking records, setting up equipment, collecting teaching materials, setting up laboratories and so on, it seems to me that there is definite room for a category of people, Para-professional people in the teaching system. We do intend to pay grants, in fact we do so now for the employment of school aides. The present legislation provides for formal recognition of teacher aides as a part of the school system.

Amendments to Sections 204, 206 and 232 extend further recognition of the need for more flexibility in planning the use of time in scheduling the instructional program. The number of days which have traditionally been statutory holidays are now being made optional so that communities which wish to observe

March 20, 1970

these days as school holidays may continue to do so. In recent years school boards have found it to their advantage in the implementation of new or expanded programs, and the comprehensive schools have to be a good example, to do so jointly with other boards. This is particularly true not only in comprehensive but in special education in a number of other fields. Some of the boards are becoming increasingly concerned about avoidable duplication of services within the same community. There are a number of provisions here that will strengthen the joint boards that have been established.

Another series of amendments, I think, are of real interest, Mr. Speaker. Legislation this year will provide the machinery by which a public school board and a separate school board may by agreement merge to form a single board of education to operate the schools of that district. Minority rights are fully protected, while at the same time every ratepayer has full access to the total educational services available in the community. Taxation would be uniformly applied to all ratepayers irrespective of the district in which they belong.

The school district as such will remain. The Board of Education, if so decided upon, would consist of seven members, two elected by the ratepayers of the public school district and two by the separate school district and three by the ratepayers at large of both districts. I point out again that this legislation is of course permissive, but I suggest to you, Mr. Speaker, that it represents a fairly large step in allowing the development of boards of this kind. There are other amendments to this Act, Mr. Speaker, which I think can be better dealt with in Committee.

Mr. N.E. Byers (Kelvington): — Mr. Speaker, there are a number of provisions in this Bill that I think we can certainly support. The question of teacher aides is one that I know is a relatively new concept in education. I am pleased to see that the Minister has made recognition of this fact in this piece of legislation that the Department of Education will be laying down some of the qualifications necessary for these people to perform within the school system and their conditions of employment. I would like to comment on this and also some other items of the Bill; I would therefore beg leave to adjourn the debate.

Debate adjourned.

The Assembly adjourned at 5:35 o'clock p.m.