

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Third Session — Sixteenth Legislature
39th Day

Friday, April 10, 1970.

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

PETITION

RESPECTING FLOOD DAMAGE

Mr. J. Kowalchuk (Melville): — Mr. Speaker, before the Orders of the Day I would like to bring to the attention of the Members of this House and to the Minister of Municipal Affairs (Mr. Estey) that I want to lay on the table a petition I have received from the farmers of the Neudorf area respecting flood damages.

This petition is signed by 22 farmers located in the Qu'Appelle Valley region in the west . . .

STATEMENT ON PRESENTING PETITIONS

Mr. Speaker: — Order, order! Now I draw all Hon. Members' attention to the Rules and Regulations governing the tabling of petitions. The proper place to do this is when the Speaker calls for the presenting of petitions, that is if it is to be presented to the House. Section 55, Standing Orders of the Assembly says:

1. A petition to the Assembly may be presented by a Member at any time during the sitting of the Assembly by filing the same with the Clerk.
2. Any Member desiring to present a petition must do so during routine proceedings before introduction of Bills.
3. On the presentation of a petition, no debate on or in any relation to the same shall be allowed.

In other words it means that it must be filed without comment. If the Member wishes to file his petition officially he must do it in the proper place, the proper time and in the proper manner.

Mr. Kowalchuk: — Mr. Speaker, I thought that I had the thing all straightened out with you, but I will present the petition on Monday as you say, Sir.

QUESTIONS

REPORT OF LABOUR-MANAGEMENT COMMITTEE ON CONSTRUCTION TRADES

Mr. W.E. Smishek: — Mr. Speaker, before the Orders of the Day, I would like to direct a question to the Minister of Labour (Mr. Coderre). It is my understanding that the Report of the Labour-Management Committee on Construction Trades established almost two years ago has now been submitted to the Minister. The Minister has assured us that once he had received the report that it would be made public and would be tabled in the Legislature. I wonder if the Minister can tell us when copies of this Report will be made available to the Members of the Legislature and when will it be tabled.

Hon. L.P. Coderre (Minister of Labour): — Mr. Speaker, I have received the Report but it has not been officially presented to me. It has been requested but the pressure of the House has not made it possible to receive the petition officially for one sub-committee to give its reasons why the various clauses in the petition are concerned. As soon as that has been done I have indicated that the Members will get it.

Mr. Smishek: — Mr. Speaker, the Minister of Labour said that he has received the Report. What does he mean about the Report not being officially presented. It is a Report of the Committee and the Minister has told this Legislature some time ago that once he has received the Report that he will table it in the House and copies will be made available to the Members.

Mr. Coderre: — Mr. Speaker, I made it quite clear to the hon. Member but his thick skull is so thick that he doesn't want to listen. I indicated that I am in possession of it but it has not been officially presented to me. Now do you understand that? Now can you get it into your thick skull?

Mr. Speaker: — Order, order!

SECOND PULP MILL AT MEADOW LAKE

Mr. W.J. Berezowsky (Prince Albert-East-Cumberland): — To help bring order to this House, I will ask the Member for Meadow Lake (Mr. Coupland) what progress is being made with regard to the second pulp mill that was being negotiated the last few days at Meadow Lake.

Hon. W.R. Thatcher (Premier): — If the Hon. Member will stop his anti-American talk I hope to be able to make an announcement very, very shortly.

SASKATCHEWAN ECONOMIC REVIEW ISSUE

Mr. A. Thibault (Kinistino): — Mr. Speaker, could we find

out whether you are going to issue the Saskatchewan Economic Review this year, or have you issued it?

Hon. D.G. Stuart (Provincial Treasurer): — We will carry on as usual.

Mr. Thibault: — That's not a proper answer. Have you tabled it this year?

Mr. Stuart: — Obviously not or you would have it. But as soon as the time has come we will table it and you will get a full . . .

Mr. Thibault: — We usually get it during the Session and the Session is just about out and we haven't got it yet.

Mr. W.S. Lloyd (Leader of the Opposition): — Is it the Provincial Treasurer's intention to withhold this year's Economic Review as he did in 1967 till after the election?

Mr. Stuart: — I have the intention of doing exactly as we normally do. We have never withheld anything.

SECOND READINGS

Hon. D.V. Heald (Attorney General) moved second reading of **Bill No. 73 — An Act respecting The Coming of Age of Persons.**

He said: Mr. Speaker, it is with a great deal of pleasure that I welcome this opportunity this morning to move second reading of this Bill, The Coming of Age Act, because I think it is a very progressive Bill. It is a Bill that marks a milestone, I think, in the progress of social legislation in the Province of Saskatchewan.

Mr. Speaker, historically our common law system has decreed that a person under the age of 21 years is incapable of managing his or her own affairs. At law such a person has been called an infant. The assumption that an infant was incapable of managing his own affairs was for many centuries, as all Members know, a valid assumption. In the recent past, however, we have seen great strides in the education of our young people. These days they are exposed to a greatly sophisticated communication system which has brought the whole world into their homes. Our system of education has been much improved by this communication system and the benefits thereof have been passed on to our students. A student of today undoubtedly knows more than a student of the same level ten years ago. Mankind's knowledge has increased tremendously in the last ten years and the direct beneficiaries are our youth. The result is a much earlier maturing of our

youth. These so-called infants, as they are known at the law or before the law, have become very socially, politically and economically aware. Over the years this assumption of incapacity for people under 21 has been slowly eroded away. A person under 21 can vote or in some cases make a will, or, if independent, living separate and apart, can marry. We have slowly brought our legislation into line with reality. Our youth is mature enough to participate in our democratic process or take on the burdens of family life. But in so many areas, Mr. Speaker, especially in the field of contract, we still consider our young people incapable of managing their own affairs. Mr. Speaker, this ambiguity in the law is not acceptable to the thinking youth of today. These inconsistencies are not acceptable to our youth. The Bill before this House will remove to a very, very large degree these ambiguities and inconsistencies. I am sure, Mr. Speaker, that all Hon. Members have thought very deeply and honestly about this legislation which I am now proposing. Speaking frankly the concept seems to have been readily accepted, except in some cases for one reservation and that is with regard to the purchase of liquor. Again I am sure that much serious thought to this problem has been given by all Hon. Members.

Mr. Speaker, I suggest to all Members today that we can't be inconsistent and unfair. We can't say that you can do all of these other things but you can't drink. We can't say you are mature enough to marry but not mature enough to handle alcohol. You are mature enough to buy a section of land or a piece of farm machinery or a house, but you can't go into a beer parlour or you can't purchase liquor. I don't think we can say that you can go to war, but you can't purchase liquor. We can't say surely that you will be contractually liable but you cannot purchase alcohol. In summary, Mr. Speaker, surely we have to be honest and fair and say that you are deemed to be an adult period. Surely we can't say you are an adult except.

I would like now to turn to some of the major provisions of the various Acts which are amended by this Bill and of course we can go into detailed discussion when we get into Committee. Basically the Act provides that a person now 19 or over, or who in the future becomes 19 years of age will be entitled to all rights and privileges that a person now 21 years of age has. He will also be responsible — and this is the other side of the coin — of course, he will be responsible for his deeds and actions as if he were 21 years of age. The consequential amendments to the various statutes are substantial. For example and I don't intend to list them all, persons between the ages of 19 and 65, being Canadian citizens or British subjects and subject to the other stated rules, can serve on juries; persons 19 can become constables and deal in land, leases, mortgages and so on; persons 19 or over will be able to execute wills in all cases that a person now 21 or over can do; persons over 19 will be able to become trustees and executives and monies held by trustees may in some cases be paid out at 19. Now there is an area here where decisions of the courts will be necessary to decide the age. In wills, for example, if a testator has

designed 21 years in a will, I think it is going to be up to the courts to decide if he meant 21 or maturity and there is not much we can do about that. But I think that will have to be decided by the courts.

The professional Acts will permit membership at age 19. This is your Land Surveyor's Act, your Dentist's Act, all professional Acts will permit membership at 19 instead of 21. Persons 19 or over will be able to take the affidavits proving death under the provisions of the Marriage Act. Of course, all persons will be able to marry at 19 where 21 as now set out in the Act. Persons 19 or over will be able to be witnesses at marriage ceremonies, including Doukhobor marriages. In The Deserted Wives' and Children's Maintenance Act, the child will include a person under the age of 16 or a person under 19 who is unable to provide himself with food or necessities by reason of a physical or mental disability.

Mr. Speaker, The Infants' Act raises major problems and has led to the one exception to the basic intent of the Act. Administrative problems due to the existence of the general fund necessitates special provisions to protect those with monies in the fund. The monies basically will not be paid out until a person becomes 21. This will apply only to monies in the fund prior to April 1, 1970. The problem here is a question of liquidation of the assets in the hands of Administrator of Estates and there would be too much of a run on it. We would be in a position of selling off bonds at 60 cents on the \$1 so we've got to phase this in, but hopefully within the next year, certainly within the next two years, we will be in a position where people who are entitled to receive money from the Administrator or the Official Guardian will be able to receive that money when they are 19, but not for the next year or two. We will have to phase it in. We think that by next year we will be able to pay out people who are 20. So this is the only basic exception to the entire principle of the Bill and it was made necessary because of the investment policies in the Official Guardian's Department.

As has been stated persons over 19 will be able to purchase liquor and beer in all licensed outlets. A person over 19 will be able to apply for licences under The Liquor Licensing Act, subject of course to all other criteria. The necessary changes are made in the Bill to allow persons under 19 to enter outlets where previously a person under 21 could enter these outlets. Persons over 19 will be able to change their names, will be able to direct their bodies or specified parts to be used for therapeutic purposes or for medical education or research, as set out in The Human Tissue Act.

I have given some of the examples of the kind of thing that is involved in this very basic change which is going to cut right across the board. Mr. Speaker, as I have said at the outset there is no doubt that all Hon. Members have given much

April 10, 1970

thought so this concept and to the provisions of the Bill before the House. I am confident that this House and the people of Saskatchewan will affirm their faith in our youth by voting for this Bill respecting the coming of age of persons.

I was interested in the morning edition of The Leader Post to see an article by Rosemary Bolton. Some Hon. Members may have seen it, it was in the last night's paper as well: "*Lower age of maturity gets Support.*" A survey was done and there are some very interesting comments, and I would like to take the time of the House for a minute or two to just quote some of them. The article says:

The consensus among Regina's high school and university students is almost unanimous acceptance of the proposed Government legislation to lower the age of maturity to 19 from 21. The Leader Post conducted a survey of young people and found most of them solidly in favour of the law change. The Regina Campus student union president, Fred Cunningham said they were in favour of it. 'The decision will concern approximately 75 per cent of the students.' He added, 'The proposed lowering of the maturity age was a step in the right direction to increase the responsibility of young people.'

And Mr. Speaker, I think that is important. I think that some comments I have seen and some correspondence that has been directed to my attention has given an undue emphasis to the increased privileges of young people. But with every privilege that they get — and they are getting some privileges under this Bill — they are getting added responsibility. I am confident that the young people of Saskatchewan will live up to these responsibilities as well as accepting these privileges.

Peter Larson who is involved with students for a democratic university told The Leader Post:

The new law could make the incorporation of student organizations easier since at present the University constitution requires several persons of legal age on the executive of a student group.

And that's one I hadn't thought of but there is another example of the way that this will work.

Clyde Shragge, a counsellor on the University Students' Representative Council had a few reservations about younger people but nothing very serious. An interview with a student at Thom Collegiate — and this is interesting — said:

He felt it was ridiculous that young people have the right to choose public officials...

The people who are here and the people down at the city Hall.

. . . but not the beverage they wish to drink.

I think this is something we should all consider.

Another student in Miller composite high school:

Students now have access to liquor, and they should be given the change to learn how to handle alcohol within the law and how to use the privilege wisely.

I think this is a good sentiment.

Most of the high school students questioned stressed the importance of the added responsibility involved in the changing of the law. Another student said:

There could be possible repercussions at first, but if young people are treated more maturely and given increased responsibility I am confident that most will live up to expectations.

I think that puts it very nicely, Mr. Speaker.

This is an acceptance by the Government and I hope by most of the people of Saskatchewan that the law has to be dynamic. The law cannot be static, the law must be dynamic, it must change with changing conditions. And conditions surely have changed. This is an acceptance of this concept of dynamic change so far as the Government is concerned. I commend this Act and this Bill to everybody in this Assembly and everybody in the Province of Saskatchewan.

Some Hon. Members: — Hear, hear!

Debate adjourned on the motion of Mr. F. Larochelle (Shaunavon).

STATEMENT ON PRESENTING OF PETITIONS

Mr. Speaker: — Just a minute now before we move on to anything further. There has recently been a degree of confusion in the Legislature in regard to the presenting of petitions. The Member for Canora (Mr. Matsalla) wished to present a petitions and there was a degree of confusion in connection with that. We finally surmounted that difficulty. Now the Member for Melville (Mr. Kowalchuk) sought to present a petition. The confusion arises in the fact as to who this is to be presented to. I have just been informed that the Member for Melville didn't wish to officially present a petition in the official manner in the Chamber. He merely wished to have it tabled and sent to the Minister of Municipal Affairs (Mr. Estey). Now if this is the case, if he wishes to do that, and if that is what he wanted to do (and I took by his words that he wanted to officially present it) which he couldn't because it was the improper place to do so, but if he wishes to send it to the Minister of Municipal Affairs he may do so now and I leave it to him which course of action he wishes to take. In either case there can't be any debate whether it is presented officially or whether it is merely handed to the Minister of

April 10, 1970

Municipal Affairs. I wait to see which course of action the Member intends to take, after which I will have something further to say in regard to petitions.

Mr. J. Kowalchuk (Melville): — Mr. Speaker, I will follow the regular routine and present it on Monday.

Mr. Speaker: — I thank the Member for Melville for his words and the course of action that he had decided to take. In order to prevent any further confusion in the House and any further misunderstanding regarding presenting petitions as far as the Chair is concerned henceforth and from here on in, any petition which any Member wishes to present in his House under any circumstances whatsoever will have to come completely and absolutely under Section 55 of the Standing Orders of this House. If any Member wishes to present a petition to the Cabinet Minister, then he will have to do it privately to the Cabinet Minister. Any petition that comes in this House from here on in is going to come strictly and absolutely under Standing Order No. 55. I hope I have made the matter completely clear to everyone.

Hon. L.P. Coderre (Minister of Labour): — Mr. Speaker, there is a question that a petition being presented to the Government, I say could be a fabrication. The subject matter of the petition, when presented to the Legislature, could be a controversial nature and could be a debatable subject. It does put the Government, or anyone to whom the petition is presented, in a rather awkward position in accepting a petition which could be controversial and from the legislation point of view has not the opportunity to answer this petition then and there in the House.

Mr. Speaker: — If you follow the rules of the Legislature under Standing Order 55, because there is a proper procedure for presenting petitions on one day and reading and receiving them the following day, there is a whole 24 hours to establish the fact as to whether or not the matter contained in the petition is in order. In any event, and in either case, it is not a debatable matter except on a substantive motion properly noticed. I don't think the Minister's fears are very well grounded, as long as the House follows strictly the Standing Orders of the Legislature. This is what I propose that we do from here on in.

SECOND READINGS

Hon. L.P. Coderre (Minister of Labour) moved second reading of **Bill No. 60 — An Act to amend The Workmen's Compensation (Accident Fund) Act.**

He said: Mr. Speaker, in starting off in presenting this Bill I should probably outline some basic principles of Workmen's Compensation pensions.

For the information of this House pensions under The Workmen's Compensation (Accident Fund) Act are payable to dependants who are fatally injured. Permanently disabled workmen receiving pensions are tax exempt on pensions received. I thought this House might like to know that the pensions in force as of December 31, 1969, indicated that there were 411 widows, 629 children and 17 orphans. Again for the information of this House I would like to indicate that there are 2,246 disability classifications of which, for example, 452 are under 10 per cent; 946 are between 10 and 20 per cent; 322 are between 20 and 30; 143 between 30 and 40; and 165 between 40 and 50. The rest drops off drastically. We find it between 80 and 90 per cent and only 9 people are in that category.

Again, it is interesting to note that people receive pensions based on the \$6,600 maximum; there are 15 people receiving pensions between \$300 and \$500 and then it drops down to people who are receiving pensions below \$25. I just thought that I would mention to this House some of these facts as well as some background information in regard to the Workmen's Compensation Accident Act Review Committee. They presented a report about three years ago and made some recommendations which I would like to outline to you.

For example under the administrative procedures — these procedural changes are probably long overdue — the Committee recommended changes. We have recently installed a new data-processing equipment which has already resulted in a considerable revision of methods and further changes will occur as the use of this equipment is extended. Some mention was made by the Committee Review Report about safety manuals and new comprehensive accident preventions were approved by the Lieutenant Governor in Council as of January 1970. These books have been distributed in booklet form to every employer in the province and have been available to employees as well.

Under safety training there was some concern that there was not sufficient training. The Board has at present 10 safety inspectors and two supervisors in addition to the safety director. This staff carried out more than 33 per cent more inspections than in 1968.

Some mention was made about safety programs by the Committee. Our safety inspectors give lectures to classes graduating from the Technical Institutes at Moose Jaw and Saskatoon. After the reorganization of the Department of Education we are hoping to arrange with the educational authorities to see if we can get in the senior classrooms some type of information that may be helpful to the potential workers — safety instructions we hope.

Some mention as well was made of radiation. As you know we have a radiation committee working under the Occupational Health Branch of the Department of Public Health. They tell us that the laws at present cover industrial X-rays as well as X-rays in hospitals. A section on radiation was included in the Board's Accident Prevention Regulations. Chiropractic treatment has

been mentioned. Of course, as you know, that was included in the 1969 session.

On the question of rehabilitation and physical restorations, the Committee, included representation to the Board, are now studying the rehabilitation need of the physically handicapped people. I am making this interim report to the Inter-Departmental Committee on Rehabilitation this spring. We hope that we will have much more action in that area.

The Rehabilitation Department as you know provides counselling service to widows and children. As you know the children's allowance is of course continued until the age of 21, while the child remains in school. This is the type of assistance that the Rehabilitation Department does give, as well. If a person is partially injured and had been on heavy work every attempt is made by our Rehabilitation Department to try to rehabilitate him to light work. As you know, of course, arrangements have been made for benefits out of province. The arrangements have been made with the Provinces of Alberta, Manitoba and Ontario. If a person gets injured in Ontario but who is from Saskatchewan, he can elect to take the benefits either from Saskatchewan or wherever he happens to live or where the accident has taken place. In view of this the benefits are generally the same so they take usually at home. As you have no doubt noticed an engineer and a fireman were injured in an accident in Manitoba but they elected to take the benefits here because they were much better.

Some mention was made about what happens when a person gets hurt. A claims officer may accept any claims he feels valid. The claims officer, however, cannot reject a claim but must refer all doubtful cases to a committee of three senior staff members. If they decline the claim the workman is advised that he has an appeal procedure. I suppose that there isn't a person in this House that could not single out a particular case where he has had a complaint. I can assure this House that the workmen's compensation Board has reviewed every case that has ever been brought up and has adjudicated on a medical reason only. After all, as you know, it is not a welfare agency. So if a person has been hurt, has gone to the Claims Office, has been reviewed by the three senior claims officers, the case can then be brought up to the Workmen's Compensation board. Then, if there is an injury as such, the person can, if he is not satisfied with the decision, have a board of specialists to review his case. Still not being satisfied he has an opportunity as a final appeal under Section 48 of The Workmen's Compensation (Accident Fund) Act. So it gives the person injured a good opportunity of claim. On top of that I have had many claims brought on me as the Minister in charge and not being knowledgeable of course from the medical point of view, I will again ask the Board to review. Many Members of this House referred the matter to the Board and the Board has again reviewed it. But again I must tell this House that any time that a workman is injured the pension that is given is given on a medical basis only, not a welfare basis.

It has been requested by a group that back injuries should be reported to any future employers. The Committee of Review felt that in this area information concerning any claimant is confidential information. Whatever disability any one of us may have we like to keep it to ourselves. It's a basic principle that any medical information should be kept confidential. Consequently we felt we couldn't move in that respect.

Mr. R. Romanow (Saskatoon-Riversdale): — What about the solicitor...

Mr. Coderre: — Oh, if there is a case like that — but what I mean is not to tell his new employer, if any. A workman could be working on a heavy menial job and may have a Legislature broken and cannot continue in that type of work. He may then undertake light work or may have been told to take light work and seek a position if light duty. Employers want to have this information but it is felt that it shouldn't be given out. There is some information that is medical that is confidential.

So with this general information I think that most of the questions that could be asked on both sides of the House could be best answered in Committee so far as the Bill is concerned. But the first Section as you know is to enlarge the definition to include disability due to employment. You know most Canadian Workmen's Compensation Acts contain this definition of an accident. It was broadened to make it quite clear. This had been recommended by the Committee of Review. Another Section is to take in members of the Voluntary Municipal Fire Brigade and to delete the outmoded portion of the definition. As you are well aware, in many small towns where you have voluntary fire brigades, some villages or towns have elected to come under the provisions of the Act. Others have not and have had injury and there are no provisions for compensation. It is felt that they should all be brought in so that at least they have the protection. Another Section that has been brought in and again it broadens the same thing as the volunteer fire brigade. It is to make the coverage of all employees of municipal corporations, school boards and school units mandatory in that same way. you will find that smaller municipal corporations would cover some and not cover the others, with the result that it made it rather difficult when you try to process a claim where they are not actually covered. As well it is to include under that same group the University of Saskatchewan and Wascana Centre. At present special application is necessary before policemen, firemen, caretakers and so on can be brought into the plan. School teachers, of course, will still continue to be excluded under the definitions of workman.

Another Section that is brought in is to compensate all employees including the Secretary Treasurer on their earnings. Section 9 is complementary to the original one, complementary to Section 3. Members of an employer's family are in the future to be treated as workmen. What has happened here is that an employer, having his son work for him during the summer holidays

April 10, 1970

on some project, often times was not covered unless he was so designated. As long as the person is on the payroll, the members of his family will be constituted as a workman. As you know members of a family of an establishment have to request to be covered under the Act. I think this is a very good change.

The extension of the allowances for children attending school to their 21st birthday or the end of the school term. Very often benefits will stop immediately on the 21st birthday, and it did create some hardships in this particular cases.

The pay of partial and temporary disability compensations on the loss of earnings or disability basis, has been recommended by the Committee of Review, as the Act presently provides for payment for temporary partial disability on physical rating only. that's temporary until a final adjudication has been made and the person has been represented-established.

A new subsection has been added to provide that on death of the disabled pensioner his widow or dependant will receive the one full month pension for which she would not normally be eligible. Often times a person who is entitled to a pension has passed away on the second or third of the month, for example, and the pension was cut off immediately. This way it is proposed to continue the pension till the end of the month.

As I have indicated, Mr. Speaker, it would be much easier to discuss all aspects of this Bill when in Committee of the Whole. As I have indicated before, Mr. Speaker, no doubt there will be many arguments because very often when a person has been injured he always feels that he is entitled to much more than he is actually getting. These are natural problems and we try and the Board tries to deal with these people well. It would be quite easy I suppose, but it would be most inappropriate to bring specific cases to the attention of this House. I could mention one that the Hon. Member for Moose Jaw South (Mr. Davies) is very much aware, a situation in Saskatoon. I can assure this House that if anyone has any problems I would be more than happy to convey the subject matter to the members of the Board and when you finally get the explanation, I am sure that you do find that they have been very, very well treated.

With these few words, Mr. Speaker, although I admit that I have probably put a lot of extra information that was not necessary, I thought that this House should have some background of what the Board does.

Some Hon. Members: — Hear, hear!

Mr. W.G. Davies (Moose Jaw South): — Mr. Speaker, I would like in the beginning to comment on some of the remarks of the Minister with reference to certain changes that will be, or are being effected, in Workmen's Compensation practice or administration.

Commenting first of all about pensions, I note that he was speaking about them in terms of 25 per cent, 30 per cent, 40 per cent or whatever. I want to remind him and inform the House, if the House is not aware of the fact, that for example where the 40 per cent pension is awarded a workman it is not awarded on the basis of his previous salary. It is awarded on the basis of a 75 per cent payment so that a 40 per cent compensation payment becomes, therefore, only 30 per cent. In many cases, where the degree of impairment seems to be small the payment can be very low. For example, for the carpenter who loses the thumb on this right hand (and he is a right-handed carpenter) the degree of impairment is not very high according to the compensation tables. But losing that thumb may very drastically affect his livelihood because essentially he cannot use the skills that he has used over a lifetime. I believe, if I am correct in my recollection, that the degree of compensation here is not more than about 20 per cent.

On the data-processing equipment, I want to say quite forthrightly that this is long overdue. I think that the acquisition of this equipment has been prompted by the criticism that has come from this side of the House and from the Compensation Committee of Review. I know that when I appeared myself before the Committee of Review some of the members of the body, and certainly not all of them were employee members, agreed that the practices of the Board and the collection of statistics and the development of research were positively archaic. So I am glad to see that this equipment is being acquired. With 30,000 cases a year and with the accumulation of matters that come from previous years, it can be seen that this kind of equipment is most necessary.

I think the revision of the accident prevention regulations was overdue. Again I think agitation from both labour and employers was successful in getting a change made. The regulations are, I believe, an improvement.

The Minister has commented that inspections have increased. I feel that inspections are still not nearly enough in this province where there are registered I suppose at least 26,000 employers. I am not quite sure how many come under the Workmen's Compensation Board but I should think this number anyway, since we include municipal institutions and other public and private institutions that might not normally be covered by other labour legislation.

On the matter of safety, Mr. Speaker, I want to say to the Minister that our practices here in the province are behind hand. We should have a Provincial Accident Prevention Association of both employer and employee representatives. It should be well staffed. It should be efficiently run, so that there is a proper collection of information, committees that can make meaningful suggestions for change to the Minister and to the Board. The fact of the matter is that while there are some excellent individual accident prevention associations existing in branches of industry, this very excellent principle is not carried to a

central point.

Also another reform that needs to be made and should have been in past years is that trade unions should automatically have the right to name representatives to accident-prevention committees. The situation now is that some accident prevention committees do not command the real respect and support of employees in the plant, because the employer makes the judgment of whom to pick. The person he picks may not always be the person that commands the support of his fellow employees. It is extremely important not to have someone who is there because of employer favouritism or who may gloss over some defect in safety, but someone who will do the real job of seeing that hazards in industry are corrected. It is because of the hazards in industry primarily that we of course have the mounting total of accidents in industry.

The Minister has made some reference to rehabilitation and restoration. I want to remind him that one of the paramount recommendations of the Workmen's Compensation Committee of Review (remembering the report was tabled in 1968 in November, which is a while ago) proposed the development of a Rehabilitation Centre. Other provinces, the Minister may know, have these centres — British Columbia and Alberta are two examples. There are other provinces too, but these are in two of our neighbouring Provinces. They have proved to be very useful and I am quite sure that for the business of restoring the workmen to remunerative employment, if not to their former jobs, this kind of a thing is of the essence. I remind the Minister that this was one of the main recommendations of the Review Committee, but this is not one of the recommendations that appear in the amendment before us. I say again, looking over the amendments, they are not the main recommendations that the Committee made to the Minister three years ago or almost three years ago.

The Minister has made quite a point of saying, Mr. Speaker, that the Board makes judgments solely on medical evidence. While this is, in a sense, true, it is by no means completely true. certainly the Board relies on medical evidence, as it should, and has to do in making assessments. But the Board has the decision, and makes quite frequently a decision, on the amount of compensation that is to be given on the basis of the evidence. Indeed sometimes it makes the decision on the basis of conflicting medical evidence. The fact is that the medical review procedures in the Compensation Act are not really in the main stages independent areas of investigation. the medical people are usually medical people that the Board refers the workmen to, and only in rare cases, I think, where specialists are involved at these stages and I emphasize that, would the workmen have made the choice.

Now Section 48 is really the only genuine medical appeal section in the Compensation Act. This says, in general, that where the workman is dissatisfied with the decision that the Board has made in his case, he may ask the Board for a reference to a specialist that is a specialist in the particular line that

would affect his ailment. Now at that time the Board may grant an appeal if there is and there has to be I believe, in my recollection, the certificate of a medical practitioner to the effect that there is reason to believe that the previous medical assessment might be in doubt. Only at that point does the Board permit the workman to make an appeal to a specialist.

But even here the appeal is hedged in, because at this point the Board makes the selection of the names of two or three specialists from whom the workman makes his choice of one. I think that this is not a good practice. The Minister shakes his head but I can assure you that this is the case — if he reads the Section he will find that I am right about this. I think that there should be an untrammelled choice by the workman from a list provided by the College of Physicians and Surgeons. I don't know how that principle can be disputed, but the present situation that I have outlined is in the Section and should be changed.

What I am really saying to the Minister is that we cannot be sure that justice is done in all cases to injured workmen merely because of the fact that there is medical evidence, because it is a fact, and everyone knows that it is a fact, and the courts of law are certainly cognizant of the fact, that there is considerable conflict in medical opinion as there is in all other kinds of opinions. It is extremely important that in cases of doubt the workmen have recourse to some more effective and a more impartial type of medical appeal. I would think that in the first case the workmen should have an easier source of medical appeal. I am now talking about medical appeals, Mr. Minister. Secondly the Board should not present the list — and it is usually a small one — from whom the specialist is picked.

On the question of pensions, I believe the Minister said that pensions were given on medical advice only. This again is only speciously true. Certainly there has to be some medical evidence to justify the creation of any new pension. But the doctor doesn't set the pension. The regulations set forth a table of pensions of disability and it is from this table that the Board finally decides what the pension shall be. In the great majority of cases, of course, the workman's pension is set, not on the basis of a full pension for life, but on the basis of a partial impairment of capacity to work. I say, as in the example I gave of the carpenter whose thumb was amputated or a workman who lost a foot or an eye or something like this, the degree of impairment is estimated from the tables and finally by the Board.

The Board has the discretion to make some revision but basically the tables govern. I may say that I have never been satisfied and I have constantly criticized the tables that do set forth these amounts. They are, I think, inflexible; they do not really take into consideration the nature of the employment of the workman; they don't say what degree of loss the workman suffers because of the losses he will encounter in the

April 10, 1970

years he lives after his injury.

Now one final matter that I would like to mention arising out of the matter the Minister brought before us this morning, is with respect to medical information on an employee's case. The fact is that the biggest dispute in this area, Mr. Speaker, and Mr. Minister, is in the area of the information for the workman himself. A workman goes to a doctor because of an injury suffered in industry. The doctor may make an assessment and the Board will then decide on the basis of the medical evidence, what it will do about the case and what it will pay in the way of compensation, if any. At this point the workman is not entitled to the medical evidence in respect of his own case. Now I think that this must be, it has to be, opposed to all of primary understandings that a person is entitled to know all that concern the adjudications that are made in respect of his welfare. As my friend from Saskatoon-Riversdale (Mr. Romanow) has suggested here earlier to you, the evidence is not open to legal representatives of employees.

To be quite fair, I have known cases in which I have been involved relevant to complaints and appeals to the Board, where on a privileged basis some information will be made known in part to the worker's representative in order that he may understand the reasons justifying the Board's decision. But this again is not full information and the case is always clouded, always in doubt. there is always resentment because the affected employee and others concerned — and there are many concerned in the case of the employee, especially his family and his fellow employees — feel that justice is not really done in the particular case.

Now, as I said, Mr. Minister, and I want to make this quite clear, any Compensation Board has a thorny path from time to time. No one expects that the Compensation Board will make decisions that will satisfy everyone. but as has often been said, justice not only has to be done, it has to appear to be done. In respect of this limitation of information to an employee and his representative relevant to his own case, I think something should be done. Elsewhere I have said a good deal in other respects about what I think could be done to improve the employee's presentation of his case and so forth. I shall not dwell on that this morning.

I think these cover the main points that the Minister reviewed before proceeding to an analysis of the Bill itself. In this regard, Mr. Speaker, my first remarks with respect to the Bill itself must be one of disappointment and regret that it covers so few of the basic recommendations made by the Committee of Review of the Workmen's Compensation board and Regulations which were filed with the Minister in 1968.

You may recall, Mr. Speaker, that this Committee is by statute a body that must be set up every four years. It reported to the Minister, as I have said, in 1968. In passing it must

be said that the statute was not lived up to. The Committee was not created until the fifth year. Since that time there has really been no effective action to implement the main recommendations of the Committee.

One might have thought that in this Bill the Minister of Labour would have decided that it was well to make up for lost time and to do something significant in the way of implementing the recommendations of the Committee. It is true that the Minister has included several of the more minor amendments of the Committee. But he has completely passed up recommendations of the Committee that for every good and just reason should be included in this Bill. As far as I can see the remainder of the amendments proposed, aside from any reference to the Committee's recommendations, are largely in the nature of housekeeping amendments and don't accomplish anything very substantial. So, Mr. Speaker, I must say again that this Bill having regard for the needs of workmen in this province is a deep disappointment to me and I think it will be a deep disappointment to the working people of this province.

One of the principles concerns the payment of sums to a widow of a workman covered by a permanent total disability who dies some time following the date of the accident through natural causes. I think that some action should be taken at this Session to provide a reduced pension for a widow in these circumstances because under the present Section 68 when a workman dies, that is one who has been pensioned, the widow gets no more payments. Only in cases where the death of the workman can be directly attributed to the accident, is pay reduced to some sort of pension for the widow. My feeling, Mr. Speaker, is this: that where a permanently disabled workman in receipt of the 75 per cent of earnings, dies, say ten years following the time that he was injured and has received the pension, there should be some reduced pension payable to the widow, even if it is considered that he died of natural causes. The fact is that he has not been able to improve his earning capacity during the time of his pension because of his disability; and in any case he had to exist with his family on only three-quarters of his earnings at the time of disability. If you think of that in conjunction with inflation and advancing costs, it is very significant.

There is, in my opinion, every good reason why some payments should be made following the death of a workman within this category because otherwise the widow finds herself and her family in destitute circumstances. But ignoring this aspect, I have stated that the Bill before us in no way reflects the major recommendations made by the Committee of Review. I am going to suggest that the Minister consider the inclusion of these.

The Committee has recommended that action be taken to escalate compensation pensions on a formula that recognizes point increases in the cost of living index. This is a

April 10, 1970

recommendation that should be followed by the Minister because the rapidly rising costs of recent years have imposed especially hard conditions on compensation pensioners. Pensions in most cases are already too low and their erosion by inflation has made conditions even more difficult. Surely, Mr. Speaker, the Minister should have considered at this time action that would have aided these desperately pressed people who are looking for action by this Government to implement the proposal of the Committee of Review that was set up under your Statutes.

I want to point out again that the pensions that are granted are usually based on a percentage of the estimated impairment. The whole thing is based not on 100 per cent earnings, but on 75 per cent, so we set the pension by getting the degree of impairment estimated by the Board according to the tables and adjusting this on the 75 per cent basis. A 20 per cent pension becomes 15 per cent or so when it is applied. This can be very small especially if it was set many years ago.

Mr. Speaker, the Committee of Review also recommended the appointment of an independent compensation counsellor who would be paid from the Consolidated Fund of the Province. The counsellor would assist the aggrieved workman in lodging an appeal against the decision of the Board where he thought this was indicated. The Committee significantly recommended that the appointment of this person would be by the Cabinet for not less than five, and not more than seven years. The reason for the recommendation is obvious; they wanted to get a person that would be independent and not subject to pressure by anyone, including the Board.

This then, Mr. Speaker, is a principle that the Minister should have considered at this time. It is a very grave matter. It affects the rights of a great many employees across the province. Because especially, that we have had approximately 25 per cent erosion in the cost of living in the last four or five years, it is a matter that the Government and the Board simply cannot ignore. The committee of Review saw this but the Minister has totally ignored the recommendation.

There are also at present a large number of people who have complaints against decisions of the Board. They are not able to do very much about them, particularly because they don't have, in many cases, the skilled assistance that is necessary to make an effective argument. It is my opinion, Mr. Speaker, that the Government should bring before the House something that goes a little further to expedite the principle suggested by the Committee of Review. I here suggest, Mr. Speaker, that the Government bring in a House amendment that would create the office of an ombudsman or a review commission for the Compensation Board, to whom grievances would be directed by workmen who are not satisfied with the judgments of the Board.

Some Hon. Members: — Hear, hear!

Mr. Davies: — This recommendation is one that would be greeted by everyone as a sound and a progressive measure. I can tell you that everyone that has had anything to do with bringing cases before the Compensation Board has become concerned with the business of trying to get some review of a case where all the facts are not made available to the person most concerned.

Over the years the Board has done some excellent work. It is, however, my observation that a body of this kind, acting as it has to do perhaps in considerable isolation from other government bodies, tends to become bureaucratic in nature. As I have said before, it is not my intention to criticize any one member of the Board or to make anything personal in the way of reference about them. But that fact is that I have had brought to my attention many complaints and expressions of dissatisfaction over decisions of the Board. I don't think this is solely a prerogative by the way of those that happen to be close to the trade union movement. I think that most MLAs will say the same. I am certain that the legal fraternity of this province would bear out at least most of what I say here at this moment.

The situation at the moment is that there is much frustration because there is nowhere that a complainant can go when the Board makes its final decision. The creation of the Review Commissioner, if you would like to call it that, because perhaps the term "ombudsman" has been a little overworked, would also in the end improve the administration of the Compensation Board itself. The Board has as I have suggested, over the years become largely a law unto itself. I feel that its procedures have become somewhat hide-bound and out of date. The scrutiny of a fresh element such as a Review Commissioner would have a healthy influence in bringing the administration to a more modern-day concept.

Mr. Speaker, the Committee of Review recognised that the investigation of the Board operations should be undertaken regularly. The Committee proposed that Committees of Review would conduct their studies and investigations of the Board and the regulations every third year instead of every four years. I think it is significant that this recommendation should have been made because it does point to a feeling in the Committee itself that the Board's activities should come under more regular scrutiny. It is also my feeling, Mr. Speaker, that the Government should, as soon as possible, decide upon the name or names of the most knowledgeable people that can be found in the field of Workmen's Compensation and that these people should be called upon to make another assessment of the work of the Compensation Board of this Province.

The Board manifestly is not conducting the thoroughly effective operation as it should do in these times. Nor on its own admission, Mr. Speaker, does the Board possess the information and conduct the research to enable them to make on-going changes as they are required. for example, the Board has been satisfied to carry on operations — and I have made this point

before in the House and I am going to continue to make it until something is done about it — without so much as discovering or wanting to discover the total number of employees covered by Workmen's Compensation board practices and operations in this province. Now, how on earth accident ratios over the province can be estimated without knowing this very basic figure, I simply can't understand. The number of cases and disputes that there are for example before the Board, the pension figures, the Minister gave us a few figures this morning, and I have tried unsuccessfully to get similar figures in this House before. However, the Board possesses this information since it is on the Employer's periodic forms have a space for the inclusion of a figure that states the number of employees in the plant. All the Board would have to do — and this wouldn't be expensive — would simply be to collate the information that it received on these employer's assessment forms.

They would then know at least what they don't know now and that is the number of employees that are covered by Workmen's Compensation in the province. The fact is that if you put this question to the Board, as to the ratio of accidents to the number of employees, they just don't have even that very elementary piece of information. The Board has declared that the information is not necessary. To my knowledge this information has still not been secured by the Board. It is almost incredible that this attitude should be maintained but it has been maintained. It has been the case and I was told by a member of the Board on one occasion, "Why is this information necessary? The individual industries that we cover know their accident rate", as though the Board was functioning as a sort of insurance payer but not functioning as a responsible instrument in the field of accident prevention.

Mr. Speaker, these are some propositions that can be supported in the Bill before us. My chief remarks at this point are directed to the complete inadequacy of the Bill before us. I want to appeal again to the Minister, if he will not do anything in the way of House amendments to provide for benefits like a cost-of-living bonus to pensioners and for the provision of a compensation counsellor, that at least he would give careful consideration to the creation of an ombudsman or a review commissioner, to whom an aggrieved workman might go when he is not satisfied with decisions of the Board, and second, that a genuinely thorough investigation of the Board and of its activities should be undertaken as soon as possible.

Here I believe that, while the Committee of Review has had some progressive role to play, it is not really a satisfactory medium of conducting a full-scale investigation. In some other Provinces judicial reviews have been undertaken from time to time. These I think have accomplished more than the Committees of Reviews have been able to accomplish.

The Committees of Review in Saskatchewan have necessarily been circumscribed by the fact that they have found it necessary

to meet persons and bodies and make reports on recommendations in a fairly short space of time. As well, while many of the persons on the committees have had a working knowledge of compensation procedure, they are not familiar with the administrative practices of the most modern and up-to-date compensation bodies in North America. I truly and sincerely feel that employees and employers would benefit much from a searching survey and study from a person or persons who have the best expertise in Canada or the United States. This would first of all benefit workers, who I feel at this moment have suffered from doubtful decisions. It would also mean that in the long haul we would probably have fewer accidents and there would be a net saving both in compensation assessments and increased production in provincial industry.

Mr. Minister, and finally on another point, I must express apprehension about the principle expressed in new Section 71 which governs the amount of compensation payments in cases of temporary, partial disability. The principle at present is that payments shall be based on the degree of impairment caused by the accident out of 75 per cent of weekly earnings of the employee affected. The new principle in this Bill is a weekly payment of the difference between the average weekly earnings of the workman before the accident and the average amount he is earning or is physically capable of earning (please note these words, Mr. Speaker) as determined by the Board in some suitable employment after the accident as long as the disability lasts.

Mr. Speaker, and Mr. Minister, this type of compensation case frequently involves workmen who are not able to perform their usual duties. The Board's practice in the case of a workman in this category who is ready presumably for what is called light work, is to pay 75 per cent only until such time as the Board deems the employee is not fully incapacitated. Now I am going to say that again — their practice is to pay 75 per cent only until such time as the Board deems the employee is not fully incapacitated. At that point the Board may decide to make a payment of only a fraction of the 75 per cent of earnings and it is in this area — and I am sure that there are many in this House who know about this and will agree — that we have a great deal of difficulty with the Board and a great deal of mental and physical anguish on the part of affected employees. At present the payment must be made under the Statute in any case, and as I said, this is done on the degree of impairment. However, the Bill proposes that the Board be empowered to assume that the injured employee is earning a fixed amount weekly, assume the fixed amount weekly that he might be earning. Therefore, the amount of the compensation paid would be arbitrarily fixed on that assumption, even if the employee, Mr. Minister, in fact is not employed and in receipt of any wage whatsoever. I want to make clear what happens. The Board may say to an employee who was a functioning, capable workman, and become injured and cannot return to his job, and who previously had been in receipt of the 75 per cent of payment, "You are not fit for light work. Go back into the world and find yourself a job."

April 10, 1970

He will go to Manpower, Manpower will not be able to provide him with employment. At some place along the line the Board subsequently says, "Sorry, very sorry indeed, but we are going to cut your compensation to 40 per cent of the 75 per cent received. you are not getting 30 per cent of what you formerly earned." The Minister shakes his head. He just doesn't know what goes on in the Board. He just doesn't know what goes on, but this is what does go on.

So now he has 30 per cent but he has no job to make up the difference and the Board says, "Well, that's true but we are not responsible for finding you employment." I think this is a Pontius Pilot type of attitude and a practice that has to be changed. My feeling is that, if an employee has been injured in industry, he should be rehabilitated and restored to the kind of employment that gives him the 100 per cent of the earning that he received before he got injured. If the Minister says this clause accomplishes that, the Minister is in my opinion very much mistaken.

I had the advantage the other night when attending the Government Employees' reception, of talking to the members of the Compensation Board and to its Executive Secretary. It was a good friendly discussion. I told them of my doubts and I must say they provided no effective answer to them. Nor did they tell me in any particular way where what I am saying now is incorrect. I ask the Minister to consider the withdrawal of this part of the Bill because it constitutes in my opinion a danger to the rights of the injured workman. What the Board is doing (or what will happen rather by this amendment) is that the Board will be given the right to do what it has probably done before. What I am saying is that the present section probably doesn't give the full right to the Board to cut the worker's compensation payment on the basis of an arbitrary decision and assessment. This particular section here will validate this as a right of the Board; as such I think it is a backward step.

Terminating these remarks, Mr. Speaker, I shall not oppose the Bill. There are some changes, rather feeble in nature, that earn some respect. But I will be insisting in Committee on reasonable and necessary changes. If the Minister of Public Works (Mr. Guy) has something to contribute to the debate I wish he would. I want to tell him this that the Minister of Labour took some 30 minutes to talk about the background of the Act and I thought it suitable to do the same.

Some Hon. Members: — Hear, hear!

Mr. R. Romanow (Saskatoon-Riversdale): — Mr. Speaker, I want to rise just very briefly to really try and make two points with respect to this Bill and the Workmen's Compensation Board operations, as I have had experience with it, in general terms. May I say that I think the remarks made by my colleague from Moose Jaw South (Mr. Davies) were indeed very comprehensive but needed to be said, because it has

far too long that we as legislators have, I think, tended to slide along with respect to the Workmen's Compensation Board.

The two remarks that I want to make are as follows: Firstly, I want to represented-emphasize the observations made by the Member from Moose Jaw that we have to provide for some cost-of-living escalator or some legislation whereby cost of living is taken into account with respect to awards. I have a letter — and I am sure the Minister has as well — of a man who had been permanently paralysed in an accident some several years ago and if the Minister doesn't have it, I am prepared to table it. He has been given a certain award and in the past seven years, forgetting about what's been going on in the last year or two, the award is almost meaningless in terms of his cost-of-living needs. He is married. He has a wife. He has four children. He is just not able to provide for them. An award that is made and is intended to be sufficient for all time is just not a realistic award. The Member for Moose Jaw has made the point and it has got to be made again, Mr. Minister of Labour (Mr. Coderre), that a cost-of-living escalator is an absolute necessity or some form of a scale, a sliding scale to keep pace with the rising needs of living, has to be written into this Act. I am most disappointed that we don't have perhaps even a special Bill, or included in this section, some provision for this type of remedial provision.

I indicated during the Labour Estimates that I have a series of letters from a number of people who have complaints against the Workmen's Compensation Board. I intend to bring those letters personally to the attention of the Minister. May I reiterate again what I said in Estimates. Every time I have had contact with the Minister personally he has been cordial and friendly. I have had a good, fair hearing. But it is quite clear that a majority of the workmen, or a significant body of the workmen, are just not satisfied with the way the Workmen's Compensation Board has tackled this problem. I think one of the most legitimate complaints that has been aired today with respect to this Bill is the lack of a cost-of-living escalator or some form of scale to take this into account, as the Member for Moose Jaw has indicated.

Secondly, Mr. Speaker, I want to support and wholeheartedly endorse the principle of an independent full-time professional pleader, if you will, of cases to the Workmen's Compensation Board. This man has to be a person who has knowledge of medical terms. In my experience, I receive a complaint from a person who may come to me as a lawyer on a solicitor-client basis or as an MLA and I try to carry it out as often as possible as an MLA in this area. We write to the person's doctor. We got authorization to release medical information and we receive back lengthy medical reports with complicated medical terms. Often these are submitted to the Workmen's Compensation Board. The matter is determined by the Workmen's Compensation Board without a hearing. I am not suggesting now that they are denying the opportunity for a hearing, but is almost next to impossible

April 10, 1970

for any lawyer or any MLA, unless he has professional qualifications or is dealing in this area almost repeatedly, to make out a sound case if the ground rules are going to be determined solely on medical terms, as the Minister of Labour says they are going to be made.

What we need is a full-time independent person who is, as I have said, familiar with the terms and with the operations, to whom we can refer these cases, who has free access of going ahead and pleading the point to the Workmen's Compensation Board and reiterating the case of the person who is aggrieved. The present system is unsatisfactory and I am personally very dissatisfied with the abilities that I have in presenting the case before the Workmen's Compensation Board. I am sure most MLAs who have had similar experience find themselves in the same position.

This idea of an ombudsman in the Workmen's Compensation Board area, perhaps we can even expand this operation to welfare, we have talked about the question of appeal to welfare areas because in many instances they are related, is a very sensible and sound — and I agree with the Member from Moose Jaw — very progressive idea. We have to have this type of person and this type of an independent appraisal.

May I conclude, Mr. Minister of Labour, by bringing to your attention my biggest single grievance against the Workmen's Compensation Board. Today in opening up the debate, you indicated the reasons are made solely on medical terms. Generally speaking I have to agree with that. I know, personally, of one of two instances that the Minister and I have talked about where I think in medical terms there is probably no case to be advanced for this person. Strictly speaking in medical terms, or if you will in a legalistic approach, there is nowhere that that person who has been injured can go. But therein, I also find the fault with the Workmen's Compensation Board, namely, that, if it is as the Minister of Labour says it is, namely, the determination solely on purely medical grounds, we are eliminating other very legitimate reasons of compassion or circumstances peculiar to the job, circumstances peculiar to the person and thereby denying I think very legitimate cases that may not be substantiated solely on medical terms.

Somehow my quarrel with the Board is in the attitude that it takes for respective cases. As I said in Estimates, if a doctor doesn't support the case 100 per cent, or doesn't support the claim, for an example, of a finger that is lost in an industrial accident, the claim is denied, I feel we have got to be moving the Workmen's Compensation Board out of the area of being tied to purely medical reports or legal terms and reports, but into some area of compassion and concern of the employees' interests vis-à-vis the employers' credibility and the like. I am not trying to sound holier-than-thou. But that is the quarrel that I have with the Workmen's Compensation Board, and with the attitude that is taken in the operation. I grant you that it may be difficult to set guide lines as to how you determine awards once you start mitigating the purely medical

standards, as being the standard to which to make the award. You may get some award that on strictly medical terms may not be justified. That is correct. But I would sooner run that risk of having perhaps one or two or more awards made where there isn't the purely medical backing of it than having the situation that I think arises now where employees feel in many cases that have been communicated to me, the twelve, thirteen, fourteen letters that I have, that I am going to bring to your attention, where they feel that on a strictly legalistic or medical approach they have been denied their right.

Herein I reiterate the second argument in the point that I want to conclude on, the merit of the professional independent pleader who would be able to bring forward all aspects of the case, who would be familiar with the medical terms which, I think, has to be an over-riding consideration, not the only consideration, but an over-riding consideration. But we have to try to take a look at it independently to see if there are some new concepts that can be applied to the field of workmen's compensation legislation. Is this idea of workmen's compensation the way it was instituted some number of years ago? Is this outdated now in terms of social and legal developments in North America and in Canada particularly? Recently I read an article in the Globe and Mail — I'm sure the Minister of Labour has as well — where a very sound argument has been advanced to say that it is outdated in terms of medical terms. We have to look at some other social guidelines or definitions in which to determine the question of payment of industrial accidents. I conclude by saying I am disappointed that the Bill does not have these features and I wholly concur with the observations made by my colleague from Moose Jaw with respect to the other areas in the entire field of workmen's compensation legislation. I believe sincerely that the Minister of Labour (Mr. Coderre) is sincerely interested in the welfare of these people who are injured. I am not imputing that at all on the Workmen's Compensation Board, but I would like to see them, and you, Mr. Minister of Labour, budge off the mark of strictly medical, legal terms into a new area, perhaps an entire commission into workmen's compensation. So we can come up with some new social concepts that can be incorporated into law to make this a meaningful and protective statute for the working people in the Province of Saskatchewan.

Some Hon. Members: — Hear, hear!

Mr. A.E. Blakeney (Regina Centre): — Mr. Speaker, I want to add a few brief comments to those of my colleagues who have already spoken.

Firstly, I want to support, the idea of a Workmen's Compensation ombudsman or a Workmen's Compensation advocate of whatever name we wish to give to this new concept. I think all of us will be familiar, and the analogy may well have already been made, with the fact that a person who is seeking a pension under the Department of Veteran's Affairs has available to him a pensions' advocate provided by the Crown in order to assist

the person to make his case, make his case for the compensation to which the law gives him entitlement. We need a similar person with respect to workmen who are injured and who wish to make their case for compensation.

I have comments under three other headings and they are of different levels of importance. I am troubled by the fact that it is sometimes very difficult for employees and for lawyers who are acting for employees, or MLAs who are acting for employees, to see the medical reports that the Board is acting on. It is sometimes difficult to have made available to the applicant all of the medical material, all of the evidence, which is before the Board. I think that, when these situations occur, we ought to change our guidelines so that all of the evidence, which is before the Board. I think that, when these situations occur, we ought to change our guidelines so that all of the evidence on which the Board is acting should be freely made available to all parties, all comments from employers and all other evidence on which the Board may be acting. After all the Board is making an adjudication which is going to affect the livelihood of the applicant perhaps for the rest of his life and he ought to have available to him all of the evidence on which the Board is acting. They should not act on confidential evidence which the applicant does not have full opportunity to study and rebut.

But I want to make a plea on a broader scale. That is that the Workmen's Compensation concept has become fossilized. The Workmen's Compensation concept was a first-class concept 35 or 40 years ago. At that time very few citizens were entitled to any kind of compensation when they were injured or when they were disabled in any way, and accordingly, Workmen's Compensation put the workmen into a very preferred category. Such is by no means the case today. There are a great number of insurance schemes of one kind or another. Perhaps the most comprehensive one is The Automobile Accident Insurance Act. I want to compare the position of an employee who has the good fortune to be hurt in an automobile accident off the job as proposed to an employee who has the bad fortune to be hurt by an automobile accident when he is on the job. I would like you to consider the position of identical twins, each of whom works for an employer, different employers, each of whom has the usual degenerative condition of the spine from which we all suffer as we grow older. One of them is driving his compulsory arbitration in the course of his duty and the other is driving with him as a free-riding passenger. Suppose that compulsory arbitration is in an accident and suppose both of the identical twins sustain a back injury due to the negligence of a third party. Contrast the positions of these two employees. The free-riding passenger goes to the insurance office and says: "I want compensation for all of the injuries which I have suffered in that accident." The Government Insurance Office says: "But you had a degenerative condition of the spine." To which he says: "You've got to take me as you find me, you can't insist that I be a perfect physical specimen. Your insured has caused this injury and you compensate me for all of the loss I have suffered. Not all of the loss that I have suffered results solely from the automobile accident. It was caused by the combined effect of the fact that I had a weak spine and that it was further injured in the automobile

accident.” That is the compensation to which that identical twin is entitled. But when his brother goes to the Workmen's Compensation Board, he is first denied any right to follow the same course as his brother. He cannot claim against The Automobile Accident Insurance Act. When he goes to the Workmen's Compensation Board the Workmen's Compensation Board says: “Oh, but part of your problem was that you had a degenerative condition of the spine.” To which he says: “But don't we all.” And to which the Workmen's Compensation Board says: “Yes, but there is no reason why the employer should pay for that part of the accident which was caused by a degenerative condition of the spine.” I say that this argument is nonsense. I say that the Workmen's Compensation Board should insure all employees against claims by all employees, and employees against all loss they suffer in accidents on the job, and for the full consequences of the accident, notwithstanding the fact that the loss may have been contributed to by pre-existing conditions. We can't expect every workman to be a perfect physical specimen. They are just the same cross section of humanity as the rest of us. We have accepted that principle in automobile accident compensation and in almost every other field of general compensation you can think of. It is high time that principle was adopted by the Workmen's Compensation Board. It is high time they said that they will not cut down, they will not take away from the compensation which an employee is entitled to be reason of a pre-existing condition. Because this present practice means that employees are put in a much less favourable position than people who ride in automobiles. Mr. Speaker, the idea that the employer should pay only for that portion of the accident, however difficult that may be to determine, which was directly relatable to the job, may have been socially acceptable 40 years ago when he, the workman, had a compensation scheme better than anyone else. But it is by no means acceptable today when our whole threshold of compensation has been raised. It means now that a workman injured on the job who is denied his right to sue the person who may have caused the injury, as we all know is the case, is in some instances in a far worse position than if he didn't have any workmen's compensation, in many cases. My instance of the identical twins is one.

I want to make one another plea. This is really directed to the administration of the Workmen's Compensation Board. The Board, I say in contravention of the Act, and I've said this to the Board, places altogether too much reliance on medical evidence. Let me give a specific example. The Act says that the Workmen's Compensation Board is to assess the loss of earning power of an employee because of an accident. That is what the Act says. The Board takes the position that loss of earning power is equal to bodily disability. Let me put that argument: suppose a doctor says that a person has sufferance a bodily injury and this amounts to a disability of ten per cent of his use of his body. The Board, almost without thinking, says this means a ten per cent decrease in his ability to earn his income. That's a total non-sequitur. If I wanted to use the example of a violinist, I could say that to lose three

fingers on his hand for a concert violinist is to reduce his earning power by 50 per cent, although a doctor will say that his bodily disability is probably three or four per cent. This is an extreme case. But all of us can give many, many other instances. I have got a case now where a railway worker has been injured, he has been a section man all his life; he has got bad feet; his feet were smashed up in an accident; he no longer can work on the railroad and the Board says that he is suffering from a bodily disability of 15 per cent. That's all very fine. He can walk and he can move about, but he is not able to find a job which will pay him even two-thirds of what he got before because his training was solely such as requires him to be physically able in order to earn. Now he is trying to become a barber. He can't get a job as a regular barber because he would have to stand on his feet too much, but it is believed that he can go to a small town and operate in a small way and maybe make two-thirds of his salary. The Minister may know this case. I can give him any number of other cases. All of us have a great file full of them. This is a specific instance of a case where the Board has said that the bodily disability may be 15 per cent, but I submit that the loss of earning capacity is very much higher than 15 per cent. I suggest that the Board doesn't address itself to this question: what is the reasonable loss of earning capacity? The Board says the doctor says, "10 per cent loss of bodily function, ergo, 10 per cent loss of earning ability." I say that is a total non-sequitur. All of us could bring in and stack on his desk now files where the Board in the last year has said to a workman, "You are now capable of light work and therefore we are going to either cut you off temporary compensation or we are going to reduce it." And the Board assumes no obligation to find light work. You can perhaps say that that shouldn't be a function of the Board, but they assume no obligation to assess whether light work is available. I suggest to you, if you read the Act, that the Board is charged with the responsibility of ascertaining what effect an accident has on an employee's earning ability. If he loses a job based upon his earning ability as a perfectly healthy man, and he admittedly could take a job where light work is called for, and there are no jobs for light work, then any way you cut it, he has lost his earning ability entirely.

Some Hon. Members: — Hear, hear!

Mr. Blakeney: — I wish some Members opposite would turn their attention to these problems. I wish they would explain the rationale of these decisions. I wish they would explain how 10 per cent loss of bodily function is associated with 10 per cent loss of earning power. If the Minister wants copies of letters from the Board where this tacit assumption is made we can produce them.

These are the points that I want to raise with the Minister. I want to repeat them now before I take my seat. Firstly, I support the idea of a pensions' advocate. Secondly, I think the Minister should look into this question of whether evidence

on which the Board makes its decision is always made available and particularly would I ask the Minister whether all communications from the employer to the Board are made available to the employee before an assessment is made, whether the communications be verbal or in writing. Thirdly, I ask the Minister to raise his horizons with respect to pre-existing conditions and calculate compensation for an injured workman on the same basis as one would calculate compensation for an injured passenger in an automobile. Fourthly, I ask the Minister to look at the Board's interpretation of apparent equating of loss of bodily function with loss of earning ability. I would ask him to urge the Board to genuinely examine into the loss of earning ability of people who are injured and assess their compensation on that basis. I don't quarrel if it's done on a temporary basis. I don't quarrel if the Board says, "There are no light jobs now, we will keep you on compensation for a while but as soon as there are light jobs we will cut you off." If the Board wants to operate that way I'm not quarrelling but the Board should assess the real situation in which the employee finds himself, should examine into the real situation so that the compensation will really compensate the employee for loss of earnings. Those are the points that I would like to make to the Minister. I think that this situation is becoming more and more pressing as the ability of injured employees to find some sort of a job becomes less and less, as it becomes more and more difficult for injured employees to find some sort of a job. The problem is more pressing, the need for attention by the Minister is more pressing and I invite him to turn his mind to these problems and see that injured workmen in this province receive the compensation which this Legislature intends them to receive.

Some Hon. Members: — Hear, hear!

Mr. I.H. MacDougall (Souris-Estevan): — Mr. Speaker, I find myself in full agreement with what the Member for Regina Centre (Mr. Blakeney) has said this morning and it is not often that I agree with him. But this Workmen's Compensation Board is a Board with which I've had running battles over the years ever since I've been in this House. I think that it is a Board that we should take and shake up from top to bottom. It is an uncontrolled bureaucracy which I wish that we had more control of in this House. I don't know who controls the Workmen's Compensation Board. They are a law unto themselves and when you bring a case before them you have to abide by what the doctors say without any recourse. It is the court of last resort. There are so many workers and so many workmen who have sustained back injuries, as the Member for Regina Centre pointed out. I don't want to repeat them all because it would just be a repetition. I do agree with him. We should have some method of digging into them so that we can find out for ourselves. As Members we get a lot of these cases, people are pretty well helpless when they come to you. It is their last hope and I have letters as every other Member probably has asking that we take another look at this and maybe

April 10, 1970

bring this Workmen's Compensation Board under direct control of the Legislature so that we can get at these people and ask them questions. When you talk to the Minister of Labour about it he really hasn't got the full control of this Workmen's Compensation Board, and I think maybe it should come under our control. They've built up a fair surplus, I understand, in contributions and yet they haven't increased the pensions to the people who have been injured over the past years and Lord knows the cost of living has gone up considerably. I think the pension should be increased accordingly year after year like we do with Civil Service pensions and all other pensioners who can't help themselves. So with these few words, Mr. Speaker, I have to ask the Minister to dig into this thing and come up with some answer which will be satisfactory to the people of this province who support this and who pay into this Workmen's Compensation Board.

Some Hon. Members: — Hear, hear!

Mr. W.E. Smishek (Regina North East): — Mr. Speaker, I want to make a few observations. firstly, it seems to me that the Bill that the Minister has brought before this House is a very anaemic Bill to deal with the real problems that face the workers. I suggest what needs to be done in improving the overall compensation benefits and administration of the Workmen's Compensation Board. There are amendments that certainly deserve support, Mr. Speaker, but they are not of any major consequence. The Bill is merely patchwork, it does not deal with the real issues. The Hon. Member for Moose Jaw South (Mr. Davies) has already expressed his doubts and apprehensions in regard to Section 71 of the Bill. I hold exactly the same kind of reservations and doubts and I am extremely concerned about this Section because it gives the Board further powers of determination. I concur with the Hon. Member for Souris-Estevan (Mr. MacDougall) that because of past experience there must be less power granted to this Board rather than more power and more discretion. It seems to be what we need is legislation that will direct this Board to do more things rather than leave more discretion to the Board. The Board's attitude is basically that of protecting and conserving funds rather than providing benefits and improving benefits to workers because they have been unfortunate to suffer an injury.

Some Hon. Members: — Hear, hear!

Mr. Smishek: — Mr. Speaker, let me now suggest to the Minister the areas he should consider and do something about bringing amendments to this Bill.

Firstly there is the area of the percentage of benefits that are paid. The 75 per cent of wages has been in existence since, I believe, 1944 or 1945. It was the former CCF Government that led the way. It established the highest percentage

across Canada. Somehow this has been accepted as an acceptable and magical formula. Certainly there is nothing magical about 75 per cent. Let me suggest to you this, Mr. Speaker, and Mr. Minister: take a machine if it breaks down in a plant, the employer will rebuild that machine or get a new machine. He doesn't just restore it to a 75 per cent level. But in the case of a worker you say he only deserves 75 per cent of value. The injury is not the fault of the worker. It is generally the fault of the employer because of lack of safety measures or unsafe machines or of other conditions that exist. Why should the worker be penalized by being cut 25 per cent of his wages? There is no justification. At one time the 75 per cent was perhaps leading the way. I would suggest that immediate steps be taken to raise this to perhaps a 90 per cent level, because there is no justification whatsoever why the 75 per cent should continue to exist year in and year out.

May I also point out to the Minister that if a worker gets sick off the job in a great many places today in the Province of Saskatchewan, the employer will pay the full 100 per cent of wages, not just 75 per cent. I agree that not enough employers pay the full wages, but there are many employers who recognize that if the worker gets sick off the job, they are prepared to pay 100 per cent of the wages. But if they get injured on the job, they are penalized to the tune of 25 per cent. Not only are they penalized in this way but there is also a ceiling of \$6,000. Today, in a great many industries, a wage of \$6,000 is not an exorbitant wage, in fact the industry I have been associated with, in the retail and wholesale industry, we have now many workers who get well in excess of \$6,000. What it means is that the maximum a worker can get is 75 per cent of a \$6,000 ceiling. Mr. Minister, I please with you to remove the ceiling and raise the percentage as well.

In the area of pensions, there is a double penalty because the pensions are paid on a basis of when the worker was injured. Other Members have made the point that there needs to be recognition of the rise in the cost of living. There needs to be recognition of average wage increases paid by industry. This should be another criterion as a basis of raising the level of pension. Pensions should also be improved and increased in keeping with productivity increases.

In the last five years the cost of living has risen by 21 per cent, yet the worker who was injured five years ago and is receiving a pension, is getting the same pension that he did five years ago, yet his purchasing power has dropped by 21 per cent. Even in the case of old age security as inadequate as it is, there is a provision that takes into account, at least in part, increases in the cost of living and adjustments made. But in the case of Workmen's Compensation nothing is done.

Mr. Minister, may I also plead with you to do everything possible to influence the Board. You have to change their whole attitude. They should at all times recognize the needs of a worker who should at all times be given the benefit of the doubt

April 10, 1970

rather than be treated in a rigid way by the Board, which has been the situation in the last few years. you have said that the Board makes its judgment purely on medical grounds. This is not the answer to all cases.

Mr. Minister, while it may be true that in the case of the injured worker, say with a back injury or a last limb, medical evidence may show the extent of his disability, but I can give you a number of cases of side effects and of what happens to the worker as a result of the injury. I know of injured workers when referred to other doctors had new assessments made. The doctors found that workers developed psychological problems as a result of the injury and in this respect the Board refused to recognize this illness that was created. The worker in such cases not only is incapacitated to the extent of the accident but is incapacitated emotionally and psychologically and no one wants to hire him – he can't find work. In this area it seems to me the regulation and administration of the Board must be revised to recognize these side effects and conditions that are created as a result of the injury.

Other Members have made the point of a need for a counsellor, not only is there need for counsellors to plead the worker's case, but the Board should make all Board files available to the worker. I find the reports doctors submit are very much misunderstood by the average person. The medical terms used describing the case do not help the worker or the person who is helping to make the appeal on behalf of the worker. Furthermore doctors are very apprehensive in providing reports. there are in fact very few doctors who will give the worker and the person appealing the case the complete medical history and report.

If we had a medical counsellor that would please[**plead?**] the case of the worker and who would be able to obtain all this information and have the full facts, this would help a great deal.

In the area of research the Hon. Member for Moose Jaw South (Mr. Davies) has made the point and I merely want to support his argument that in this area the Board has done a very inadequate job.

We need a more meaningful safety program and a rehabilitation program. I believe the time is long overdue that in this province there should be established a rehabilitation centre where workers can be referred to the rehabilitation centre for proper treatment and for proper restoration so that they can be put into a useful life and to useful work after rehabilitation.

No longer should we be referring these workers outside the province and to places that are totally inadequate. There are enough injuries in the province to warrant a Provincial rehabilitation centre.

So with these remarks I ask the Minister to reconsider the Bill that he has presented and to bring amendments which will take into consideration these meaningful suggestions that we have made on both sides of the House.

Some Hon. Members: — Hear, hear!

Mr. R. Heggie (Hanley): — Mr. Speaker, I would like to join with my colleague from Souris-Estevan (Mr. MacDougall) in agreeing with some of the remarks delivered by the Member for Regina Centre (Mr. Blakeney) respecting this amendment to this Bill.

I quite agree with the remarks given by the Member for Regina Centre that where an injury takes place by means of an automobile accident and a similar injury takes place by a workman at his work, the benefits which he will receive in compensation are much greater in the automobile accident. When the Member said that the Act was adequate 30 or 40 years ago, I am in full agreement and I am sure that the Government is cognizant of this fact and very shortly some of these inadequacies are going to be attended to.

The reason that this has been brought to my attention is the fact that as a Member of the Legislative Assembly I get inquiries from people who have been hurt and are under compensation or the compensation is inadequate. They are not all justified, of course, but when you go into some of these tragic cases you find, in my opinion, The Workmen's Compensation Act and Board at this time, is not performing the function that it was originally designed for.

Therefore, I am quite sure that I will support the Act as it is being amended this year, but I am quite confident that this matter will receive the attention of the Government very shortly and perhaps in a future session some of these inadequacies will be brought into line. It is a matter of progression and all of it cannot be done in one year, but I think the fact that there is some agreement on both sides of the House with respect to this social measure will bring this thing to a head a good deal quicker than has been the case.

With those few remarks it is my intention to look more deeply into this matter in the coming year and urge upon my colleagues and the Government that the Act needs to be updated in the light of modern conditions in competition with other compensatory branches where people receive this kind of help.

Some Hon. Members: — Hear, hear!

Mr. F. Meakes (Touchwood): — Mr. Speaker, I would just like to add a few words to this debate.

In rural areas we don't get as many compensation cases as the urban centres. I can think of one in particular, of a man

of 61 who had worked for 32 years for the railroad as a section man, who hurt his back in 1962 or 1963. He was 40 days on compensation and then he went back to work and his back continued, over the two or three years, to cause him a lot of trouble. He was off and on work. He finally tried to collect compensation. the medical report said that he had arthritis of the back. This man had had no back trouble until that time. To make a long story short, he is not able to work anymore and he was forced to take early retirement. Many years of his work in the earlier years had been at 25 cents per hour in the '30s on the railroad. When he got 50 cents during the war he thought that he was doing well. His pension is something like \$62 a month. I really feel that there is something drastically the matter with the Workmen's Compensation Board. I really think that the Minister must look at it. I would like to see him look at it between now and the end of the Session. I must say that I feel that it is a disgrace because, from what I can see of the Board, the Board through the years has protected or has endeavoured to protect the employers in the amount they pay. they are trying to save money so that they can keep the rates down.

I see that my hon. friend shakes his head. I am personally convinced of this and I really think that we have to take a good look at this Workmen's Compensation Board. I think, as the Hon. Member for Souris-Estevan (Mr. MacDougall) says, it needs to be shaken up. I don't know whether from top down or the bottom up, but it sure needs a shaking up.

Some Hon. Members: — Hear, hear!

Mr. F. Larochelle (Shaunavon): — Mr. Speaker, I have been listening to the pros and cons of this situation the biggest part of the morning. I firmly believe that there is a problem here and that the rates that were paid in 1955 are not just and fair today in accordance with the cost of living which the people have had up to this date. I don't think the problem just stops here. Up to today, the whole thing is financed by the employer's share.

There is a point of saturation that the employer can pay. I, for one, know this. Maybe we are looking at this thing not quite in the right way. This actually is an insurance. I think that we must agree that it is an insurance. the funds in regard to the employment insurance can only be built so far if you increase the employer's cost of this insurance. I firmly believe that we need more money in this organization, but I firmly don't believe that we should stack it all up on the employer. Now if it is an insurance, I think the employees should be asked to contribute part of this. Now whether the employer should pay 80 per cent or 90 per cent or 75 per cent, I don't know what it should be, but I think that being an insurance which the employee benefits from just as well as the employer, I think we should take a good look at this. then by bringing, maybe, some more capital into this fund, the benefits

to the employee when he is struck with an accident or something like that could be better compensated for his accident. I am sure that unless we can find some avenue of bringing in more money into the fund, and I do firmly believe without prejudice to anybody, that the employer is being loaded pretty well to capacity right now. I think that we should look at some revenue from some other source, whether from the public or from the employee.

I think that we should take a look at trying to remedy this situation by probably building this fund in a different way. I still maintain that it is an insurance.

In other insurances, whether it is a pension plan or whether it is any other type of insurance between an employer and an employee, usually there is a contribution from the employee's side of it. I don't say that it be 50-50, but I think that we should take a good look at it and have some participation on the employee's side of it, maybe just in a small way. I am just feeding this for thought. Maybe I am all wrong but I think we should take a good look at this if we are going to build this fund and have the money available to pay a fair and just compensation to the people that are being hurt in this case.

Some Hon. Members: — Hear, hear!

Mr. W.J. Berezowsky (Prince Albert East-Cumberland): — Mr. Speaker, I did not intend to stand up but when I heard the Hon. Member who just sat down refer to this plan as an insurance plan then I must remind him in the history of Workmen's Compensation he will find that he is absolutely wrong. This was not established as an insurance plan anywhere, nor is it an insurance plan in Saskatchewan. It is essentially a security plan.

I might say this, that the persons who really contribute to this plan are not the employers, it is the employee who contributes in one way or another. He earns this through labour. The employer contributes officially, but essentially it is the employee who contributes towards this plan, and yet he has not the security he should have.

You are getting into technicalities. I am not prepared to go ahead and spend much time on this. I just want to answer you that you are wrong. If you don't believe me go into the history of Workmen's Compensation and you will find that you are wrong.

You did say one thing that is right. It is always a matter of money. We know that inflation, which is discussed across Canada, is hurting this particular plan. I am not blaming the Minister, I am not blaming the Government, I am blaming our system for it because the dollar depreciates continuously and yet there is no provision in this Act for inflation as has been

April 10, 1970

pointed out by various Members who have spoken in this h. There is no provision in the plan to provide for that, so it is time that the Government did something about it. That is all that we are asking on behalf of all those who contribute to the plan or need assistance from the plan. I say it should be provided in the laws that when the dollar depreciates they should still be able to buy the same amount of goods that they were able to pay when they were hurt and qualified for compensation.

I think that the philosophy contained in the old Act may have been alright at one time. But at the present time it is penny-wise and pound foolish. when you talk about greater costs to the employer, I am just wondering if it would be more costly to the employer if he took other avenues of protecting himself and the employee.

It has been brought up here today that we can reduce accidents. You can check industry before it starts operations and you can set up safety groups and you can spend the necessary money to instruct people concerning safety. I can bet you \$1 to your dime, or whatever way you put it, that you will have many more accidents ahead. It is eminently unfair to working people, it is unfair to employees in certain industries as in the Prince Albert pulp mill to find that 56 people last year were gassed. None of these people wanted to be gassed but it happened because there hasn't been enough safety education in that plant at Prince Albert. One man is now incapacitated for life. He will never be able to work again and has become a skeleton. After a number of people were hurt they now organized themselves for safety to cut down on accidents. Could that not have been done in the first place? Could not money been saved for the Workmen's Compensation Board? I say the Workmen's Compensation Board is penny-wise and pound foolish. You are trying to save money for the employer and not investing enough money in safety precautions and safety education.

I remember, Mr. Speaker, a few years ago when we battled over silicosis when we were the Government — and I am not saying that we were much better with that Board — it took us years and years to try to prove our point that silicosis, for example, should be accepted under the Workmen's Compensation Board. Do you know the kind of reasons that we got then just so that the employer, the mining company wouldn't pay? "Oh, the man was a farmer at one time and the dust blew when he was on his tractor or when he was working with his horses, and therefore he got silicosis in his lungs then." They agreed the medical report did nothing to prove the man really got silicosis in the mine. But eventually such claims were accepted. This may not be the best illustration but this proves to you that medical reports don't always tell the truth of the case and so something should be done there too.

I think I have indicated to you, Mr. Minister, without

any criticism that you had better take a good look at this Workmen's Compensation Board Act and bring it up to date to meet the conditions of Saskatchewan and Canada today.

Some Hon. Members: — Hear, hear!

Hon. L.P. Coderre (Minister of Labour): — Mr. Speaker, I would like to start off by saying when I took over the Department of Labour that I was a somewhat compassionate man. When a person came to my office and complained about improper treatment, I became very concerned. Nine out of ten cases who came into my officer were cases that had been in to see the former Minister years before.

The Members from the former Treasury Benches have got up today and criticized everything that has been done and when they had the chance they didn't move one inch. At least we are starting to get some information. We have the computer in there and we are getting information. But you sat down for 20 years — that's right for 25 years you have been sitting there doing nothing. Listen, it is well and good for each one of us here to get up and criticize the Workmen's Compensation Board because they are not doing enough. It is well for everyone of us to criticize the Welfare Department. This is why the Board was established, to be in between. I stand right behind the Board in this case. Every case that I know of that has come to my attention was always ruled in favour of the workmen. Always, always!

I am not here to defend it. We could go on for hours and take each case. Everyone of you probably has one or two letters. how can you deal with these things? There is a standard procedure in Canada that is used to assess a disability. It is a standard procedure throughout this world as to degree of impairment. If you lose a Legislature it is 50 per cent; if you lost both legs it is 100 per cent; if you lose the left hand; and if you are a right-handed person, you are awarded accordingly, but if you are a right-handed person you will get proportionately more.

How do you feel with these things? I could stand here and answer each and every question that has been raised here today. I think that we can deal with them much better in Committee. You have taken the greater part of the morning about procedures, regulations. I have a newspaper clipping here from the Hon. Member for Saskatoon, a man by the name of Romanow. He goes on at great length to make a public issue. I am surprised at the Hon. Member that as a lawyer he goes ahead and makes statements to the Press without knowing the facts. You were invited to come to the Board but you didn't given them the courtesy to give an explanation. You went to the Press!

The Hon. Member from Moose Jaw (Mr. Davies) goes off base on a lot of these cases. The Hon. Member from Regina North

East (Mr. Smishek), what were you doing for the last 20 years? Why didn't you start something proper? You have had your speech, sit down.

Mr. Davies: — Mr. Speaker, may I ask the Hon. Member a question?

Mr. Coderre: — You've had $\frac{3}{4}$ of an hour this morning babbling away and saying nothing and not contributing anything to this debate. But when you had the chance to contribute towards it, you sat there idly by. You are supposed to be the great fighter for labour and what have you done? You haven't done a darn thing. There has been more work, more progress in the administration of the Workmen's Compensation Board and the administrative process and information that is available than there was for the 20 years that you were in Government.

We are going ahead and we are going to have something that is very good. Two of my colleagues on this side of the House have arguments. I have some of my own. The Board is composed of three members, a member from management, a member from labour and a member appointed by the g. The board adjudicates on a very basic principle that is used in every Workmen's Compensation Board across Canada. Some of you have mentioned the case — I think it was the Member for Regina North East (Mr. Smishek) — no, the financial critic (Mr. Blakeney) mentioned a case where a person is really hurt. Many of the cases that we have had here, that have been brought to my attention have been dealt with by the Board. Attempts have been made to rehabilitate them. They are on welfare. I found out that many of the cases that some of your fellows have brought up today are actually psychotic cases. Surely the Workmen's Compensation Board wasn't put there with that intention.

Many years ago when the Workmen's Compensation Boards across Canada were established, they were established for one purpose; that under common law a workman could sue the employer. But after going through the process of the courts whatever award was given to him was lost in legal fees, court fees and what have you. Therefore, it became evident to management that it cost them a considerable amount of money to defend. The result was that management and labour got together and made a general agreement — and this is how the Board was formed — that labour would relinquish the right to defend. Therefore agreement was made so that the Workmen's Compensation Board was established on that basis.

We have today the very same principle. How can you do more? There has been some suggestion that we should get involved into a welfare program to broaden the scope of it. That is not the intention of it. It is not a welfare program. I am not trying to defend the hardships that some people are having, but not on the basis that has been argued here today about a person who happens to be a passenger in another man's compulsory arbitration. This is

not the way. You have other agencies to look after indigent people who are in these conditions. So I think that many of the questions that may be raised, pertinent questions that can be raised, can be discussed in Committee and you'll have much better answers.

I could take several cases, such as the case that the Hon. Member for Saskatoon mentioned. I know these cases. I have dealt with them. I have even established a committee consisting of the secretary manager of the Federation of Labour, one from the CLC and myself. We have established a criterion to look through the whole darn thing. I have that report. There isn't a thing that a person could do. That man was offered jobs as manager of a store but he wouldn't take it. He does not want to work. The Member for Regina Centre stated a case where an individual is taking barbering to rehabilitate himself. This person who has taken this barber course claims that he can't stand — his arm was hurt. This is a psychotic case. How do you deal with that? Is it Welfare's job to deal with this type of thing?

Mr. Speaker, that is all I have to say at this time without going into all details of the answers.

Some Hon. Members: — Hear, hear!

Motion agreed to and Bill read a second time.

WELCOME TO STUDENTS

Mr. Speaker: — I wish to introduce to all the Members of the Legislative Assembly students situated in the Speaker's gallery., 36 students from the Ponteix school in the constituency of Shaunavon represented by Mr. Larochelle and they are under the direction of their teachers, Mrs. Borget, Miss Roman, and the driver of the bus is Mr. Gereau. I am sure all Members of the Legislature will wish to extend to them an extremely warm welcome and to express the sincere wish that they will find their stay here educational and informative and to wish them a safe trip home.

Hon. Members: — Hear, hear!

Hon. D.T. McFarlane (Minister of Agriculture) moved second reading of **Bill No. 69 — An Act respecting Voluntary Deductions made from the Marketing of Cattle.**

He said: Mr. Speaker, this Act provides for a voluntary deduction on cattle marketings. Repeated resolutions and requests for this legislation have been presented to myself by the Saskatchewan Stockgrowers' Association, the Saskatchewan Cattle Breeders' Association and the Saskatchewan Federation of Agriculture. These representations have been supported by the Saskatchewan Wheat Pool, the Saskatchewan Holstein Friesian

April 10, 1970

Association, the Saskatchewan Livestock Board and several other organizations. Resolutions and briefs were received as follows: December 1967, Agricultural Extension district Board No. 3; January, 1968, from the Saskatchewan Cattle Breeders' Association; February, 1968, from the Saskatchewan Holstein Freisian Association; March, 1968, from the Saskatchewan Stockgrowers' Association; January, 1969, from the Saskatchewan Stockgrowers' Association; January, 1969, from the Saskatchewan Livestock Board; January, 1969 from the Saskatchewan Cattle Breeders' Association; February, 1969, from the Saskatchewan Wheat Pool; April, 1969, from the Agricultural Extension district board No. 9; June, 1969, from the Saskatchewan Federation of Agriculture; and January, 1970, from the Saskatchewan Livestock Board.

The purpose of this proposed legislation is that it will require a deduction from each head of cattle marketed up to a maximum of 15 cents per head. The deductions will be made by the dealer purchasing the cattle and will be forwarded to the Saskatchewan Department of Agriculture to be paid into a special trust account. Cattle owners may claim refund of deductions made from the cattle that they have marketed. Refund of deductions will be made by the Minister of Agriculture and will have first claim on funds available in the special trust account. It is our intention to make it as easy as possible for producers to obtain a refund if they wish to do so. And except for minor administration costs all other payments from the trust account will be authorized by a special board set up under this legislation. Now the proposed Board will consist of two representatives appointed by the Saskatchewan Stockgrowers' Association, one representative by the Saskatchewan Cattle Breeders' Association, one by the Saskatchewan Federation of Agriculture, and one by the Minister of Agriculture. The monies made available by this voluntary deduction on cattle marketings would be used for the development and the improvement of Saskatchewan's cattle industry. Projects to accomplish this objective will include production and market research and special studies to find solutions to the various problems of the industry. A special committee was established to assist in drafting this proposed legislation, a committee consisting of the presidents of the Saskatchewan Federation of Agriculture, the Saskatchewan Stockgrowers' Association, and the Saskatchewan Farmers' Union and a representative of the Saskatchewan Cattle Breeders' Association. The proposed legislation is drafted according to the recommendations of this committee.

Mr. Speaker, I would like to briefly review some of the situations in other provinces in Canada. Ontario has introduced a Beef Cattle Marketing Act and one of the main features of this Act is its provision for a livestock association to be authorized by the Ontario Government to collect a licence fee on all cattle marketings. The Ontario Beef Cattle Improvement Association has been given this authority. The licence fee is collected on each head of cattle marketed. The legislation

provides for a maximum fee of 15 cents per head for cattle and 5 cents per head for calves under 500 pounds. I believe the deductions being made are 10 cents for cattle and 5 cents for calves in that province. A check-off is mandatory at the point of sale but a producer would be entitled to a refund of his deductions upon written application. Funds collected under this legislation will be administered by the Ontario Beef Improvement Association to carry out its aims and objectives with an unspecified portion of the money being diverted to support the activities of the Canadian Cattlemen's Association. the Alberta Government recently established a commission under the Alberta Natural Products Marketing Act to provide for a per head deduction on all cattle marketings. The deduction is 10 cents per head and the deduction in that province is not refundable. In British Columbia the Beef Cattle Producers Assistance Act was passed in 1948 and this Act provides for a deduction in this manner are placed in a trust fund administered by the Provincial Department of Agriculture. The Minister of Agriculture makes an annual allotment from the fund to the British Columbia beef Cattle Growers' Association following the receipt of a budget from that association.

In summary, The Cattle Marketing Voluntary Deductions Act is placed before the Legislature because we believe this is in accordance with the wishes of a considerable majority of our cattle producers. This opinion has been expressed by livestock associations and farm organizations throughout the province as indicated in some of the details earlier in my comments. The proposed legislation provides for administration of the deduction on cattle marketings in conjunction with the Brand Inspection Program. In this way the deduction will be made with virtually no additional cost to the industry. Projects which might be financed from this fund and which have been mentioned by the cattle producers include export promotion of beef — they have in mind the country of Japan in particular — improvement in terms of trade including freight rates, tariff policies, marketing charges and the handling of cattle at the market place, also income tax problems of the cattle producer, research projects including improvement in the beef-grading system and extension and improvement of the ROP Programs.

We are convinced that the Saskatchewan cattle producers wish to work together with producers in other major beef-cattle producing provinces, such as Alberta and Ontario. This deduction, Mr. Speaker, will help them to do just that. Saskatchewan's beef-cattle industry is approaching the \$200 million mark in annual gross revenues. We believe it is in the best interests of the Province to make it possible for the producers of this major industry to put forward some effort for its advancement outside of government service. The major producing provinces or the major cattle-producing provinces in Canada have already introduced some form of deduction on cattle marketings in order to provide a fund for cattle producers to use in advancement of their industry. We do not believe that this

Province with such tremendous potential in cattle production can lag behind our neighbours in assisting our producers in the advancement of their industry and making it possible for them to become involved in contributing and in directing the development of their industry. This Bill, Mr. Speaker, is helping the livestock producers to help themselves.

Some Hon. Members: — Hear, hear!

Mr. J. Messer (Kelsey): — Mr. Speaker, in spite of the Minister's list of briefs presented to him in support of deductions, I say that they are by far the minority of stock producers who will be involved with this legislation, if it is brought into force. This Act respecting voluntary deductions made from the marketing of cattle is unacceptable to the majority of farmers in the province who are involved in the cattle industry.

Some Hon. Members: — Hear, hear!

Mr. Messer: — The major reasons for this is that most livestock producers feel that deductions are not really voluntary. Everyone must pay. The option of a fine for refunds puts the onus on the person who doesn't want to contribute, not on the collector. The seller of cattle, be it one or more head, is subject to a deduction of as high as 15 cents per head. After being subject to these deductions on all cattle sold in a calendar year, he must file a claim, a claim form requesting refund within 31 days after the end of that calendar year, if he desires reimbursement, and does not want to participate in the plan. Enforcing measures, such as yearly application for refunds if the selling agents do not wish to participate, do in actuality force him to participate whether he wants to or not. Another significant irritation is that farmers are finding themselves subject to more and more deductions that they are confused about, deductions they feel are unwarranted or receive little value from. Examples would be: The Horned Cattle Fund and the PFAA deductions. They are further subjected to rumours that deductions may be extended to swine research, check-offs from grain sales for grain research and towards the Canada Grains Council. I believe, as do most people who are involved directly in the agricultural industry, that research programs are a public responsibility as the public are the people who inevitably benefit from any improvements. To substantiate this statement I bring to your attention a statement made by Mr. Vernon Fowke in regard to this matter:

If one farmer or a few farmers can produce a premium article or by some special kind of efficiency can increase their output without increasing their costs, these farmers will benefit financially for their special products are relatively scarce and will command premium prices. When their methods come to be adopted by all or most farmers — and there is no reason why they should not — then the abundance of quality products brought to the market will

result in lower prices with real and lasting benefits for the consumer.

Dr. Fowke went on to say:

The basic fact of significance here is that the farmer produces and markets his output under highly competitive conditions. Competition holds prices down so that the gains from increased efficiency or increased production are passed on to the buyer.

To further substantiate the farmers' concern about this deduction I refer you to a statement made by Dr. Benoit Leveigne, past director of the Feed Grains Assistance Program. He says that it is becoming increasingly apparent that the marketplace will soon not return the farmer the cost of production. Governments of necessity will have to assume more responsibility in food production programs to maintain farm income. This is also the reasoning that most livestock producers in the Province of Saskatchewan have.

I further ask the Minister that, if this program is voluntary, why the need for inspectors with powers of a constable in enforcing measures and penalties so that those who do not comply with the Act will be prosecuted. This Bill creates a duplication of services; it is in effect another form of taxation. It adds to the formation of a board of inspectors checking Operation LIFT, cattle deductions and other programs that the Government is getting involved in.

As the Minister of Highways (Mr. Boldt) has said, accepting programs requiring enforcing measures such as this, we will soon see a machine that will make the "Gardiner machine" look like a toy.

Some Hon. Members: — Hear, hear!

Mr. Messer: — For these reasons and because the farmer is in serious enough economic difficulty, and that this Act will only burden him further, I therefore propose the following amendments:

That all the words after the word "That" be deleted and the following substituted therefore:

Bill No. 69 be not now read a second time, but that it be referred to the Select Standing Committee on Agriculture in order that representations can be made by interested farm organizations and with a view to enacting new provisions whereby funds for the development and improvement of cattle come from the general revenue of the Government.

Some Hon. Members: — Hear, hear!

Mr. Speaker: — Order, order! May I draw

your attention to the final two lines or three lines of the amendment offered by the Member for Kelsey (Mr. Messer) in which after the preamble he says: "That the Bill should not now be read a second time." The amendment provides that the Committee should provide new provisions whereby funds for the development and improvement of cattle come from the general revenue of the Government.

Now I have grave reservations about this not being an infringement upon the prerogative of the Government to be the sole arbiter in the expenditure of money and I find nothing in the Bill which was also covered, I agree, by the royal recommendation, that this in my view would increase the scope of the Bill. I am prepared to hear arguments.

Mr. Messer: — Mr. Speaker, my intent in moving this amendment was that the Standing Committee of Agriculture would be able to receive representations made by interested farm groups covering in a broad scope whereby funds for the development and improvement of cattle may come from Government revenue. They then upon their decisions may make the recommendations to the Government. I'm by no means requesting of the Government in this amendment that this may be the ultimate outcome of what that Standing Committee's decision may be.

Mr. McFarlane: — Mr. Speaker, before you bring down your ruling I respectfully suggest that, regardless of the remarks just made by the Member for Kelsey, it certainly would, if we interpret the resolution or the amendment the way he brought it in, have a bearing on Government finances, and as such, regardless whether it is done in this House or by a committee set up to suggest to the Government of the day, the suggestion made in his resolution is still going to have a bearing on Government finances. Because of that reason I submit it would be out of order.

Mr. Speaker: — I have given the matter consideration and I have come to the conclusion that the only thing that a Committee of the House can do is to recommend. In view of the fact that a committee has no power other than a recommendatory power I find the amendment to the motion to be in order.

Mr. B.D. Gallagher (Yorkton): — Mr. Speaker, I only have a few words to say on this. First of all I want to suggest to the Member for Kelsey (Mr. Messer) that this is not another tax. If it is, it is the only voluntary tax we have in this province that we have a chance to get back and anybody who does contribute to the fund has the privilege at the end of the year of having this amount of deduction refunded to him. I can't go along with his suggestion that this Bill be referred to the Committee on Agriculture to receive representation and make recommendations. First of all as the Minister has stated in his remarks on second

reading, representation has been made to the Government from most of the farm organizations, certainly most of the farm organizations representing cattle breeders. My one question to the Minister — I hope he answers this when he closes the debate, Mr. Speaker, — and I don't know whether it was a slip of the tongue. I couldn't find anything in the Act that said this, but he suggested that one of the Board would be appointed by the Saskatchewan Farmers' Unions. Now if that is the case, Mr. Speaker, I would be a little bit sceptical of supporting this section of Act. That is all I wanted to know.

Mr. E.I. Wood (Swift Current): — Mr. Speaker, I would like to speak in support of the amendment. The amendment asks that this Bill be sent to the Committee to seek further consideration on discussing representations made from farmers of the province. The reason that I support this procedure is that I feel the Bill itself is taxation without representation. The members of the board that are named in the Bill do not, I submit, represent a majority of the cattle producers of the province. I think that, if you will look up the Canadian National Livestock Breeders' records, you will find that in Saskatchewan the members of the Cattle Breeders' Association are less than 1,000 in number — that's the last record that they have — unless they have increased a great deal lately. Insofar as the Stock Growers' Association, I think they run around about the same number, unless they have increased a great deal recently. I don't think they represent by any means a majority of the cattle producers of the province. I have nothing against these organizations as such, I think they do good work in the field in which they are set up to operate, but to say that they — I just think that they can't and don't represent the cattle producers of the province. The Cattle breeders' Association are a livestock purebred group, they are not representing the rank and file of the livestock producers across the province. The Stock Growers' Association is a relatively small group.

As for the Saskatchewan Federation of Agriculture, they don't directly represent anyone. They are a group of organization — and some of the organizations in the Saskatchewan Federation of Agriculture don't really basically have the interest of the Saskatchewan farmer at heart. To say that they represent the farmers of the province I think is a little to stretch the facts of the case. Insofar as the fact that the Cattle Breeders' Association and the Stock Growers' Association are both members of the Saskatchewan Federation of Agriculture, you have the Saskatchewan Federation of Agriculture representing four out of five members on the board. This is almost beginning to look like a Family Compact. To say that these people speak for and represent the cattle producers of the province — I think to expect us to accept this is just a little too much, Mr. Speaker,.

This is really not a voluntary deduction. I think that the Act is very clear on this point, it says it is compulsory, it doesn't say it is voluntary. The heading of the Act says

voluntary. I know that, but in the Act it says you must pay this. As my seatmate has pointed out you are setting up the machinery to see that it is paid. But you can get a rebate; this is being put forward as the voluntary part of it. The payment is not voluntary, it is voluntary whether you get a rebate or not. If a cattle producer only produces 10 or 20 cattle a year, and there are a good many thousands of cattle in the country that are produced and put on the market by people who don't market any more than 10 or 20 a year. At 15 cents a head, if it is 15 cents a head, the tax is only going to amount to \$1.50 or \$3.00. The man says, unless things really get tough, he is going to say, "Well, I am not going to put myself out to maybe write a letter or go to any great expense over this." I think the facts of the matter are, Mr. Speaker, that, if every producer in the country was really opposed to this deduction, I think that there would still be a good deal of money come into the coffers of the board that is set up because of the fact that most people wouldn't be bothered going after the money involved. He would say, "It is so small, what does it amount to?" It may be small in the individual case, and not worthwhile to a man putting in for a rebate, but over the thousands of farmers that are delivering livestock, this will amount to a good many thousands and thousands of dollars in little dribbles that people like the Members themselves wouldn't bother going after. I think that this is something that the people of the farms of the province should have an opportunity to voice themselves on and hence the reason for this amendment.

I think there is research and research, also. What guarantee do we have at this stage in the proceedings, what guarantee do the farmers of the country have that the research that will be proposed by this board will benefit farmers as a whole, livestock producers as a whole? In the province there are a lot of people who will be selling cattle, they will also be selling hogs. Research that is, market promotion for beef, they say, "Buy beef not pork." Here is a man who is vitally interested in the production of pork, having his money used to fight his own product. I think this is an aspect of the thing that has to be looked at.

I think that as my seatmate has said that basically research along these lines should be carried on by the Government itself. If you have this little group financing their research, another little group financing their research in their interests, each one not concerned with what the other one wants, you are going to end up with a hodgepodge and nobody is really putting the kind of money into the job that needs to be into it. The kind of research that is being put forward is a piece-meal and a hodgepodge approach, each one with his own small interest involved, and you don't get an overall and a comprehensive look at the problems at hand. I don't think it is up to the livestock producers, to the cattle producers to be spending their nickels and dimes on research that may be used in another way than of benefit to them. But I think the Government should get into the picture and look after this research for the benefit of all.

There is something — I am just not quite sure that I heard really correctly what the Minister said — but I gather that in some provinces the check-off is compulsory and it is not returnable to the seller of the cattle. I am really not in favour of excessive taxation, but if the Government wished to put a tax on cattle for the benefit of research, then it will be their prerogative. But if it looked after the research itself, if it was a tax, it collected the money and was responsible for the spending of the money, I don't think there would be that much argument. When you have a tax that is put on all the cattle raisers of the province and the Government does not assume responsibility for looking after the money, but turns it over to a board which I maintain does not represent the farmers of the province, I don't think this is the kind of research that we are looking for. I think the Government should be prepared to accept the responsibility in this and do it. Therefore, I take great pleasure in seconding my seatmate's motion, that this matter should be sent to a committee of the Agricultural Committee to invite representations from the people of the province, the farmers, to see what they wish to be done with their money in this regard.

Some Hon. Members: — Hear, hear!

Mr. Speaker: — Before the debate continues any further, in case there may be any doubts or reservations to the admissibility of the amendment and in order to button it down completely, I draw your attention to Erskine May's Parliamentary Practice, pages 526-527: "Reasoned Amendments".

It is also competent for a Member who desires to place on record any special reason for not agreeing to second reading of a bill, to move what is known as a 'reasoned amendment.'

It says further what reasoned amendments may contain, and among other things says that a reasoned amendment:

may seek further information in relation to the bill by committees, commissioners, the production of papers or other evidence.

Mr. T.M. Weatherald (Cannington): — Mr. Speaker, I will keep my remarks brief on this Bill. I will not be supporting the amendment for the reason that has already been given by my colleagues in that I believe that there has been certainly ample opportunity for representation to be made on this particular subject.

I do think, Mr. Speaker, that it is unfortunate that the Members opposite have taken the point of view that they have on this particular subject. The reason I believe that is unfortunate is because I believe it is that attitude which has got agriculture to a large extent in the difficulty that it is in today, the attitude that we have to be dependant on someone else to look after us constantly.

April 10, 1970

Some Hon. Members: — Hear, hear!

Mr. Weatherald: — It's a great idea to say that governments or somebody else should put up all the money for research that we require for the cattle business. I am in the cattle business and I don't think that there are many cattlemen that are in that business in a very substantial scale at all who do not support this Bill. It is quite true that there are a number of cattlemen who keep a few head of cattle — not very many, just a few, they keep 10 or 15, or something along this neighbourhood — that don't support this Bill. I think one of the reasons why they don't support it is simply that they don't understand what its real purposes are, Mr. Speaker. But I think you would find, if you made a check of the larger cattle operators in this province, that by far the great majority of them are completely in accord with this check-off. The reason they are in accord with it is the simple fact of the matter that they themselves want to put some money up that they can spend and put into research that they can develop their own business and make certain that that business thrives. I don't think that there is anyone who can logically argue against that principle.

Now, Mr. Speaker, I just want to say just one or two words about those people that are concerned, that are in the cattle business that have been mentioned. I think that they can well be assured that any programs or research that improves the cattle business, if it improves it for the larger producer, the larger rancher, or the person that is substantially into it that it is certainly going to improve it for the smaller producer himself. We all know, when we sell cattle through the auction, that no matter whether you sell 200 or whether you sell five or six, that the price that you are paid for them depends on the calibre of animal that you sell and it certainly doesn't in anyway reflect on the number that you are selling. So if it is good for the larger producer in this province it is certainly going to be good for the small one.

Now, Mr. Speaker, the Member for Swift Current (Mr. Wood) mentioned that this fund would be in competition with other products such as port. I suppose that the human stomach can only consume a certain amount of food, so I presume that those who are in the cattle business are interested in selling beef. I do not believe that this is a legitimate argument that he has used simply because if the cattle are providing the money for the research then there is no reason why they shouldn't be promoting their own product. I can see no reason why the people that are producing pork cannot have a fund and research their product. I commend to them, Mr. Speaker, to read the latest Country Guide which has a very substantial editorial on that very subject. It covers about three-quarters of a page in the last Country Guide, commending the 5-cent check-off that has been initiated in the United States and been in operation for many, many years. It shows very tangibly the benefits through research, how the benefit of port promotion has helped the hog business.

Now, Mr. Speaker, let's make no bones about it that in agriculture today if we don't keep up with the competition we are simply out of business. Today one of the things that we have fallen down on drastically is that we haven't spent money to develop markets. We haven't spent money to produce a product that the consumer can afford to buy. It is all right to say that we want to sell more beef, but we have to produce beef at a price that the consumer can afford. If he gets the wrong type of meat, over-fat meat, poor quality meat, at too high a price, then he is going to buy fish, he is going to buy eggs and he is going to buy poultry, or else he is going to quit eating meat altogether and go to other synthetic products which are coming on the market and being looked into in many research industries, synthetics that would well replace meat altogether.

If we are going to compete with this kind of business, Mr. Speaker, if we are going to have our share of the market for proteins, if we are going to develop a market in Japan or other countries, then we have got to have some money to go out and get it. We can't just keep howling to the Governments to say, "Well, you put up the money, we'll spend it and then everything is going to be alright." We have depended for a long time on other people doing this for us. They haven't been doing too well at it and now we want to try and do it ourselves. I don't think that there is a legitimate argument against a producer organization such as this paying their money in. If they don't like it they can get it back. The money that is paid in regardless of how it is spent, Mr. Speaker, you can be assured that it is going to be for the benefit of the producer, for the benefit of the cattle business and it is going to help to keep a few people in business. That's good for the cattlemen and it is good for Saskatchewan. Whether you are a little producer or a big producer if you produce better beef and more beef at a better price, then it is good for everybody, Mr. Speaker. Now I think that anyone today who opposes this Bill will within a short period of time find tangible results for it. I am not one bit afraid, Mr. Speaker, that when we come back in a couple of years and people that are spending this money will see what it has been spent on, and that every producer in this province will be well in favour of it.

I support it, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. F.A. Dewhurst (Wadena): — Mr. Speaker, I think the amendment that was moved by the Member for Kelsey (Mr. Messer) is a good amendment. Without arguing the merits or demerits of the Bill, I think that it would be wise to let all those interested in the raising, producing and marketing of cattle have a chance to discuss what they wish in legislation for this type of project or scheme. This is brought down as a public bill by the Minister of Agriculture. Bills of very close to the same nature have been brought down as private bills and gone to the Private Bills Committee or to Law Amendments Committee where they are dealing

with one organization. Now I think in referring this to the Committee on Agriculture what the Member for Kelsey and the rest of us are asking for is the right that those interested in the promotion of this Bill, namely the Saskatchewan Cattle Growers, Federation of Agriculture and the Cattle Breeders' Association, can be there to explain to the Committee why they wish this type of legislation, how they feel it will benefit them, what good it can do for the cattle industry of this province. Maybe they will have some good arguments and maybe they can give us a lot of information that we don't have at this time. On the other hand there are a large number of people who produce a good many cattle throughout the province who are opposed to this Bill. If they had the chance to come before a Committee and present their opposition to it, then the two sides would understand each other much better and when the legislation was passed it would meet with the approval of all stock raisers much better and to a much greater degree than this Bill does at the present time.

Now Section 9 says that a person may claim a refund of the deductions. The title says that this is a Cattle Marketing Voluntary Deductions Act. It is not voluntary deductions, it is compulsory deductions but they may claim the refund, and, as the Member for Swift current (Mr. Wood) said, regardless of how many people claimed the refund and got their deductions back, they would still find that there was a lot of money left in that fund. Some cattle will go to the market three or four times in the same year. They are sold maybe as sucking calves; someone else puts them on grass for a while feeds them up and sells them off as feeders, and then they go back into the market as finished stock. On those types of cattle the deductions could be paid three or four times over. It isn't a matter of paying the deductions once, it could be paid several times. At the end of the year within 31 days, after the end of the calendar year, they must on the prescribed form apply for their refund. Now we all know that for a lot of the cattle raisers throughout the province by the time they get the prescribed forms, get them sent in, get their refund back, 31 days isn't long enough to attend to that type of work. So I do believe that the amendment moved by the Member for Kelsey (Mr. Messer) to give this Bill the proper chance to be discussed and considered and brought forth so that the public of this province understands it, is a good amendment. After all in this Legislature, if we are going to pass legislation which is affecting a certain segment of society, namely that cattle raisers, then surely the cattle raisers should have the right to make representation either program or constituency. I know in the Legislature where you are passing legislation which is dealing with the whole of society you can't call in representation from every walk of life in society. The Legislature must assume that responsibility and then it is considered as good legislation or bad Legislature. But in a case like this where it affects only one class of people, one type of work, I believe that those people have a right to be heard. If we believe in a democratic system for our farming people and our stock raisers I think every Member of the Legislature should vote for the

amendment.

Some Hon. Members: — Hear, hear!

Mr. W.J. Berezowsky (Prince Albert East-Cumberland): — I too must support the amendment and hope that all Members of the Legislature do likewise. I think this is the only way that we can proceed. Even in this Legislature only those who have a majority can impose the laws they want to impose on the people of Saskatchewan. The minority can't do it. It has been mentioned here already, and I think it is admitted by the Minister himself, that the number of people who want this Bill to pass are not the majority. At least he hasn't proven to this House that they are the majority. Why then in a democratic society would any Minister of the Crown bring in an Act on that basis? Furthermore, I could mention some of the things that I would want to discuss in Committee for example. There are some very vicious provisions in this Bill which I am sure farmers would not like, I don't think anybody would like these kinds of provisions. Let me just give one for example, when a man doesn't pay his hospital insurance you can fine him but you cannot under the law put him in jail. It is this Government opposite that made sure that that was the law, that a person who can't pay is not jailed. I don't disagree with that. They had one particular case in Saskatchewan and on that basis they went ahead and changed the Act on the basis of one case in my constituency. But here in this Bill is a provision that anyone who contravenes this law in anyway can be fined up to \$200 and if a corporation up to \$500. Not only that, if he doesn't pay then he can be jailed. So here you are providing legislation in this Bill for vested interests, for a few people. Maybe the Hon. Member who spoke a little while ago from Cannington (Mr. Weatherald) wants to sit on the board, I don't know. But there may be vested interests and for such vested interests you are providing an Act that is going to penalize anyone who may contravene the Act, not only with a fine, but with a jail term. These are things, I think, that must be considered.

There are many more, there is a mention of taxation. Since when has any government the right to tax people on behalf of a vested interest? Since when? These are the kinds of questions that you must ask yourself.

Hon. D.G. Steuart (Provincial Treasurer): — You have to pay to join your union.

Mr. Berezowsky: — That's not true. I don't have to pay to the union of I don't want to and you should know that. You're the Provincial Treasurer. I only pay because I want to but there is no law that says that I must pay. You are completely out of order, out of line and out of logic. If you are trying to compare that Act with this Act here, you haven't read the two Acts,

April 10, 1970

Mr. Provincial Treasurer. You had better go to school and learn to read and then read the two Acts. Mr. Speaker, I am saying the logical and sensible thing to do is what is in the amendment. If the farmers, the people who are concerned, if they make representations that they want this kind of Bill, why, I'll have nothing to say then but agree. But I am sure that they people I have talked to, and there are many in the Farmers' Union who felt the same way, who don't want this Bill and this Government has no right to impose a law that is desired by a minority on a majority of farmers.

Some Hon. Members: — Hear, hear!

Amendment negatived on the following recorded division:

YEAS — 22

Lloyd	Meakes	Baker
Bowerman	Berezowsky	Pepper
Messer	Smishek	Matsalla
Wood	Thibault	Wooff
Blakeney	Whelan	Willis
Davies	Snyder	Kwasnica
Romanow	Brockelbank	Byers
Dewhurst		

NAYS — 30

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

The debate continues on the Motion.

Mr. McFarlane: — Mr. Speaker, we had real good evidence this afternoon how the group across the way are really waffling.

It wasn't too many years ago that in the interests of their own party they brought in legislation to provide for political check-off, not only in Saskatchewan, but I believe this applies all across Canada. So in order to get a job in many places now many persons either have to pay their political dues or they feel that they are going to lose their jobs. You never heard one Member on the other side talk about that this afternoon.

In order to cover that up, what do they come along with? They come along with an amendment and try to block this legislation. They didn't want it to go through here today because they are only acting in the interests, I would say, Mr. Speaker, of one group in this province.

One group and I will tell you who that group is. It was the same group that gave my vocal friend from Riversdale (Mr. Romanow) Hail Columbia, because they said that the only contribution that he ever made to the farming industry in this province was to lead a parade in Saskatchewan a year ago. And so he got nailed. And so this same group because they came into Regina numbering about 6,000 people and came here to the Legislature Buildings afterwards — about 1,500 in all — finally got to my friend. They got to the Member from Prince Albert East-Cumberland (Mr. Berezowsky). He wasn't pleased with them that day, but they finally got to the master. They got to my friend, the Member for Kelsey (Mr. Messer) who I don't think has an animal on the place. They got to my friend from Riversdale who wouldn't know the front end of an animal from the back end of an animal if he wasn't running away from it.

This is what has happened here this afternoon. And the Member for Shellbrook (Mr. Bowerman), well he wouldn't know either because all he is accustomed to is being a smoke jumper up in the North for years. But it is quite evident this afternoon, Mr. Speaker,...

Mr. Dewhurst: — Mr. Speaker, on a point of order. Is the Member closing the debate or opening up another one because . . .

Mr. McFarlane: — I'll get to you later.

Mr. Speaker: — He is closing it and it is going to stay closed.

Mr. McFarlane: — And so without any doubt in the world the farmers this afternoon after they hear what the Member, Mr. Dewhurst, has said and especially my friend from Swift Current (Mr. Wood), after the stock growers out in that part of the province and the Saskatchewan Federation of Agriculture hear what you had to say, when you said that they don't represent anyone in this province, then I am sure that they are going to take a good long look at the stand taken by the party represented on the other side.

And then my friend from Prince Albert East-Cumberland (Mr. Berezowsky) gets up and says, "Vicious legislation." He talks about the fines. Well the legislation was drafted and those penalty clauses are in The Horned Cattle Penalty Act the same as you people had for 20 years. Did you fine anybody and put them in jail? You don't even know what kind of legislation you have had all these years. And then we brought in The Branch Inspection Act. You didn't have the courage to give

the farmers all over Saskatchewan protection under that Act. We put the same type of clause in there, extended the area over the whole of the province to give the farmers protection. And so your argument just doesn't hold water.

Then somebody said, and I believe it was the Member for Kelsey (Mr. Messer), that when we bring in this legislation we are going to have boards of inspectors carrying out the terms or conditions of the legislation. All we will have to carry out the terms of the legislation are the brand inspectors that we have today. We don't need to be like the NDP or the Socialists, to have an army of bureaucrats looking after some piece of legislation. All of the provisions are set up now. He then said that most of the cattlemen would not agree. Well I don't know how many people on that side of the House raise cattle. I don't think there are any, so I can be convinced that you are in opposition to this group. But mark my words I will say this here this afternoon that the Stock Growers' Association, the Cattle Breeders' Association, all these associations that I have mentioned plus the Wheat Pool who represent at least 50 per cent of the farmers in this province, I would suggest to you that they will represent more of the commercial farmers in Saskatchewan than some of the people that you pretend to protect here this afternoon.

The Member for Swift Current (Mr. Wood) says this is taxation without representation. So when we bring in a voluntary Bill and say that, if you don't want to pay the deduction, you can apply for a refund and have your money back, certainly that is not taxation without representation. He doesn't have to pay the tax, if he wants to class it as a tax. I know this, that the stock growers of the province all across your area of the province, the cattle breeders all through the eastern side of Saskatchewan where there is more cattle per square mile than in any other part of Saskatchewan, these people are in favour of this type of legislation for the simple reason that at long last there is a government in Saskatchewan that is willing to help those people who want to be able to help themselves. And when you say that governments should pay all the money towards research, you are saying then in effect that the universities shouldn't receive one cent from outside organizations for research being done in the universities.

You are saying then that the Provincial Government or the Federal Government should give the universities every cent that is going to be spent on research by those institutions. So once again your arguments just don't stand up. The cattlemen have asked for this type of legislation. For the benefit of my colleague from Yorkton (Mr. Gallagher) if I had said as he thought that the Saskatchewan Farmers' Union would have representatives on the Board, this isn't included in the Bill. But I want to say this, that for two years when this Bill was in the process of being drafted the President of the Saskatchewan Farmers' Union at that time was in my office along with these other organizations. He knew what provisions were going to be put in the Bill. Certainly if you have listened to him

since that time it indicates more or less an exercise to try and block this type of legislation instead of seeing it go through for the benefit of the livestock industries.

There were other comments that were made this afternoon, Mr. Speaker. But because they were ridiculous, if they want to bring them up in the Committee of the Whole, I am sure that we can shoot them down on that occasion.

With those few remarks I want once again to point out that this is the first time that a government in the history of this Province has gone all out to try and help an industry that is willing to help itself — an industry by the way, that you will find the least number of socialists in of any industry in our province and probably Western Canada, and I refer to the Cattlemen's Association and the cattle industry. Anytime that you can convince those people that socialism is good for them, then you have done a good day's work. I don't think that that day will ever come.

Some Hon. Members: — Hear, hear!

Mr. E.I. Wood (Swift Current): — Mr. Speaker, I would like to make a point of correction to the speech that has just been made, if I may. The Hon. Member said that I said that the Saskatchewan Federation of Agriculture did not represent anybody. I said that the Saskatchewan Federation of Agriculture did not directly represent farmers. There is a big difference.

Mr. McFarlane: — I am looking up the records and I am sure the Saskatchewan Federation of Agriculture will as well.

Motion agreed to and Bill read a second time on the following recorded division.

YEAS — 30

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

NAYS — 22

Lloyd	Meakes	Baker
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Bowerman
Messer
Wood
Blakeney
Davies
Romanow
Dewhurst

Berezowsky
Smishek
Thibault
Whelan
Snyder
Brockelbank

Pepper
Matsalla
Wooff
Willis
Kwasnica
Byers

Hon. D.V. Heald (Attorney General) moved second reading of **Bill No. 79 — An Act to amend The Saskatchewan Provincial Police Act.**

He said: Mr. Speaker, this is a very simple amendment to enable the Government to make payments of the grants to cities, towns and villages to assist those municipalities to provide police service. This is the grant that was announced by the Hon. Provincial Treasurer (Mr. Steuart). Subsection (2) of Section 28 provides that the Lieutenant Governor in Council may make regulations with respect to grants provided for in subsection (1), may make regulations prescribing which municipalities are to be eligible for grants under subsection (1), and describing the terms and conditions applicable with respect to the grants for each municipality.

I may say that the grants are unconditional with one proviso that a town, city or village has to be employing at least one full-time policeman. In other words there can't be a part-time chap who maybe does other duties for a town, but as long as he is employed on a full-time basis as a policeman it doesn't have to be RCMP. It can be town or village police, but he has to be employed on a full-time basis in order to be eligible for the grant. And that is the only condition.

I think the Hon. Mayor of Regina, Member for Regina South East (Mr. Baker) asked this question in Estimates, and as far as you are concerned certainly there are no conditions. It is an unconditional grant.

Motion agreed to and Bill read a second time.

Mr. Heald (Attorney General) moved second reading of **Bill No. 81 — An Act to amend The Lord's Day (Saskatchewan) Act.**

He said: Mr. Speaker, Section 1 of the Bill adds a new Section 16 to The Lord's Day (Saskatchewan) Act.

The amendments are as a result of a legal opinion to the effect that the present provisions in the Act do not provide sufficient authority for the 1971 Canada Winter Games Society to do the things on a Sunday that they propose to do. The purpose of the amendment is to authorize the 1971 Canada Winter Games Society to fulfil its obligations on behalf of its principals, the Federal Government, the Provincial Government and

the city of Saskatoon.

The 1971 Canada Winter Games Society was incorporated as a non-profit company under Section 10 of The Companies Act on September 4, 1969. The president of the society has advised that the society has undertaken to conduct ski operations in the 1970-71 season and to stage the Canada Games during the period of February 12 to 21, 1971.

We are also advised that present scheduling provides for a full day of contests on Sunday, February 14 and Sunday, February 21, with closing ceremonies being scheduled for 9 p.m. on February 21, 1971. The president of the society has pointed out to us that the society under the terms of its articles of association is to be wound up by December 31, 1971, and under the terms of the final agreement must present a final statement within three months of the closing of the Games.

Motion agreed to and Bill read a second time.

Mr. Heald (Attorney General) moved second reading of **Bill No. 83 — An Act to amend The Statute Law.**

He said: Mr. Speaker, this is the usual Statute Law amendment Act which we bring in towards the end of each session. In a general way it usually provides for picking up errors in different statutes which have been brought to our attention over the year.

I would like to spend just a minute or two summarizing the various Sections. Section 2 of the Bill, subsection (1), the purpose of this represented-enactment is to place quotes around the word "regulation." The definition is otherwise unchanged.

Subsection (2), the purpose of this amendment is to remove an extra "to." Section 3 of the Bill, the purpose of this amendment is to replace the misspelled word "death" with the corrected word "death". Section 4 of the Bill, the use of the "by" in the thirteenth line is obviously incorrect as the tax is not payable under the Act by the Province but rather under the Act of the Province.

Section 5 of the Bill provides for service by ordinary mail rather than by registered mail as at present. This change has been made at the suggestion of the local Registrar at Saskatoon who sent us a memorandum in which he gives his opinion that we would be better off by ordinary mail. It is considered that the use of ordinary mail will result in more notices being delivered and that there will be a considerable saving in cost. It seems that at the present time the practice is for a debtor to refuse a registered letter for the reason he knows it to be a letter respecting the default judgment and therefore perhaps refuses to accept it.

I think I should read the memorandum that we got from the

April 10, 1970

Registrar at Saskatoon because he sets out the rationale for this amendment. The memo was as follows:

Under chapter 74 of Section 64 and subsection (6) a notice of a default judgment must be forwarded to the judgment debtor by registered mail when judgment is signed. These notices have been forwarded and a good number of them are returned, "Not called for", "Address unknown", etc.

Under the Act these must be forwarded by registered mail and of course the fee for registered mail has been increasing regularly.

It appears to be a costly procedure especially when the notices are not picked up. I don't believe that the postal authorities make too much effort to have them delivered to any new address. These notices used to be forwarded by ordinary mail, and I understand a better portion of them were delivered than the registered mail. Maybe consideration should be given to amending the Act to read that the notice be forwarded by ordinary mail.

So we have adopted that suggestion of the Registrar at Saskatoon.

Section 6 of the Bill has to do with subsection (19) of Section 3 of The Land Contracts (Actions) Act. At the present time — there were some words left out here — subsection (19) reads:

Where an application is made for leave to commence an action, the period between the date
and then there is a gap there
on which leave is given to commence the action shall not be included in calculation of time under The Limitations of Actions Act, for commencing the action.

In that third line the words added were inadvertently omitted by the printer in the 1965 Revision and Consolidation of the Statutes. Without these words which we are adding by this Bill there is no period. So we have corrected that.

Section 7, this amendment replaces a surplus word "crop." Section 8, subsection (1) replaces a surplus word "be." Subsection (2) comes, I think, as a result of one of the recommendations of the Committee on Public Accounts. It has to do with the collection of fees from lawyers and Land Title Offices. The present statutory provision requires the Registrar to collect money in advance of the service and the auditor has criticized the Department where the Registrar has performed a service prior to collecting the fees. The purpose of this amendment is therefore to permit the Registrar to provide the service prior to collecting the fee.

The Member for Regina Centre (Mr. Blakeney) and the Member

for Saskatoon-Riversdale (Mr. Romanow) will know what I am talking about here. The lawyers and municipal secretaries and various Land titles Offices, it is a practice that has developed over the years to have a deposit account with the Land Titles Office. what happens is that on the 31st of a particular month, the lawyer who may have put some work in — the deposit that he had may result in him being overdrawn for a day or two. The way this thing works, Mr. Speaker, and I think that you are quite familiar with it by virtue of your other employment, is that the Land titles Office gets in touch with the customers. In Regina they phone up and in Saskatoon they phone up and say that you are overdrawn. Send us another \$200 or \$300. But the fact remains that on the 31st of the month or the 30th of the month, the record so far as the auditor is concerned will show that the account was overdrawn and the auditor quite properly drew this to the attention of the Public Accounts Committee.

About seven or eight years ago, my predecessor, Mr. Walker, attempted to instruct the Land Titles Offices to get in touch with the lawyers and everybody who did business with the Land Titles Offices and tell them that they couldn't be overdrawn even for one day. This caused quite an uproar. I remember it very well. The lawyers, particularly, felt that this was an unreasonable provision and after trying it for three or four weeks they went back to the present system. Now the present system works very well, Mr. Speaker, we don't lose any significant funds. But the auditor is quite right. Under the existing legislation it says that they can't do the work without having the money. So we are taking that subsection out so that we can continue the present practice which is working very well and we will have the law to conform with the present practice.

Section 9 of the Bill, in 1969 the jurisdiction of the Surrogate Court was extended by granting authority to the court to make interpretations of wills. The proposed amendment recognizes this increased jurisdiction of the Surrogate Court.

Section 10 of the Bill, subsection (2) of Section 23 of the Larger School Units Act, presently reads:

23(2) for subsequent annual election, in a subunit where more persons than one are nominated, a poll shall be taken on the date and at the time fixed for the annual municipal election at such places designated by the unit board.

The purpose of this change, Section 10, is to fix the first Wednesday in December as the polling date. This is the same polling day as is fixed for rural municipalities.

Section 11, subsection (1), the purpose of this amendment is to replace a misspelled word.

Subsection (2), the purpose of this amendment is to replace the word "the" which was inadvertently removed by the 1969 amendment.

April 10, 1970

Section 12, subsection (1) of the Bill, the purpose of these amendments is to correct incorrect cross-references. Subsection (2), the purpose of this amendment is to correct incorrect cross-references.

Now those are the changes, Mr. Speaker. We can go into them, of course, in more detail in Committee.

Motion agreed to and Bill read a second time.

Hon. C.L.B. Estey (Minister of Municipal Affairs) moved second reading of Bill No. 74 — An Act to provide for the Making of Grants to Encourage the Building of Houses.

He said: Mr. Speaker, this is a Bill to provide assistance in the building of homes or family residences and it provides for a grant to the first occupant of a residence to the maximum of \$500. The Act further sets forth that the value of a home, exclusive of the land and services on which a grant will be paid, must have a minimum value of \$4,000.

Now to give details of this Act in a general way, Mr. Speaker, you will note in paragraph two that there is the phrase “eligible residence.” An eligible residence means a dwelling unit. We propose in the regulations to give “dwelling units” a very wide interpretation. We propose to define a dwelling unit as a single-family dwelling, a duplex, row housing, condominium, or any other type of single-family unit in which the occupants are acquiring or have acquired an equity. In other words they could be requiring an equity in some kind of unit which I have not named, under an agreement for sale.

When you proceed on down to paragraph two, you come to the term “eligible period” which will be defined by the Lieutenant Governor in Council. This home in order to qualify must be constructed during the “eligible period.” “Eligible period” is to be declared by Order in Council. I want to just point out that we are well aware of the fact that housing starts in Saskatchewan and, yes, all over Canada, are down rather drastically, especially for the months of January and February and on into part of March.

Secondly, we have also the experience of CHMC when you talk about assistance for winter construction. Members opposite and Members on this side of the House will recall that a few years ago CHMC put a regulation across Canada where you would get \$500 to assist in the construction of a house, providing that you did not get beyond the pouring of the basement prior to December 1. Now that just doesn't work in Saskatchewan because you use up the \$500 due to the weather in which you have to construct. They subsequently amended that the following year to November 1 and that didn't turn out any better. In a normal year, I think it is safe to say that we would give an interpretation to the phrase “eligible period” which would take construction out of the severe winter periods. In a year such

as we had in 1970 we will unquestionably have to take into account the rather drastic decline in housing starts and hope that, by this grant and along with CHMCs low-rental housing program, to accommodate those earning an income of under \$5,000 a month, we can again give employment to those persons who for the past number of years have been employed in house-building industry.

Mr. Speaker, I will have more to say about this aspect in Committee. But insofar as clause (3) is concerned dealing with the method of payment, we are now conducting negotiations with CMHC. I believe that we have succeeded — and I say believe — in having CMHC acknowledge and accept for the purpose of their requirements a grant made under this Act of a contribution to a man's income.

Under present CMHC regulations I cannot qualify for a loan unless a figure not in excess of 27 per cent of my income is required in order to service principal, interest, taxes on a home. In other words for every dollar which CMHC will accept as a man's income of this \$500, it would amount to nearly \$4 in CMHCs calculations. So more people would qualify.

We have also provided in this Act, as I said in commencing my remarks, that the maximum grant would be \$500, and on homes from \$4,000 to \$10,000 the grant amounts to five per cent which is the down payment required by CMHC. We will also take into account, if it is not excluded from the Act, a home which is built by what is known to be, Mr. Speaker, "sweat equity," that is where a man does part of the work himself and an evaluation is placed on that work.

This Act also applies to a home constructed in a city, town, village, rural municipality, local improvement district or the Northern Saskatchewan Administration District. In other words it has pretty universal application. It might be said that we should define in the Act the term "dwelling unit" rather than fix it by regulation, but I am convinced there is a possibility that the builders will device, in order to qualify for the low-rental housing project, a type of home which we may not have a name for today and it would be easier to add that type of construction to the regulations rather than seeking an amendment to the Act. The same may be said, I think, of leaving "eligible period" to be defined by regulations. In a normal year I think that we could quite safely put the \$500 unto the latter part of the construction season when things are tapering off. Mr. Speaker, I would suspect that one criticism of this Act will be that it is too little too late. I just want to remind the House that, so far as I know, it is the first time in the history of Saskatchewan when a grant has been made to housing construction on such a wide basis. Secondly, in the year 1969 I don't think we could have built any more homes or very few more homes except in the latter part of that year, by means of a grant.

Mr. Speaker, I will have more to say about this Act in Committee.

April 10, 1970

Mr. E. Whelan (Regina North West): — Mr. Speaker, we have waited for this Bill for a long time. We have read a great deal about the program of \$500 bonus for winter home building but thus far with all of the talk, dating back to the date of the Throne Speech, it hasn't produced very many homes. What we really have been looking for is some action and some of the 80,000 jobs that have been promised to us. We need homes, we need employment, and we need jobs. And we don't need any more talk.

They say that we are going to define "eligible residence." Why isn't it in the Bill? If we know that there is going to be an eligible residence, why isn't it spelled out in the Bill? It is safe to say that there will be an eligible period. Again, why isn't it in the Bill?

This may be the first time that a bonus of this kind has ever been paid, but I want to remind the Hon. Minister, Mr. Speaker, that this is the first time that we have built two homes in the month of January in one city and two homes in the month of February in another of the main cities of this province. As I said when I began to speak, the Throne Speech drew headlines with its reference to a \$500 grant for winter house building. I want to show it to Hon. Members in case they have forgotten. "Speech predicts winter house building grant." There are a couple of paragraphs to back that up, a paragraph beginning with this: "Besides the \$500 grant for winter house construction..."

I say what winter, what winter? When? Despairing tradesmen perked up when they heard this, contractors got out their slide rules, city engineers prepared to install underground services, young couples asked about the price of lots and they all asked the questions, "When would it start? Would it be retroactive?"

Mr. Speaker, two homes were built in Saskatoon in January and two homes were built in Regina in February. The headline was left stranded. The tradesmen got no answer. Young couples forgot about building. Home contractors gave up. I asked the Minister, when? He was annoyed when I asked him. The contractor said, "Look, the Minister says he has enough money for 1,000 homes and he wants it to cover seven months out of twelve." this is what a contractor told me. The Bill is in. I say the Premier must have had his way, maybe we will get it for four months out of twelve. Certainly we are not going to get it retroactive.

We have seen the Premier, who waxes eloquent about massive injections of cash for housing, rushing down to the microphone and waving both hands. Year in and year out the money is voted and the expenditure for housing is not spent. We use the money for Homecoming '71 or for Information Services, but the massive injection for cash for housing has become a massive blast of hot air for headlines, but not for housing.

Some Hon. Members: — Hear, hear!

Mr. Whelan: — Mr. Speaker, the eligible period is set out by the Lieutenant Governor in Council. Mr. Speaker, who is that? It is the man with the massive injection of hot air. The regulations say who will get the grant and when and how. When the Minister closes the debate will he tell us how a contractor, purchaser or builder can plan, can lay out work, if the regulations can be changed? Proof of grant — see the regulations. Payment method — see the regulations. Period of construction — see the regulations. Standards of construction — see the regulations. Application form — see the regulations. If there is a dispute as to whether or not an applicant is eligible, the Minister's decision is final. The housing industry is shot to Hades. People want to build their own homes. Contractors want to plan work for their men. Cities want to lay out streets, and what happens, Mr. Speaker. First, the Government says, "See the headlines." I have them. They are dandies. Second, it says, "See the regulations." There is no guarantee for employment here, no stability for contractors, no plans for young people and finally, Mr. Speaker, no housing. The Minister will say probably we can make it retroactive for the two houses in Saskatoon in January and the two houses in Regina in February. Mr. Speaker, I say they have missed the winter program our economy needed and the result is the housing industry has missed the boat. Perhaps he will say we will make it retroactive by regulations. Well, lawyers who are acting for contractors say to me, "Retroactive, that's bad law." And bad law is bad judgment. And bad judgment indicates bad leadership.

Support the Bill? Even a crumb tossed from a coach or oats passed to a horse helps feed the birds. And this Bill, Mr. Speaker, is for the birds. It is not for housing. It is not for employment or for jobs. If it were it would: (1) spell out the period it covers; (2) define and describe the type of housing; (3) outline methods, all methods of construction; (4) spell out clearly the category of housing units, dwelling units to be covered; (5) describe the applications and the qualifications required by an applicant.

Mr. Speaker, this Act is a news release. The legislation to cover the propaganda will be covered by the regulations.

Some Hon. Members: — Hear, hear!

Mr. N.E. Byers (Kelvington): — Mr. Speaker, I would just like to make a couple of comments on this particular Bill.

My first comment is that I think it is regrettable that this Bill did not provide some assistance to those people who had homes under construction during the present winter. There are a few such cases. I think it would have been desirable if the Government had seen fit to have such provisions in this Bill.

April 10, 1970

The other criticism I want to offer of this Bill, as I see it, is that it makes no provision for assistance to the person who may wish to undertake major renovations to his home. Home renovations can be rather expensive undertakings and certainly renovations do assist the construction industry and tradesmen to the same degree that new construction assists them. If this is the object of the Bill, I would certainly like to request to the Minister that he consider an amendment which would make that possible because I think it is worthy.

In addition to that, and in reference to my first comment on the contents of the Bill, although we are only in second reading now, the intention of this Bill hasn't been explained too well to the public. I think there is a feeling, and I have had some correspondence on this, that the grant would have been available for construction work for the present winter. I want to draw to the attention of the House a little advertisement that has been running in the local papers in my constituency this winter, in the Kelvington Radio, the Wadena News, the Foam lake Review. This came to me from a constituent and this is what it says: (This is a report on the Saskatchewan Legislature) — Some Further Liberal Action.

In an effort to promote house building a \$500 grant will be made to any homeowner who constructs a home during the winter months.

Well, Mr. Minister, what winter months? The winter months of this year, next year, five years from now, when? This is an ad that was authorized by the Saskatchewan Liberal Association and the constituent writes to me and he says:

As I have been building a house this winter I was wondering if the enclosed ad is for true or just to read. If it is an honest ad, how do I go about applying for the grant?

And I think that this advertisement, at least, certainly leaves the impression that the grant would be payable for construction purposes completed this winter. I hope that when the Minister gets around to having the regulations drafted that he would do two things: first, that he would consider making the grant retroactive for construction completed this winter, and secondly, that he would consider making the grant payable for major renovations undertaken. These are factors that have contributed to the construction industry, and I think that the Minister and the Government ought to see fit to reward those people who have undertaken both new construction this winter and who wish to undertake renovations, the same kind of assistance that is available for those people who will undertake new construction.

Some Hon. Members: — Hear, hear!

Mr. Estey: — Mr. Speaker, in regard to the remarks of the Member for Kelvington, the whole purpose of this Bill is to assist in new construction. It will not apply to renovations. The

regulations will be out in the not too distant future.

The Member from Regina who spoke initially on the Bill, as I understand his remarks, said we should spell out the category of housing. We hope that the builders so far as they are concerned will build the type of house which the occupant wants and desires and we will pay the grant. Insofar as the individual is concerned, we hope that the individual builds what he or she may require as a home. We have no desire to spell out either in the Act or in the regulations any particular type of housing.

Mr. Speaker, I think that is enough to be said on second reading.

Motion agreed to and Bill read a second time.

The Assembly adjourned at 5:27 o'clock p.m.