

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Fifth Session — Sixteenth Legislature**  
**15th Day**

**Monday, March 8, 1971.**

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

**WELCOME TO STUDENTS**

**MR. SPEAKER:** — Before the Orders of the Day I wish to introduce the following groups of students seated in the galleries: from the constituency of Weyburn, represented by Mr. Pepper, 68 students from Weyburn Junior High School under the direction of their teacher, Mr. Weinmaster; from the constituency of Saskatoon Nutana South represented by Mr. Forsyth, 60 students from the Queen Elizabeth School under the direction of their teacher, Mr. J. A. Brent; from the constituency of Rosthern represented by the Minister of Highways (Mr. Boldt), 42 students from the Delmas High School under the direction of their teacher, Mr. S. Boerg; from the constituency of Regina South represented by the Hon. Minister of Health (Mr. Grant), 62 students from the W.C. How School under the direction of their teachers, Mrs. Dill and Mr. Dowie; from the constituency of Weyburn again, 45 students from the Weyburn Vocational Centre an educational upgrading class of students under the direction of their teacher, Mr. A. Dunba; and from the constituency of Humboldt represented by Mr. Breker, 40 students from the Muenster School under the direction of their teacher Mr. Parker - they will arrive I understand later in the day.

I am sure all Hon. Members will wish to extend to these students in the galleries and to others an extremely warm welcome and to express the very sincere wish they will find their stay here educational and enjoyable and to wish them a safe trip home.

**HON. MEMBERS:** — Hear, hear!

**STATEMENTS**

**HUSKY OIL REFINERY LLOYDMINSTER**

**MR. A. C. CAMERON:** (Minister of Mineral Resources): — Before the Orders of the Day I should like to reply to an enquiry that was put on Thursday last by the Member from Saskatoon Mayfair (Mr. Brockelbank) which stated that he had on reliable sources information that Husky Oil at Lloydminster was closing down their operation by 50 per cent come June 30th, and that 50 per cent of the employees at the plant would be laid off. I have been in touch with Husky Oil and I wish to make the following statement. The operation, of course, is in

the Alberta province . . .

**MR. SPEAKER:** — Order, order!

**MR. J. E. BROCKELBANK:** (Saskatoon Mayfair): — Point of privilege, Mr. Speaker, that is not the statement I made in this House. The record will show that is not the statement I made.

**MR. A. C. CAMERON:** (Minister of Mineral Resources): — Mr. Speaker, surely he wants information about what is happening to Husky Refinery. You are the man who asked the question.

**MR. BROCKELBANK:** — Yes, I asked the question.

**MR. SPEAKER:** — It is not for the Chair to authenticate every statement made in this House. Members make statements on their own recognizance, and on their own responsibility.

**MR. A. C. CAMERON:** (Minister of Mineral Resources): — Anyway for what it is, I am going to give the results as they are.

The refinery is operating of course on the Alberta side. Because of the significant part played by Husky in developing oil reserves on the Saskatchewan side of the border, any cutback in activity of course is of concern to us in the province. I have had direct conversations with Husky officials to find out just what the situation is. They tell me it is this: that the company is phasing out its gasoline operations. It will not be refining gasoline at its plant and it will be turning the plant to 100 per cent - using Saskatchewan crude for asphalt base. Thus, there will be increased consumption of Saskatchewan crude oil into the refinery because of the asphalt base. Come the end of the asphalt year which will be October or November, they will be making some slight changes in their staff. They employ 150 people at the plant. They assure me that if any employees are laid off it will be the adjusted seasonal employees and it will not exceed 10. They will not exceed five per cent, let alone 50 per cent. I should only hope that the Member . . .

**SOME HON. MEMBERS:** — Hear, hear!

**MR. A. C. CAMERON:** (Minister of Mineral Resources): — . . . would check a little of his own facts before he stands up to discredit this or any other industry that is working in the interests of the people of Saskatchewan.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BROCKELBANK:** — Mr. Speaker, on a point of privilege, again the Minister

is stating that I said 50 per cent of the staff would be cut off. That is a false statement and he should be the one that should retract it, because it is in the record of the House what I said.

**MR. A. C. CAMERON:** (Minister of Mineral Resources): — . . . made the same statement on T.V. and he is very proud, he said, "I don't like to reveal my sources, after all, I've got some confidential information and I don't like to reveal my sources."

## **ANNOUNCEMENT**

### **REGINA BONSPIEL GRAND AGGREGATE WINNER**

**MR. A. MITCHELL:** (Bengough): — Before the Orders of the Day I should like to draw to your attention and to the attention of the Members of this House, that one of the Members of this Assembly namely, my seatmate, the Member for Cannington (Mr. Weatherald) was a member of the Paul Palendat rink from Wawota, which won not only the Leader-Post Trophy, but the Grand Aggregate as well in the Regina bonspiel.

**HON. MEMBERS:** — Hear, hear!

**MR. MITCHELL:** — Their record, Mr. Speaker, is an enviable 11 wins and one loss going 10 games before losing. As well as the Leader- Post Trophy they also won the Ross Trophy and the Lieutenant-Governor's medal. I am sure all Members of this House join me in congratulations.

**SOME HON. MEMBERS:** — Hear, hear!

## **CONDOLENCES**

**MR. A. E. BLAKENEY:** (Leader of the Opposition): — Mr. Speaker, I wonder with the consent of the House, if we might revert to Orders of the Day. I understood a brief statement would be made and I intended to add my remarks.

I want to bring to the attention of the House, and I think some Members may be aware of the death of the MP for Assiniboia, Mr. A. B. Douglas. I know that other Members of the House will wish to join with me in paying tribute to Mr. Douglas. I knew Mr. Douglas and I first came to know him in a more personal way when he was president of the Saskatchewan School Trustees Association, and I was Minister of Education. I found him to be a person who had a keen interest in education and in improving the education system of this province. He showed a desire to build an educational system which combined the efforts of trustees, teachers and departmental officials towards a first class system. I shall always remember him very warmly, again in

a personal sense, because of one very difficult period during June of 1961 when we were in a confrontation situation between teachers and trustees and at that time Mr. Douglas' calm and reasoned approach to the problems which were at hand did much to bring about an amicable end to what was to me, a new minister, a very difficult and strained situation. I appreciated his general approach at that time and at all times.

I am advised by his colleagues in the House of Commons that he was an active back bencher who spoke frequently on agricultural subjects. I know that he will be missed by his very wide circle of friends of all political persuasions.

**HON. W.R. THATCHER:** (Premier): — Mr. Speaker, of course we on this side of the Legislature will particularly miss the Member for Assiniboia. It was my privilege to hold a meeting with him only a few days before he died, and at that time we had no indication that he was even sick. There will be a government plane sent to the funeral tomorrow, at least two of our Cabinet Ministers will be there. We have invited the Leader of the Opposition to send someone with them if he feels so inclined. There will be a group coming from Ottawa to attend the funeral also. I can only repeat that we are forwarding our regrets to Mrs. Douglas. These things just seem to happen. They are hard to understand.

**HON. C. P. MacDONALD:** (Minister of Welfare): — Mr. Speaker, I should just like to add my thoughts to those of the Leader of the Opposition and the Premier concerning Mr. Douglas. As you know Mr. Douglas was the Member of Parliament for the Assiniboia constituency and was my Member of parliament. I don't know of any Member of Parliament who in a very short space of time has distinguished himself to the same degree as Mr. Douglas. He was particularly devoted to the farming communities of Saskatchewan. Assiniboia is an agricultural constituency, Mr. Douglas was a farmer for the majority of his life. This was his first experience as an elected representative and very rapidly he won the confidence and the respect of most members of the farming community, not only in his own constituency but throughout the Province of Saskatchewan and Western Canada. In general he will be sorrowfully missed not only as a dedicated public servant or dedicated person in public life, but also as a very close and warm friend of many, many people in Southern Saskatchewan.

**MR. J. A. PEPPER:** (Weyburn): — Mr. Speaker, I too should like to add my words of sympathy to those of the Premier and the Leader of the Opposition, in the recent passing of one whom I consider an intimate friend and a very highly respected gentleman, Mr. Albert Douglas, better known to many of us as Ab. Weyburn constituency, I can assure you, was shocked and deeply touched when the announcement of his death was received on Saturday. Albert Douglas was a very capable farmer and one who has always been active in many

community projects, and devoted much of his time towards the promotion of them. He will be remembered by many for the great interest he had in the field of education, having served on the Weyburn school unit board for some 11 years, seven of these years as chairman, also as an executive member of both the Saskatchewan and the Canadian School Trustees Association. Since his election to Parliament as a Liberal Federal Member for Assiniboia in 1968, he has very ably presented to the Federal Government at Ottawa the problems facing Western agriculture today. He has also given his suggestions and his desire to develop policies to assist the farmers in this very important industry. Albert and his wife Christina were very interested in sports, and having a family of four sons they become actively involved. He served as president of the Weyburn Minor Hockey League Association for a period of time. I am sure that all these positions were important in Ab's career, but perhaps the most important was his role he played as a respected citizen in Weyburn. A friend to all who knew him and a sincere and devoted husband and father. On behalf of the citizens of Weyburn and area, I wish to extend to his wife, Christina and to each member of the Douglas family our deepest sympathy in their recent bereavement.

**MR. E. I. WOOD:** (Swift Current): — Mr. Speaker, I wish if I may, to add a few words in regard to Mr. Ab. Douglas MP, who has recently passed away. It was my pleasure and really an honor to work with Mr. Douglas when I was Minister of Municipal Affairs. Mr. Douglas was a member of the Municipal Advisory Commission at that time. I found him a very good man to work with, he was earnest, sincere and he was never afraid to stand up for what he thought was right regardless of the consequences. I am sure that in losing Mr. Douglas, Saskatchewan has lost one of its foremost citizens and one who will be missed a great deal by those with whom he has worked in the past.

**MR. J. KOWALCHUK:** (Melville): — I too should like to add my condolences already so well expressed here today. I knew Mr. Douglas personally for quite a number of years. As a unit trustee myself and having Ab Douglas as president of the Saskatchewan Trustees Association for many years and an excellent and impartial president that he was, we all had the greatest respect for and appreciation of this man and for the quiet, cool and very efficient manner by which he handled very difficult situations. I am sure that the trustees of Saskatchewan would want me to express their sorrow and offer sincere sympathy to Mrs. Douglas and family.

**MR. A. MITCHELL:** (Bengough): — Mr. Speaker, I should also like to associate myself with the remarks that have been passed here in regard to Albert Douglas. I knew him as a very fine friend, a champion of farming communities of Western Canada. As has been said, I am sure the gratitude of the people of Western agriculture certainly go out to him and condolences to his family.

## SECOND READINGS

HON. G. B. GRANT (Minister of Health) moved second reading of Bill No. 1 - **An Act to amend The Radiological Health Act.**

He said: — Mr. Speaker, before moving second reading of this Bill I should like to give a brief explanation of it. For several years both officials of my Department and the officers of various health professions have been concerned about safety measures to be taken in connection with the electrical and mechanical components of radiological apparatus. A committee known as the Working Committee on Safety and Preventive Maintenance of Radiological Apparatus consisting of representatives from the interested health professions with Dr. E. A. Radko of Regina, chairman, has made an intensive study of this problem and has recommended that appropriate action be taken to ensure the safety of patients and working personnel in regard to this matter. The College of Physicians and Surgeons of the Province of Saskatchewan has also stated that a program for supervising the safety measures to be taken in connection with the electrical and mechanical components of this equipment should be instituted. It has now been agreed between the College, the Working Committee, the Radiological Health Committee, and my Department that the responsibility for administering this program should be assumed by the Occupational Health Branch of my Department. Amendments for this purpose are contained in the Bill.

The amendments authorize the employed personnel to give advice concerning the safety measures to be taken in connection with the electrical and mechanical components of radiation<sup>^</sup> equipment. This power is also confirmed on the Radiological Health Committee. The authority to make regulations in this regard is given to the Lieutenant-Governor-in-Council. The Act presently is concerned only with ionizing radiation. It is being amended so that the employed personnel and the Radiological Health Committee may give advice with respect to matters relating to non-ionizing radiation as well as ionizing radiation. The authority to make regulations is also being extended so that the regulations may be for the protection of persons exposed to non-ionizing radiation. An example of non-ionizing radiation include Lasers, microwaves and ultrasonic radiation. Although this kind of radiation is not used extensively in this province at this time it is believed that this Act should be amended so that it could be applied should any problem relating to the use of non-ionizing radiation occur in the future.

The expression, radiation health, is being substituted for radiological health as a means of making various provisions of the Act applicable to both ionizing and non-ionizing radiation. Since the Act will now also be concerned about safety measures to be taken in connection with the electrical and mechanical components of radiation equipment it is proposed that the title for the Act be appropriately changed and that the short title in the Act in Section 1 be revised so that the Act will be known

as the Radiation Health and Safety Act. It would also be proposed that the name of the Radiological Health Committee be changed to Radiation Health and Safety Committee.

Mr. Speaker, I move second reading of this Bill.

**MR. G. T. SNYDER:** (Moose Jaw North): — Mr. Speaker, under the new rules of the House it was suggested that the amendment to the Radiological Health Act might possibly fall into the non-controversial Bills Committee category and I think in total we on this side of the House agree with the amendment that is before us. I wanted to take the opportunity when the Act was before us just to say a few words in connection with it. I have to repeat, we agree in principle with the content of the Act, the broadening of the Act to include other radiation hazards other than those that were previously mentioned in the present Act. I understand also that the jurisdiction will be that of the Occupational Health Branch of the Department of Health and assuming this, I just want to take this opportunity very briefly to draw to the Minister's attention that the Occupational Health Branch of his Department is one which we on this side of the House should like to see expanded, given more attention and given more money with which to perform some very useful functions that we believe aren't being properly attended to at the moment.

I am referring particularly to a number of areas which, I believe, deserve real concern and attention, those that I hope we'll be pursuing when we are into the Minister's Estimates. Particularly, I was thinking of an area of which I have intimate and personal knowledge and it has to do with the gases from internal combustion engines. These are types of machinery which are causing, particularly on the two major railroads in Canada, a considerable amount of concern among organized groups who have come to the conclusion that the hazard of carbon monoxide poisoning is becoming one which is more and more acute and certainly deserves the attention of Government. I know as an employee of the Canadian Pacific myself, I have been obliged on several occasions to return a locomotive to the shop track because of extreme gas conditions. Employees riding on the outside of a locomotive on the footboard have been obliged to operate with a handkerchief over their mouths and these have to be regarded, I think, as very extreme conditions. It can't be tolerated and I would hope that the Minister would see fit through this branch of his Department to pay attention to some of these very real problems that have been with us for a number of years. I can point out to him two cases where medical history and medical evidence has perhaps not been totally conclusive but the indication has been that the carbon monoxide poisoning has been responsible for a lengthy illness in the case of at least two employees. My purpose particularly in speaking at this time, Mr. Speaker, is to draw these matters to the attention of the Minister, and hope that more attention and more money will be placed at the disposal of that particular branch of his Department and I should hope that the Minister

when he closes the debate, if he so wishes, would comment in this connection and encourage more attention being paid to occupational health in this and a number of other areas that I am sure he is concerned and interested in.

**MR. W. G. DAVIES:** (Moose Jaw South): — Mr. Speaker, I would join with my colleague from Moose Jaw North in a short discussion on the Bill before us this afternoon. First of all, I want to point out that both this Government and the former government have been aware of the dangers to health by the increasing quantities of radiological equipment of this sort. It wasn't so very many years ago that radiological equipment was used to an almost terrifying and indiscriminate degree. I think, though, over the last two decades especially there has been a new awareness of the dangers that are posed by the use of equipment and radioactive substances and levels that were tolerated only ten years ago and are now regarded as dangerous.

As well there are increasing numbers of pieces of equipment in industry that employ radiological methods of one kind or another. I think here again that the range of equipment has been extended to the degree that more control and more inspection is necessary

Mr. Speaker, I would appreciate the Minister informing us this afternoon, or in Committee, if he does not have the information with him this afternoon, something about the inventory of the equipment in the province that will be affected by this Bill. The Minister is aware as I am, perhaps better aware, of the large number of radiological pieces of equipment of all kinds. I don't know who is responsible for this inventory or how intensive is the inspection, but I should think that it is imperative that if this control is not as general as it could be that this should be accomplished within the shortest possible space of time. I mentioned the fact that only a few years ago levels of radiation were tolerated which today would be regarded by those in the field as virtually terrifying. One can pick up the book by Thomas Mann, *The Magic Mountain*, commenting on the use of X-rays on tuberculosis patients in a European hospital. Very little if any control was required at that time either for the operator or for protection of the patient. Undoubtedly people suffered from radiological ailments and died in those days who are not now affected and who do not die today by reason of a more extensive control. But the history seems to be that as each year goes by the ranges of radiology, the use of radiology that was tolerated then is now regarded as being more dangerous and therefore subject to control. I should like to again ask the Minister if he could give us some information this afternoon and if not, later in committee, on the extent of equipment that is being used not only in the health field but in other fields, and I am thinking here of industry; the testing as I understand of pipes, for example, in dentist offices and the like, and how extensive the inspection is each year.



**HON. G. B. GRANT** (Minister of Health): — Mr. Speaker, I shall keep in mind the points raised by the Hon. Member from Moose Jaw North (Mr. Snyder). In regard to the comments made by the Member from Moose Jaw South (Mr. Davies) I think it would be more logical to answer in Committee when I have full information and I will certainly do so.

Motion agreed to and Bill read a second time.

**HON. J. R. BARRIE** (Minister of Natural Resources) moved second reading of Bill No. 7 - **An Act to amend The Department of Natural Resources Act.**

He said: — Mr. Speaker, due to the phasing out of the construction branch of the Department of Natural Resources which has been approved and the termination of the construction branch advance account, it is necessary that a forest protection advance account be created. This amendment provides for setting up the forest protection advance account and equipment section. The proposed legislation with very minor changes is the same legislation as that which governed the construction branch advance account. The new advance account will result in substantial savings to the Department and to the Government. This legislation, I might say, has been reviewed by the Legislative Council and the Comptroller. I believe that any details could possibly be better dealt with in committee if there are any, and so I would move, Mr. Speaker, the second reading of Bill No. 7.

**MR. E. KRAMER:** (The Battlefords): — Mr. Speaker, it seems to,, me reading this that this is an extension - I was afraid it was a replacement - of the old construction branch which was actually the branch that opened a great deal of Northern Saskatchewan. They were almost the mother and the Good Samaritan of the northern settlement as well as moving into much of the southern area, parks and so on, and did tremendous work under the late Bob Gooding. When I read this I wondered if it was just a change of name and a re- building of a branch that seems to have been phased out in the last few years. At least that is the way it appeared to me, that many of the things that used to be done by the construction branch were done well. It should be remembered and I think it is proper to say at this time that the old construction branch built about 3,000 miles of access roads in Northern Saskatchewan to expand tourism and to provide service to those northern settlers. When the former Conservative government brought in the sharing of road costs of northern development roads, the construction branch was in charge of such highways as the Hanson Lake Road. These were certainly a credit to that branch. Many other things in the North were a credit to the former construction branch and I am pleased to see what appears to be, and I hope we'll find more about this, of a reinstating of a formerly very good branch, a very useful branch in the Department of Natural Resources. While I am on my feet I want to say I hope that this

branch is expanded. I see that one of its prime purposes is fire protection and I hope that before too long the Minister in Charge - and we have some doubts at this time who that might be in the not too far distant future - might once again attach some air-borne firefighting equipment to a branch like this, in the possession and under the jurisdiction of the Government for Government service here as in other provinces. I still have some serious misgivings of contracting all our air-borne firefighting equipment out to private enterprise. I think that there is an indication that costs have gone up tremendously since we have given up all control over air-borne firefighting equipment. Saskair was among the best on the continent, the best service on the continent some years ago. With that, Mr. Speaker, I believe I shall wait to hear what else the Minister has to say when we move into third reading.

**MR. W. J. BEREZOWSKY:** (Prince Albert East-Cumberland): — Mr. Speaker, I join with my colleague in saying that I appreciate the bringing in of this Bill. I think it's a good Bill. However, there are one or two things I might want to question. I could probably do it when the Bill comes into Committee but the Minister may want to answer now. Now in the case of road building by highways do we get a statement from the Government from time to time as to the particular areas where they are going to build roads and do certain work? I am just wondering because I couldn't find any provision in this Act, where this kind of information will be made available to this Legislature. I think that in view of the expansion of the Department, and naturally they will have some large projects, I wonder if such a requirement could be incorporated into the Bill. There may be some other answer as to how we could be advised about the Department's plan of operations of a general nature.

Motion agreed to and Bill read a second time.

**HON. J. C. McISAAC** (Minister of Education) moved second reading of Bill No. 8 - **An Act to Amend The Student Aid Fund Act.**

He said: — Mr. Speaker, Bill No. 8 is an Act to amend The Student Aid Fund Act, and this Bill will provide for some major amendments to the present Student Aid Fund Act. I believe that the new title of the Act itself that is suggested reflects to quite a degree the broad scope and purposes of those amendments, that new title being "Student Assistance and Student Aid Fund Act." Originally, Mr. Speaker, I think it is fair to say that the existing legislation was designed primarily to provide loans and secondarily to provide scholarships for students in the pursuit of studies of post secondary institutions. And certainly in its day, prior to the implementation of the Canada Student Loan Program, this Act and this fund did serve a very useful purpose. There are many Saskatchewan people both in the province and outside of it with successful university careers behind them

today as a result of this fund.

The new Section 2(a) to replace the existing one will establish a committee to be called the Scholarship Bursary and Loan Committee. This Committee is to consist of the Associate Deputy Minister of Education as Chairman, one other senior Director from the Department of Education, the principal or an appointee of his from each campus of the University of Saskatchewan, and not more than six other Members appointed by the Minister of Education. These persons shall include a representative of departments of government other than Education (presumably Health, Mr. Speaker, in the case of the establishment of this committee, because they are a Department that has had a heavy financial involvement in the provision of bursaries.) Also these will include a representative from the Technical Institutes of the province from Moose Jaw and Saskatoon, and a representative from the students at the universities.

This committee is to advise the Minister and the Government concerning the development and administration of scholarships, bursaries, loans, or other forms of assistance, for students in any programs of financial support which is derived from the Saskatchewan Student Aid Fund, including of course grants or payments that may be made to that fund and set aside in estimates by the Provincial Treasurer.

A new Sub-section 1, Mr. Speaker, of Section 5, will replace the existing Sub-section. The essence of this change is fairly simple. It is to delete specific references to nurses and teachers and broaden in effect the legislation to include any student in any academic area of activity ordinarily resident in Saskatchewan and attending an institution in which degrees are granted.

I am convinced, Mr. Speaker, that the changes contained in these amendments will result in a more positive direction in our program of financial support for students. For years various government departments, chief among them being the Department of Health and the university itself which is to a great degree dependent on provincial dollar support, embarked on their own individual programs of student assistance. The new committee and the new structure of this Bill will correlate, as it will, under one roof, all of these present programs and activities. As well, Mr. Speaker, the committee will be responsible for advising and studying new needs and new directions for additional financial aid programs to students. May I point out, Mr. Speaker, at this time that there is no intent nor is there any question that this legislation will infringe or could infringe upon academic freedom as was suggested and reported to me in a recent press statement by a faculty member of the university in Saskatoon. There is no way that it can or will, I suggest, infringe in any way on academic freedom as such.

I move second reading of this Bill, Mr. Speaker.

Debate adjourned on the motion of A. E. Blakeney (Regina Centre).

HON. G. B. GRANT (Minister of Public Health moved second reading of Bill No. 9 - **An Act to amend The Vital Statistics Act.**

He said: — Mr. Speaker, by way of explanation, this Bill has been introduced for the purpose of resolving some of the problems being encountered by various persons in connection with their children's birth registration. Other amendments are being proposed for various administrative reasons.

Women with children who are the products of a bigamous marriage have occasionally encountered social and personal difficulty because the surname of the children would be that of the father. She would have resumed using her own surname. One amendment will provide that in cases of this kind, the registration of birth for these children will be amended upon the request of the mother so that their surname will coincide with her surname. Another amendment relates to children who are the products of a common-law marriage. The Act now provides that where the mother and father jointly request, the birth of their children may be registered in the surname of the father. In some of these cases the father may leave the mother with the children and as in the case of the bigamous marriage problem, the mother's surname and the children's surname will be different. The Act presently does not authorize any change to be made in the surname of these children. An amendment will authorize the registration of births of these children to be amended upon the request of the mother so that their surname will coincide with her surname.

The other western provinces have all discontinued making notations of divorces and annulments on their marriage registration records. In addition, some of these provinces have discontinued notifying us of annulments or divorces where the marriage took place in Saskatchewan. Therefore because of the extensive movement of persons between provinces and the new policies established in the other prairie provinces, our system of making notations of divorces and annulments on marriage registration records will be inadequate and incomplete. It is therefore recommended that these notation procedures be terminated in this province through the repeal of the appropriate provisions of this Act.

Mr. Speaker, I move second reading of this Bill.

**MR. G. T. SNYDER:** (Moose Jaw North): — Mr. Speaker, the explanation that the Minister offers is quite sufficient from my point of view except for the terminology that is used in the Act, and the description of a Void Marriage. I called the Minister's Deputy in this connection, and he claimed that he would be drawing it to the Minister's attention. I understand, Mr. Speaker, that within the circle of lawyers they seem to have come to the point where they have accepted the definition of "void" as having been a marriage which was never consummated or a marriage which was a bigamous marriage as the Minister had indicated. Webster describes the word

void as "to declare vacant, to emit, empty or wanting." It strikes me that the amendment gives rather extraordinary powers to the mother, ignoring the wishes of the father if a marriage which has become void is a marriage which has become void by way of divorce. I'm not sure it's spelled out in any way to satisfy me as to whether a marriage terminated by a divorce is a void marriage and if it is, then this gives rather extraordinary powers to the mother without giving very much consideration to the wishes of the father. Furthermore it seems with- in the Act as I read it, the Act doesn't seem to hinge upon or be dependent upon the mother having been awarded custody of the children. I raise this question because I think it is a rather technical or perhaps a legal point and I wonder if the whole thing might be clarified by the definition of a void marriage being spelled out in the Act a little more conclusively than it is. This is the only point I raise. I don't think if it was understood as the Minister has explained it, I see any difficulty, but if the meaning of the term of void marriage isn't properly understood, then I do see some real difficulties arising out of the amendment that you suggest.

**HON. G. B. GRANT** (Minister of Health) : — Mr. Speaker, my Deputy did bring this to my attention this morning of the conversation he had with the Hon. Member and we will do a little more homework on this to see if it could be tied down more specifically. Apparently, the expression void marriage is quite common and is understood in the vital statistics area as being a marriage made void for reasons other than divorce, but we will look into that and also the other point raised by the Hon. Member.

**MR. SNYDER:** — Mr. Speaker, before the Minister takes his seat, I wonder if there is a possibility then, Mr. Minister, whether we might expect there could possibly be a House amendment in the definition column in order to define properly a void marriage?

**HON. G. B. GRANT** (Minister of Health) : — I couldn't assure the Hon. Member of that until I know whether we can do any better than we have, and I'll discuss it with the Hon. Member before the second reading.

Motion agreed to and Bill read a second time.

**HON. D. V. HEALD** (Attorney General) moved second reading of Bill No. 11 - **An Act to establish a Law Reform Commission.**

He said: — Mr. Speaker, as a Member of the Government and as Attorney General and in my personal capacity as a Member of the Law Society, it gives me great pleasure to say a few words about the purpose and intent of the Law Reform Commission Act, 1971. I have been charged with the administration of justice in the province and one of my very important responsibilities is to review constantly the state of the law to ensure that the

law accords with modern conditions. This, of course, is one of the top priority duties of the members of my Department on the recommendation of interested parties and, in particular, on recommendations from the Law Society. I think it has, to some extent, been effective in the past, and I would mention some of the consumer legislation. The Legal Aid Plan and the Criminal Injuries Compensation Act are two of the ideas that have come from the Department and from various members of the public and various organizations.

Mr. Speaker, the Bill before the House today is designed to allow the Lieutenant-Governor-in-Council to ensure that most segments of the legal community will have representatives on this Commission, a provision that we feel is necessary for the effectiveness of the Commission. We believe that the appointment of the five-man Commission as is provided for in the Bill will allow this fairly wide-spread representation.

Although we think we have been successful in new and advanced legislation in the past the previous approach, I think, of all governments has been a rather piece-meal approach and we felt that a new approach was required because of the ever increasing number of matters requiring consideration and because of the increasingly technical nature of many of these matters.

Mr. Speaker, in the province since 1958, we have had a Law Reform committee reconstituted on two or three occasions. The membership of the various committees was small and remuneration for solicitors involved in this work was minimal. I think much was accomplished by these committees that we had but because of the transitory nature of the committees a concentrated study of many areas of law was precluded and prevented. Experience since 1958 has shown that precise terms of reference are required for a body charged with law reform. I believe that previous committees were, to some extent, uncertain as to their positions on considering recommendations which may or may not involve governmental policy. I believe this prevented the committee from even considering some matters, and prevented its consideration of other matters. Now we hope to clear this problem up by allowing the Commission the complete general powers which are set out in Section 6 (it's very wide you'll notice) and in particular, to receive proposals from the Attorney General of the day. We feel the terms of reference are wide enough to permit the Commission great latitude and there is also, as you will notice, provision allowing the Attorney General to make proposals, and this also, widens the scope of the Commission in a satisfactory manner.

I should tell Hon. Members that some time ago discussions were entered into with the neighboring provinces of Manitoba and Alberta. This was with a view to the establishment of a three province Law Reform Commission. We felt, however, that our provincial programs would not receive the priorities which we feel they should have, or at the least, would not receive the emphasis we feel necessary. The Commission will have powers,

however, through its offices to enter into agreements with other organizations for law reform and will thus be able to co-operate with all other Law Reform Commissions. We did consider having a Committee for the three Prairie Provinces, but came to the conclusion that while many of our laws are similar - we have a lot in common - the priorities are different. We might, for example, put a very high priority on a new landlord and tenant act, the Alberta government might put a higher priority on a conservation act, and this type of thing. We felt that this was a sufficiently serious and important matter to the people of Saskatchewan and that we should have our own Law Reform Commission and thus establish our own priorities.

The Bill ensures that Committees can be established and most of the other provisions are designed to allow the Commission the flexibility it needs to carry on its duties most effectively. The Commission is required to report at least once a year and the Attorney General may authorize publication of any reports submitted.

Mr. Speaker, I believe that the institution of the Law Reform Commission is a major step for the continuous and systematic review of the law. It will, I hope, bring about a review of the law and where necessary an up-dating. It will bring about reform in the law where necessary and the Commission will hopefully institute and bring about new programs. It will bring about, above all, I suggest, Mr. Speaker, a new respect for the law, and with these few remarks, Mr. Speaker, I would urge all Hon. Members to support this Bill and I would move second reading. We can go into details when we get into Committee on the matter.

**MR. A. E. BLAKENEY:** (Leader of the Opposition): — Mr. Speaker, we on this side of the House will be supporting this Bill, I'd like to compliment the Attorney General for bringing forward this Bill. I think it is a good Bill. I think the idea of a Law Reform Commission is a good idea. As the Attorney General pointed out, there have been Committees operating in this area for some 12 or 13 years. As he has indicated, they have done good work, but they have lacked the continuity, the continuing direction, and the continuing staff complement which is necessary in order to achieve the maximum results in the field of law reform.

It should not be thought that there will be any magic or overnight results from a Law Reform Commission. Such, I think, will not be the case and I think that the Attorney General would not assert that to be the case. What is necessary, in order to achieve an on-going review and continuous reform of the law, is to have a Commission which will be appropriately staffed, which will be appropriately composed of members of various parts of the legal profession, and very possibly with views expressed by those who are not members of the legal profession.

I would urge the Attorney General to ensure that the Law Reform Commission is adequately staffed. I should think that adequacy involves at least one full time professional employee together with appropriate clerical and secretarial staff, and very possibly more. The Alberta Law Reform Commission is rather handsomely staffed by our standards here in this province, and I believe that they have achieved some rather significant results. Whether or not we shall be able to attain to that level of amplitude in our staffing I suppose remains to be seen, but I know that work done by, let us say, the Alberta Commission or the Ontario Commission, is not lost to us. A Commission operating in Saskatchewan will be able to lean pretty heavily on the work already done in other provinces. Again, I wish to say to the Attorney General that I think this is progressive legislation and as such will receive our support.

Debate adjourned on the motion of E. Whelan (Regina North West).

**HON. J.R. BARRIE** (Minister of Natural Resources) moved second reading of Bill No. 13 - **An Act to amend The Forest Act.**

He said: — Mr. Speaker, the provisions in this Bill are to amend the schedule to The Forest Act, which provides for some minor deletions and additions within the forest boundaries. There are a few minor errors to be corrected, due to typographical errors of last year and a wrong description of the Porcupine Provincial Forest in last year's schedule.

I believe that this is a very minor change and really housekeeping and no further explanation is necessary.

**MR. E. KRAMER:** (The Battlefords): — Mr. Speaker, in all probability this Act should have been one that should have gone into what we are now calling the non-controversial section. However, what my colleague, the Member for Shellbrook (Mr. Bowerman) and I are wondering a little about is that for over the last few years there have been some fairly large transfers of land from forests into agriculture. We have a question on the Order Paper, asking what the history is now on the disposition of these lands since they have been taken from the forest and transferred to agriculture. Therefore, we should like to, and I am sure that my colleague will have more to say about this, have this in the controversial debatable area in the House, Mr. Speaker.

**MR. G. R. BOWERMAN:** (Shellbrook): — Mr. Speaker, I want to raise a question with regard specifically to the number one proposal as set forth on the map that the Minister has provided us with.

One of the major considerations in this Bill is the withdrawal of about 12 sections of land from the Meadow Lake Provincial Park. The notation that is included on the map, which he has generously supplied to us, suggests that this has been taken out of the Meadow Lake Provincial Park simply because it



is better grazing land than it is park land. I haven't had the opportunity to discuss this with the people in that area.

The land in question is that land lying immediately north of Pierceland and directly southeast of Cold Lake. I have driven through this country on a number of occasions, I find that this is not only a forested area but indeed it is truly parkland and it is a little difficult for me. Mr. Speaker, to understand why we should be withdrawing 12 sections, which is not a small parcel of land, indeed it is rather a large parcel of land, that we shall be withdrawing from the Provincial Park at Meadow Lake. A land acreage of considerable size is being taken out and put into what the notation on the Minister's map suggests is going to be used as grazing land.

We, on this side of the House, question this kind of proposition. We really don't understand what greater value it can be in agriculture than it could be if it were allowed to remain in the forest and utilized in the forest reserve. The Forest Act provides for grazing leases to those who want to use it as such. Anyone can go to the Forestry Branch or the Natural Resources and lease or graze that land if they so want to permit it. Therefore, I question the necessity for removing this land from the forest reserves. It is difficult enough to set aside lands today for provincial park use, let alone starting to withdraw lands from the provincial park or from lands that have already been established as park lands.

Therefore, I find it very questionable indeed, Mr. Minister, why it is that you would suggest, or that your people would suggest to you, that we remove some 12 sections of land from the Meadow Lake Provincial forest to be used as grazing when you can use it for grazing anyway under permit. Certainly the area in question, the area that is being removed, is parkland area. It lends itself to the parkland and is certainly a valuable asset, to the Park as it is now established. With these comments, Mr. Speaker, I should hope that the Minister would give us more information in the Committee.

**MR. W. J. BEREZOWSKY:** (Prince Albert East-Cumberland): — Mr. Speaker, I have the same concern and I will be very brief. We do know this, as pointed out by my colleague from Shellbrook (Mr. Bowerman), that permits may be obtained for the purpose of grazing cattle in forest reserves. If this is the only reason for removing some of these lands from the forest then of course it doesn't have to be done that way.

The danger that appears to me, Mr. Speaker, is that once the land is taken out of the forest, and once it is leased out as agricultural grazing lands, there is nothing that can be done to stop this land from being broken up and sown to grass or something else. We do find, and it has been the experience of this province, that when lands of light soil are brought under cultivation there is very grave danger of blowing and erosion. It may be much better for the Government to be very careful

about removing lands out of the forest designating them to agriculture, grazing or cultivation.

**HON. J. R. BARRIE** (Minister of Natural Resources): — Mr. Speaker, regarding the doubts brought up by the Members opposite, I don't know the details at this time because the Land Use Committee comprised of representatives of the Department of Natural Resources and the Department of Agriculture, have made these recommendations. I will certainly get the full details and in Committee I will have the explanation.

Motion agreed to and Bill read a second time.

**HON. D.T. McFARLANE** (Minister of Agriculture) moved second reading of Bill No. 17 - **An Act to amend The Department of Agriculture Act.**

He said: — Mr. Speaker, the Conservation and Development Branch of the Saskatchewan Department of Agriculture undertakes programs of adjustment in land use, water development and water control on behalf of the province or in co-operation with local groups of farmers.

Community Pasture Construction, Irrigation Project Development and Flood Control are the most common projects. Now to assist in carrying out these construction and development programs, provision was made in the Department of Agriculture Act for a treasury advance account to facilitate the procurement and operation of construction and maintenance equipment and also to provide for the advanced purchase of supply materials required in these various activities.

The cost of supplies and services rendered through the advanced account were to be charged to projects for which the funds were appropriated annually by this Legislature. Over the years policies have been instituted under these programs such as flood control and have been carried out under a shared cost arrangement with local conservation and development areas. And more recently, the Federal Government has also provided some assistance in financing some of these activities on a reimbursement basis.

If all the expenditures associated with shared-cost projects are paid directly out of project appropriations, it means that Public Accounts do not accurately reflect the actual provincial contribution to each project. And to minimize the amount of accounting work, and ensure the proper identification of each agency's input, it is desirable to have a vehicle for centralized payments of all accounts and subsequent prorating to the agencies participating in the program.

The proposed amendments to Section (17) and (18) of The Department of Agriculture Act, will provide authority for the Department, through the advance account, to assemble and pay all accounts pertinent to each project and subsequently to

charge each agency involved the correct share of costs incurred.

The Provincial Auditor has recommended that these amendments be put into the Act.

Motion agreed to and Bill read a second time.

MR. McFARLANE (Minister of Agriculture) moved second reading of Bill No. 18 - **An Act to amend The Veterinarians Act.**

He said: — Mr. Speaker, the proposed amendments to this Act are mainly concerned with requiring the formal training and registration of animal health technicians to act as technical assistants to veterinarians and undertake lay duties in a given field of veterinary medicine.

Unlike other professions such as engineering, medicine and dentistry, the veterinary profession has not developed an adequate body of supporting technicians. In order to make the best use of a veterinarian it is necessary to develop a core of auxiliary officers whose training is under the jurisdiction of the veterinary profession and not set up as an independent group having privileges that conflict with the interests of the qualified veterinary graduates.

A report brought down in 1964 by a national committee of veterinary education in Canada, recommended that a special committee be convened to discuss the matter of animal health technicians with provincial associations and outline an appropriate course of study. The deliberations of this sub-committee were published in 1966 and a suggested course of training to be given at technical institutes was laid down.

It was suggested, also, that provincial associations examine their legislation and modify the Veterinarian Act to allow the employment of such technicians. A provincial committee has had the Act under study since 1966 and changes proposed in the legislation are to provide for the incorporation of technicians into veterinary medicine as a technical arm for the veterinary profession.

It is envisaged that the Canada Department of Agriculture, Health of Animals Branch, provincial departments and other agencies engaged in regulatory veterinary medicine, will be the main source of employment for such people. Meat inspection, blood sampling, milk sampling, tuberculosis testing, are examples of work in which they could and are being used. Institutions such as veterinary and medical colleges, biology departments, cancer research institutes might be expected to employ technicians as senior animal attendants in necropsy rooms and diagnostic laboratories.

Private practitioners might utilize them as nurses to administer treatments prescribed by veterinarians in vaccinations,

dehorning, foot trimming, blood sampling, milk sampling and the like in doing laboratory diagnostic techniques and as surgical assistants.

To give you some idea of the present training position in Saskatchewan and other provinces - Alberta instituted a two-year training course in September, 1967 for animal health technicians. Saskatchewan established a course in Biological Sciences Technology in 1968 at the Saskatchewan Institute of Applied Arts and Sciences at Saskatoon. Quebec has now a three-year course of training for agriculture technologists who are comparable in training. The estimated number of technicians presently employed, by way of interest - would indicate at least 1,000 to 1,200 in Canada. Ontario would have about 568, British Columbia 86, Alberta 205 and 45 in our own province.

The other remaining amendments are of a minor nature and consist mainly of redefinition and a clarification of terms. Reference to recognized colleges of veterinary medicine has been revised to include the Western College of Veterinary Medicine. The practice of veterinary medicine is further defined and registration is required before a person can be appointed under The Veterinary Services Act to a veterinary service district or to the Public Service of Saskatchewan.

**MR. J. MESSER:** (Kelsey): — Mr. Speaker, we on this side of the House, are in favor of this Bill in principle. We say that this is a practical piece of legislation for improving the services made available to farmers by veterinarians within the province. With expanded livestock numbers and larger areas for veterinarians to cover, it certainly becomes difficult for them to "give the type of service that farmers are expecting of them.

Such technicians will no doubt be able to relieve some of the load that those veterinarians are carrying.

There are questions that I should like to pose to the Minister during Committee of the Whole.

Motion agreed to and Bill read a second time.

**HON. D. V. HEALD** (Attorney General) moved second reading of Bill No. 16 - **An Act to amend The Legal Profession Act.**

He said: — Mr. Speaker, these amendments are several amendments to The Legal Profession Act and I shall deal with the different principles involved, briefly.

Section(2) of the Bill is to permit the benchers of the Law Society of Saskatchewan to admit, as members of the Society, members of the Faculty of the College of Law during the time that such a person remains a member of the Faculty. This has to do with people who come in from outside the province and would enable the Law Society to admit them as members during the time that they are members of the Faculty of the College of Law.

This amendment has been asked for by the College of Law.

Section (3) of the Bill - the purpose of these amendments is to establish a law foundation to acquire funds for the advancement of legal education, legal research and law reform. The funds of the foundation shall consist of all sums paid to the foundation by solicitors from interest received on clients' money deposited in a general account - interest accruing from the investment of the funds of the foundation and other monies received by the foundation.

Section (3) of the Bill and Sections 44(a), 44(b), 44(c), 44(d) and 44(e). Section 44(a) provides for the establishment of a corporation called the Law Foundation comprising seven members. Section 44(b) authorizes the Foundation to acquire, hold, mortgage, dispose of and otherwise deal with real and personal property for the purposes of the foundation. Section 44(c) enumerates the purposes of the Foundation and outlines the sources of funds. This Section also provides for the deposit of monies in a separate account to be called the Law Foundation Account and for the annual audit of the account.

Section 44(d) authorizes the Foundation to make by-laws relating to the affairs, business, properties and objects of the Foundation. It is to be noted that subsection (2) of Section 44(d) provides that, and I quote: "The Provisions of Sections 90 to 94 apply, mutatis mutandis, to by-laws of the foundation." We can go into that in Committee in detail if it is necessary.

Section 44(e) under this Section - a solicitor who receives interest on monies received or held in trust for clients generally is to pay this money to the Foundation. The Section also freezes solicitors for any claim from a client in respect of such money paid into the Foundation. The Section also provides for the continuation of arrangements between the solicitor and his clients with respect to the deposit of the client's money and the payment of interest thereon.

Mr. Speaker, the general rational of this Bill is that it is a companion Bill when taken with the Law Reform Commission Bill which is in second reading procedure. The situation is — as most people know - at the present time that trust accounts of solicitors are in banks and in the vast majority of cases there is no interest payable on these trust accounts. If you like, the bank gets a free ride on these very/large trust accounts, in the case of many law firms, particularly the larger ones. This is a technique which was developed in British Columbia a couple of years ago to provide that if solicitors so wished they could designate their accounts and the interest in these accounts would go into a law foundation for the purposes of law reform. We hope that some of the money - some of the interest - will go into this Law Reform Foundation and the money will be used for law reform. I think it is interesting that this procedure is working quite well now in British Columbia. When it first started there, there wasn't much participation by the various law firms

but I am told that now there is very considerable participation and there will be very considerable monies diverted for the use of law reform in the Province of British Columbia. We hope that that will happen here.

It might be interesting, Mr. Speaker, for the Members to know that I have referred this Bill and the other Bill, The Law Reform Commission Bill to the College of Law, University of Saskatchewan, and I have a letter from Professor Schmeiser today stating that Dean Carter had turned over my letters to him in connection with the establishment of a Law Reform Commission and a Law Foundation. Dr. Schmeiser says:

I have perused both pieces of legislation and my reaction is that both are excellent Bills and should attract wide general support. I have compared the proposed legislation to the British Columbia legislation on which the Saskatchewan legislation is patterned and in my view the Saskatchewan legislation is better because it avoids some of the difficulties of the B.C. legislation.

And he has certain information that the B. C. Law Foundation is now receiving considerable amounts of money and the whole process of law reform will be enhanced as a result. So that's the rationale for those sections of the Bill, Mr. Speaker.

Section 4 of the Bill - this section repeals the present Section 67 and substitutes new Section 67 and 67(a). The purpose of these sections is to enable the Law Society to deal adequately with the practice and assets of solicitors who are struck off the roll, suspended from practice, become mentally incapacitated or die. If such circumstances occur and no one is left who is willing to wind up the solicitor's affairs, the Law Society can apply to the courts to have a trustee appointed. Up until now, I am advised, there has been somewhat of a gap in the powers of the Law Society to satisfactorily settle this kind of situation.

So those are the basic principles in the Bill, Mr. Speaker, and with that short explanation, I should move second reading.

**MR. A. E. BLAKENEY:** (Leader of the Opposition): — I find myself in general agreement with the provisions of the Act. The provisions dealing with solicitors who have absconded or who have become mentally incompetent or suspended from practice, or are otherwise unable to serve their clients, are ones which we shall wish to look at in terms of detail in Committee, but in terms of principle, I think the idea of providing a method whereby the public may be protected in the event that they are being served by a solicitor who is unwilling or unable to serve them for the reasons indicated, is a sound idea. The idea of having a court appointed trustee under those circumstances is surely sound.

With respect to the Law Foundation, once again there will

need to be some questions asked in Committee. I am aware of the fact that there are such foundations elsewhere. There certainly is in British Columbia and I believe elsewhere. One aspect of the matter is one which I know the Attorney General will elaborate on, having to do particularly with the interest earned on trust funds and the need to be perfectly clear that clients and solicitors have the full right to make an arrangement whereby trust funds may be placed at interest where the interest will accrue to the client. I entirely agree with the idea that trust funds ought not to be able to be placed at interest in any way whereby the interest accrues to the solicitor.

I believe the Act is clear enough on this point, but we shall pursue this further in Committee. I am firmly of the view that solicitor and client should be able to make arrangements whereby trust funds can be placed at interest where the interest accrues to the client. It seems that the purpose of the Act is to provide that only general trust funds rather than specific trust funds are covered by the provisions of Section 44(e) which make it unnecessary for a solicitor to account to his client for the interest on trust funds. If I interpret that correctly then I have no objection. If this is not perfectly clear then I know we can find appropriate words to make it clear. With those general comments, Mr. Speaker, I find myself in agreement with the general principles of the Bill and shall pursue points of detail in Committee.

**HON. D. V. HEALD (Attorney General):** — Mr. Speaker, I find myself in agreement with the comments of the Leader of the Opposition (Mr. Blakeney) and I certainly agree with him that there has to be complete freedom of movement so far as the solicitor and client is concerned. I think his point is met by Section 44(e), subsection (4):

Nothing in this section or in the rules of the Society made pursuant to this section shall:

(a) affect any arrangement in writing, whenever made, between the solicitor and his client as to the application of the client's money or interest thereon; or (b) apply to money deposited in a separate account for a client at interest that shall be and remain the property of the client.

I think that covers it. However, as the Hon. Member has said, we can discuss it in Committee. But I certainly agree with him as to the intent and I think that subsection (4) does cover the situation he describes.

Motion agreed to and Bill read a second time.

**HON. J. C. McISAAC (Minister of Education)** moved second reading of Bill No. 14 - **An Act to amend The Larger School Units Act.**

He said: — Mr. Speaker, amendments to

The Larger School Units Act are not many in number this year, but I think one in particular is of significance. Members will recall that in 1968 legislation was introduced and subsequently enacted to set out a procedure to be followed when a Unit Board proposes to close a school or a part of a school or to discontinue the teaching of certain grades in a school. This procedure was designed to ensure that there would be adequate notification to a district with respect to the intentions of the Unit Board and in order to provide those people affected by the decision with opportunities for consultation with the Unit Board and, hopefully, to work out mutually satisfactory arrangements. Mr. Speaker, I can say that on the whole, this procedure has worked and worked very well. There have, however, been a few instances where the letter of the law was followed in this respect but its intent was apparently missed. In those cases the Department of Education was called upon to perform the role of an unofficial mediator or conciliator, if you like, in these various disputes.

This Bill before us, Mr. Speaker, contains a new proviso to paragraph 8A of Section 81, which will now require the concurrence of the Department of Education before a Unit Board may close an elementary school or classroom of such a school below the level of grade eight. I want to make it quite clear, Mr. Speaker, that the intent of this amendment is simply to provide an avenue of appeal where the parents in the rural communities may feel the closing of their school will result, or could result, in particular hardships for them or for their children. The position of the Government is very simple, I think in this regard, that there is a limit to the time that some of these younger students can spend on riding school buses and that community-based elementary schools should be maintained wherever practical. The closing of such schools or schoolrooms as the case may be should take into account other aspects than the purely education aspects. I refer here to the closing of a school where it will be argued that the educational advantage is obvious, that they will be able to have all of the grade ones in the grade one classroom and so on. Surely there should be consideration given, not only to the educational advantage as such, but to the other advantages of keeping that child as close to home as possible for as long as possible. This amendment certainly doesn't mean that some elementary classrooms may not be closed for good reason or will not be closed, it doesn't mean that the Department will have to be convinced where the reasons are in fact quite sound or where there is mutual agreement, far from it.

One more amendment to the Act, Mr. Speaker, provides for a slight change in the Voters' Registration Form which is outlined in some detail in Section 38 and which I shall not comment on at this time.

A further amendment, I think, that bears commenting on, Mr. Speaker, is a new Section 87A. This will provide a procedure whereby a secretary-treasurer employed by a Unit Board may if he feels that he has been unfairly dismissed obtain a



hearing by a Board of Reference. This provision was taken almost word for word from the similar provisions in municipal legislation with respect to municipal secretary-treasurers. It was requested by the ASBO, as I believe they call themselves, Association of School Business Officials, and it is put here at their request.

With these few comments, Mr. Speaker, I move second reading of Bill No. 14, An Act to amend The Larger School Units Act.

**MR. J. KOWALCHUK:** (Melville): — Mr. Speaker, I listened with interest to the Hon. Minister giving some of the reasons - and some of them I want to say are quite valid - but I don't think it exactly covers the whole thing as the Minister outlined. I realize that the amendment that was made in 1968 - the letter of the law wasn't followed - and probably there were some units who didn't abide by that section of the Act. But I fail to see the reasoning for penalizing all the school units and take away more of their freedom because of that factor. Once again, Mr. Deputy Speaker, we are presented with another amendment to this School Unit Act, and it is amazing how this Government tosses out these little amendments in re-enacting the big brother role to the local school boards. The last enactment of Section 81 of The School Unit Act made in 1968 whereby any closing of a country school was mutually agreed upon and the Unit Board gave notice at least six months before closing by registered letter and had consulted a school district, was in my humble opinion, fair enough. It was a good enactment of legislation. I have always been a believer that school boards should be part of the overall program and consultation should be continuous between local school boards and the school unit. And that's exactly how most of the unit boards operate - have always been operating. In Melville, in the school unit in which I have labored quite a long time, this was the usual practice and I'm sure it's been a practice in other units as well. Why this amendment all of a sudden, Mr. Speaker? I say once again. Sir, that it is another further erosion of local government autonomy.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. KOWALCHUK:** — I want to say once again that I approve of local districts being participants but, as I have just said a moment ago, it means a further erosion of unit boards. More than that, as nicely as the Minister said it, it still points a finger at these boards, laying the blame for school closure last year on the unit boards when in reality the blame rests with this Government and this Department in the hard line they ask on budgets and student-teacher ratios.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. KOWALCHUK:** — The Minister has indicated again that the Department,

and he himself has also said on occasion that the unit boards have used teacher-ratio as an excuse to close schools. Personally I don't accept it - I think this is nonsense. When you lay down the number of teachers a unit is to hire and indicate that they have overstepped that number and then they will be forced to pay the extra teachers out of their own mill rates, you deliberately force unit boards to cut down staff and in cutting staff you force the closure of these small rural schools. And this Section 81 is nothing more than dragging up the proverbial red herring to obscure the real facts, Mr. Speaker, that the ratio is in reality the major factor in forcing these schools to be closed.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. KOWALCHUK:** — At no time was this more clearly spelled out, Mr. Speaker, than at the meeting in Saskatoon when one of your Department officials said this, and this is taken from February 24, 1971 The Leader-Post. It was Mr. Clayton who was the official and he is quoted as saying. “No force on school board cuts.” I should like to read into the record what was said.

The Department of Education will not force any school board to reduce its program for the 1971-72 school year, Ray Clayton, the Department's finance director said Tuesday. But, if boards exceed the total expenditure approved by the Department, they will probably have to go to the ratepayers to get approval to spend extra money.

This is what he told the Saskatchewan Trustees' Association. Mr. Speaker, it is definite, not probable, that if you are going to spend more you are going to have to go to the people for more money. Going on to quote further, Mr. Clayton says:

We set the overall approval expenditures and leave the priorities to the boards. However, the Department does suggest certain expenditures within certain areas of the Budget based on comparisons with other boards and is attempting to force a pupil-teacher ratio higher than last year, Mr. Clayton said.

Then he says again:

But boards can have extra staff and bear the consequences from their own mill rates.

This is the end of the quotation, Mr. Speaker.

Now you know. Sir, at no time can I ever recall so much double talk in one paragraph - really you know - first it says you can and then you can't. To me I think that is nonsense. The title says. “No force on school board cuts.” That's the most ridiculous understatement of the whole year, Mr. Minister.

The one sentence that tells us everything is this one by Mr. Clayton where he says: "We set the overall approved expenditure and leave priorities to the board." Mr. Speaker, any farmer, anybody who is any kind of a businessman knows that if Pa says, "You've got two bucks to spend, you are only going to get two bucks worth and no more." You are not going to buy a Cadillac with a thousand dollars, neither are you going to get education and the staff, etc., etc., if you don't get enough money. Yes, Mr. Speaker, priorities are; schools open or closed, the number of teachers hired, the kind of programs planned and these are determined by the amount of money appropriated.

The Budget, Mr. Speaker, is a key factor as to whether schools stay open. And the last sentence of Mr. Clayton's statement affects Section 81 of this Bill when it says, "But boards can hire extra staff and bear the consequences from their own mill rates." Now that sentence tells the whole story as to what boards can give in the education field or cut drastically. This is quite a deduction by Mr. Clayton but he is sincerely honest when he says that. He was interpreting Government policies. Mr. Speaker, then this Government trots out this Walter Raleigh performance, you know, they are saying we are the protectors of the small school districts.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. KOWALCHUK:** — Well, I don't buy that and for one thing this section isn't going to fool too many people. No school unit wants to close a small village or rural school if it can help it at all yet we know they must be closed at times. I realize that. We've done it. We in the Melville school unit closed one school last year, Mr. Speaker. We had a meeting, we discussed it for hours and let me inform you, Sir, and this House,, it had to be closed because we were forced to cut staff to get the ratio up and for no other reason.

I am certainly not against this section at all, nor for that matter this whole Bill except that I think there are motives behind it, quite sinister motives behind it, Mr. Speaker.

**MR. ROMANOW:** — Political motives!

**MR. KOWALCHUK:** — I think this Department, the Education Department, wants more control in the closing of third division schools in the school units, not to keep them open. I think the Department wants to have a hand in the fact that there will have to be closures and they want the power to control school closures, and they are going to have that power.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. KOWALCHUK:** — In fact, Mr. Speaker, we've been getting pretty direct

counselling for the past two or three years suggesting that maybe it is time we began looking at the closing of some of our third division schools. Well, Mr. Speaker, we in the Melville unit say-and I'm speaking for Melville because I happen to represent it - as I am sure many other units in Saskatchewan have said that it is time to stop. The farms and villages have been depleted enough. We are saying in our unit that our village schools like Killaly and Grayson and Neudorf and Lemberg and others must keep their third division schools in spite of what any department is going to say.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. KOWALCHUK:** — Mr. Speaker. I want to suggest that I should like the Minister to take another look at this section of the Bill. I don't know who was instrumental in drawing up this section but I should suggest that the words "grade 9" be substituted for "grade 8". There may be legal and technical reasons for stopping at grade 8 but having been involved in matters pertaining to the third division program, grades 7, 8 and 9, it would make a great deal more sense if grade 9 were included in this kind of decision making.

I don't want to go into the reasons for this inclusion but I think it would be reason enough to say that the third division is so intricately related and inter-related that the decision of the board to deal with any closing of any situation like that would, of necessity, involve grade 9.

I should like the Minister to take a good look at this particular change and if it can be effected, I think it would make quite a bit of sense. Mr. Speaker, there is nothing really momentous in this Bill. Once more decision making is being taken away from responsible people who know more about local situations than desk specialists. It points an accusing finger - this Bill does - at unit boards who, through no fault of their own, are forced to cut staff and thus close rooms. In fact, Mr. Speaker, I intend to go back home and if the people want the school which we closed last year reopened, and if they vote in favor of it, I think the Department will be hearing from us.

I say, Mr. Speaker, the school units in Saskatchewan are doing a good job and they're getting a bit bitter being pushed around. I assure you that you will be hearing a great deal from them as time, and budgets, and -cutbacks, and program cutting go on, Mr. Minister.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. KOWALCHUK:** — We have no objections to this Bill except that if, by inference, it suggests that units close schools quite indiscriminately, that Mr. Minister (Mr. McIsaac) is not so.

Mr. Speaker, I want to make other comments and I should like to adjourn the debate.

Debate adjourned.

MR. McISAAC (Minister of Education) moved second reading of Bill No. 15 - **An Act to amend The University Act, 1968.**

He said: — Mr. Speaker, Bill No. 15 is an Act to amend The University Act, 1968. Last year as you may recall, Mr. Speaker, the University Act was amended to provide for student representation on the University Senate. That amendment was supported by both sides of this Legislature, although there was some suggestion, I believe, from the Hon. Member for Biggar (Mr. Lloyd) that the Bill was not going far enough and that there should have been provision for student representation on the Board of Governors.

We indicated, and I particularly recall at that time, we indicated to the House that student representation on the Senate was to be considered only as a first step in developing a role for students in participating in the governing and managing of our two campuses of the University of Saskatchewan. Experience during the past year has certainly shown that student representation on the Senate was a good move and they have done a good job and as such we are prepared to take this next step and extend representation to the student body on the Board of Governors.

In brief, this Bill provides for one student representative from each campus of the University on the Board of Governors, ^ these to be elected by direct vote of the full-time students in attendance. This method of election was selected because I think it's the fairest way to implement student representation on the Board of Governors. While there may be a very small percentage of students who actually vote on SRC elections, there may be a greater number of students who are more interested in ensuring that they directly participate in electing someone to represent them on the University Board of Governors. The same rationale was behind the amendment in changing the method of selection of student representation on the Senate. It is basically a change from appointment by the SRC to direct election. As a matter of fact, Mr. Speaker, this was the practice followed by one of the SRC groups (I believe the Regina Campus.) They did in fact elect rather than appoint.^

The Government representation will also be increased by two, Mr. Speaker, and these amendments will therefore increase the size of the Board of Governors by four members. To be eligible for membership on the Board of Governors or the Senate the student representative must be a Canadian citizen and a Saskatchewan resident.

Other changes are proposed of an internal nature. Mr. Speaker.

One relates to the membership on the general University council and one or two others to membership on the campus councils that operate on each campus.

With these few comments, Mr. Speaker, I move second reading.

**MR. W. E. SMISHEK:** (Regina North East): — Mr. Speaker, we welcome the Government's proposal to include university students on the Board of Governors of our University. The Minister will recall we on this side of the House have been advocating this move for a number of years. Any time the University Act has come before the House we have moved amendments asking the Government to take a forward look and accept the concept of recognizing students on the Board of Governors. We also did this initially in the case of the University Senate. Finally the Government did take that step a couple of years ago when students were permitted to choose members to the University Senate. This year after many years of pressure, both by the students and by the Members of the Opposition, the Government is accepting the idea of recognizing students on the Board of Governors.

I regret though, Mr. Speaker, that in allowing two representatives from the student body on the Board of Governors, the Provincial Government finds it necessary also to increase the number of representatives from the Government. In other words they want to make sure that the Government position is going to be controlled on the Board of Governors of the University. It seems to me that if we're going to be allowing our University to have more freedom to make its decisions, whether it's in the area of administration, in the area of curriculum, in the area of expansion and construction, the Board itself and the University administration should be having more say rather than limited control because of Government majority power.

Mr. Speaker, there are other areas in the Bill I want to discuss at a later date and therefore I beg leave to adjourn the debate.

Debate adjourned.

The Assembly adjourned at 5:40 o'clock p.m.