

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Fifth Session — Sixteenth Legislature**  
**17th Day**

**Wednesday, March 10, 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 should like to introduce the following groups of students in our galleries; from the constituency of Weyburn represented by Mr. Pepper, 70 students from the Weyburn Junior High School under the direction of their teacher Mr. Weinmaster; from the constituency of Biggar represented by Mr. Lloyd, 42 students from the Southey High School under the direction of their teacher Mr. J. G. Hall; from the constituency of Saskatoon City Park-University represented by Mr. Charlebois, 84 students from the Greystone High School with their school teachers, Mr. J. Schmidt, Mr. Ralph, and Mr. Sherwin; from the constituency of Regina South East represented by Mr. Baker, 56 students from St. Andrews School under the direction of their teacher, Mr. Halter.

I am sure all Hon. Members will wish to extend to these students and to their teachers a warmest of all possible welcomes and express the very sincere wish they will find their stay here interesting, informative and wish them all a safe trip home.

**HON. MEMBERS:** — Hear, hear!

**QUESTIONS**

**DISMISSAL OF HOMECOMING '71 DIRECTOR**

**MR. A. E. BLAKENEY:** (Leader of the Opposition): — Before the Orders of the Day I wonder if I might put a question to the Premier. There have been press reports to the effect that a long-time public servant, and senior public official, Mr. Wilfred Gardiner has been summarily dismissed without notice. I wonder whether the Premier would care to comment on the press reports which are current.

**HON. W. R. THATCHER:** (Premier): — Perhaps I should call upon the Minister in Charge of Homecoming to make a comment.

**HON. C. L. B. ESTEY:** (Minister of Industry and Commerce): — Mr. Speaker, in making an answer to the question, I should initially like to read a statement which was given to the news media this morning

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Yesterday the Director of Homecoming '71, a civil servant stated that he refused to go along with certain government policy. This of course is his privilege. However, I am sure that after many years in public life Mr. Gardiner realizes the implication of his statement. Under the British system, a government always sets the policy, not a civil servant, no matter how important. The Government

has no alternative but to appoint a director who will carry out its policies.

With some reluctance, therefore, I must announce that the Government is terminating Mr. Gardiner's services effective today. Mr. Speaker, so far as the Government is concerned, and I am concerned in particular, the issue here was one of whether a senior civil servant was prepared to carry out a policy enunciated in this Legislature by the Leader of the Government. In a public statement, the gentleman concerned stated that he was not prepared to carry out that policy. The Government therefore felt that if Mr. Gardiner did not see fit to resign, that we had no alternative but to follow the course which was followed this morning. I want to re-emphasize that this was done with reluctance, because many of us have known Mr. Gardiner for many years.

**MR. BLAKENEY:** — Mr. Speaker, regarding the Minister's answer by way of a statement, I should like to say, that we on this side of the House regret that the Government policy was changed or if it was not changed, was presented in a way initially so that it confused not only Mr. Gardiner, but a great many municipal people about the province . . .

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — . . . I should like to say very briefly that in the case of a man of Mr. Gardiner's record in local government office and as an MLA and as a public servant, a family man with a large family, we regret that this step had to be taken, or was taken, when in our view it could have been avoided by an admission by the Government that they had made an error of policy and an acknowledgment by Mr. Gardiner, which I am sure he would have made, that the Government has and must have ultimate responsibility for policy.

**MR. W. S. LLOYD (Biggar):** — Mr. Speaker, further to this same matter, another question arises which I should like to put to the Minister or the Premier. In view of the fact that Mr. Gardiner in his previous capacity and speaking with the support of a government policy had made commitments which would allow communities to carry on more than one project, is the Government now going to honor those commitments made in its name and by a senior official?

**HON. C. L. B. ESTEY:** (Minister of Industry and Commerce): — Mr. Speaker, in answer to the question from the Hon. Member from Biggar, we have already advised at least the chairman of the area committee of Homecoming '71 that these requests for a second grant will all be reviewed.

**MR. F. A. DEWHURST (Wadena):** — Mr. Speaker, I should like to ask the Government a question. I believe that Mr. Gardiner was on leave of absence to become Chairman of the Homecoming '71. Does this mean that he will return to his previous position of Deputy Minister?

**HON. W. R. THATCHER:** (Premier): — No!

## SECOND READINGS

HON. D. V. HEALD (Attorney General) moved second reading of Bill No. 12 - **An Act respecting The Election Act, 1971.**

He said: — Mr. Speaker, by resolution of this Assembly passed on February 17, 1969, as amended by resolution passed on March 4, 1969, a Special Committee of eight Hon. Members of this Assembly was established to review The Election Act and amendments then in force. It was instructed among other things to consider the advisability of simplifying the procedures established under The Election Act and The Controverted Elections Act and also to submit its report along with a draft Bill with respect to each of the two Acts embodying its recommendations to the Government, on behalf of the Assembly on or before December 31, 1969.

The report of the Special Committee along with a minority report and draft bills prepared under this direction were filed with the Government on or before December 31, 1969 as required.

Mr. Speaker, for the purposes of my discussion this afternoon, the report of the majority and the minority of the Special Committee and the draft Bill prepared by it with respect to The Election Act may only be considered. The report with respect to the other Act, The Controverted Elections Act will be dealt with when a Bill with respect to that Act is submitted to the Legislature. The Bill the House now has before it, is Bill No. 12. I shall make some explanation before I move second reading.

I should like to consider, without too lengthy comment or detail, the several important recommendations made by the Special Committee as incorporated in the Committee Bill, to indicate the principles involved and the manner in which the Bill now before the House has adopted, amended or otherwise dealt with them under various heads. The first heading that I should like to deal with is the length of election campaigns. Stated briefly the Special Committee recommended that the period between the dates of the issue of the Writ of Election and nomination day should be reduced from a minimum 16 days to a minimum of 12 days and the maximum be reduced from 22 days to 18 days. This recommendation has been accepted and adopted.

The second point, concerning the permanent appointment of election officials, such as returning officers, enumerators, etc. The Committee recommended that returning officers should be appointed more or less on a permanent basis in ample time before an expected election and also that the organization of a constituency into polling subdivisions and selection of polling places, the tentative appointment of enumerators, and DROs should be permitted before the issue of the writ. This recommendation has been accepted and adopted in the Bill, and I think it is Section 6 of the Bill. Such earlier appointments should in the light of the shortened periods between the day of the writ and election day, be beneficial to the election officials who have to organize the holding of the election. We think it will save considerable time and expense of the returning officer not being required to travel to make appointments and to arrange for polling places, etc, or discharge his other duties each of which take up a considerable part of his time. I think this is a desirable improvement in the Act.

The third point I should like to make, nomination of candidates. The Committee recommended that instead of limiting the filing of nomination papers to nomination day, as in the present Act, that provision be made to permit filing within 10 days before the official nomination day. This recommendation has been accepted in the Bill before you, but also has been extended to provide that nomination papers may be filed at any time after the issue of the writ. The deposit formerly to be made in cash or currency only, has been changed to provide for cash or certified cheques of banks or credit unions or part of each, so that it is a little easier procedure.

The next important change is the ballot paper. The Special Committee recommended a ballot paper that would be completely white and the printing of the paper by what is described as reverse printing. The actual effect of such reverse printing is that the ballot paper is printed in black except as to the names and political affiliation of the several candidates which are also in white and opposite each candidate's name is a white square or circle for the voter's mark. Mr. Speaker, if this form of ballot paper were adopted, it would be necessary for the Chief Electoral Officer to have a special die or plate set up, photographed and manufactured for each constituency after he receives the names and political affiliation of each candidate nominated in each constituency. This would take three to four days, at least, according to our best information. The Chief Electoral Officer would then have to forward such die or plate to the appropriate returning officer who would have to have the ballots printed and distribute them to the DROs in proper time. Careful examination of all the factors required to be taken into account convinced us that this form of ballot paper was not feasible, if for no other reason than that the time element involved would be too short to permit it to be done. It was a great idea, but we were convinced that it wasn't practical after consulting the Queen's Printer and the Chief Electoral Officer and other printing people. However, I should direct Hon. Member's attention to Form 11 in the Bill which is the proposed ballot and I submit that it is in substance similar to the one proposed. The ballot paper is printed by the Queen's Printer and the local printer has to only print the names and political affiliation of the candidates as has always been the practice. A special square within which to place the 'X' is included in the ballot. If Hon. Members will look at Form 11 I think you will agree that it is a pretty good form, surrounded as it is in black and making it very clear that the white space, of course, is where the 'X' should go. I think it is a compromise and I commend it to Hon. Members as being the best compromise on the Committee's recommendation under the circumstances, having regard to the practical difficulties.

The fifth point I should like to deal with, names and political affiliation of candidates on the ballot. The recommendation of the Special Committee, that the surname of the candidates should appear last on the ballot instead of first, and the full or unabbreviated political affiliation, instead of the abbreviated form presently required has been accepted and adopted in the new Bill.

Sixth, publication of proclamations of election. The Special Committee recommended that the forwarding of proclamations and other election forms required to be published, to teachers in every school and to every secretary of a municipality, urban or rural be abolished - that was the recommendation. That has been accepted, partly. The Bill provides for sending a copy of the

proclamation to the secretary of each urban and rural municipality as well as to the candidates, etc., but not to schools.

Seventh, concerning polls in geriatric centres, the Special Committee proposed that provision be made for the establishing of polling subdivisions or polling places in geriatric centres in each constituency. In the Bill before the House, the returning officer has been authorized to establish such polling subdivisions or polling places where it is in his opinion proper to do so. We suggest that covers that recommendation.

Advance polls. The Committee recommended that there should be five days on which advance polls would be open. The present Act so provides, but the Committee recommended that the five days be Saturday, being 11 days before the polling day, and the following Thursday, Friday, Saturday and Monday immediately proceeding polling day. The present Act also provides for five advance polling days, starting with the Wednesday immediately before polling day. The Chief Electoral Officer has informed us that if the first advance polling day is on Saturday, the 11th day before voting day, he would be left with only four days to have the ballot papers forwarded to the returning officer and for the returning officer to print the ballot and supply the ballots to the DRO at the advance poll. In the opinion of the Chief Electoral Officer this would not be sufficient time, and I am sure Hon. Members would agree, so there is a practical problem there. For this reason, Mr. Speaker, because of the practical difficulties, the provisions in the present Act providing for the first advance poll to be held on the Wednesday proceeding polling day has been retained, and has been adopted.

I should like to deal now with the provisions concerning the publication of Courts of Revision. The matter of publication of times and places for holding Courts of Revision in each polling division was dealt with in Section 22 of the Special Committee's draft. Now the Act, the present Act, provides that the enumerator must complete the enumeration within 10 days after the date of the writ, forward it to the returning officer, who prepares the required number of copies thereof, and forward such copies to the candidates and the Chief Electoral Officer and arranges for the posting of a copy in his own office and in a post office within or nearest to the polling division. This doesn't apply to cities. The Act, the present Act also provides for the posting of lists in municipal offices, but this has been dropped in the Bill before you. The important clause in clause 22 of the Committee draft was clause (e) of subsection (1) which would require the returning officer after nomination day to publish in a newspaper in or nearest to each constituency a notice stating: (a) the location where voters' lists are posted; (b) the time and place where the Court of Revision will be held and (c) this is the one I should like to come back to. A short statement of the procedure to be followed by voters in having his name placed on the voters list at the Court of Revision. This was the recommendation of the Committee. This clause (e) with those requirements has given us much concern. The Act and also the Bill provides for voters' lists to be posted, one by the enumerator at the polling place, the location of which as well as the description has been published in the proclamation announcing the election day, and secondly by the returning officer of a copy of the list in his office in post offices where arrangements can be made, and at such other places as is deemed proper by the returning officer. Section 22 (1) (e) of the recommendation would require the returning officer to publish in a newspaper printed in

or nearest to the constituency concerned a further notice containing the three matters that I mentioned, that is, the location where voters' lists are posted, the time and place where the court of Revision will be held and then this short statement of the procedure to be followed by voters. The problem arises we think out of the requirement to publish a short statement of the procedure to be followed by voters in having their names placed on the voters' list at the Court of Revision.

The short statement of the procedure to be followed is in our opinion somewhat ambiguous when it is read with the balance of the sentence — “by voters in having their names placed on the voters' list.” We think that in substance this statement would have to include a short explanation of the voters' rights to vote, and this would include some elaboration of the meaning of Canadian citizenship or British subject, rules of residence dealing with citizenship. The question involved here is, who is a citizen and who is not, and particularly with respect to married women who were so-called aliens who married a Canadian citizen or British subject. This is a very complex matter and most difficult, if not impossible, to set out in a short statement. It is largely a question of fact, Mr. Speaker, and to impose upon the returning officer the duty of stating the law on the subject, we think, could lead to misinformation and could result in voters being misled.

Now the requirement of the rules as to residence. Section 29 of the Bill before you, which is substantially in the form recommended by the Special Committee, sets forth 14 rules as to residence of voters. In my opinion it is impossible to summarize these rules. You get into trouble if you try to summarize those 14 rules. In the present Act they occupy two pages. Now in addition to the posting of voters' lists by the returning officer, the Act and also the Bill provided the enumerator must post a copy of the list along with the notice attached stating the time and place when the Court of Revision is to be held. The duties of the returning officer and his staff, following close of nomination, are numerous and each step required to be taken has a fixed time limit. For each returning officer to set up the suggested notice and to arrange to have it published at a time when the printers or newspaper publishers are already under pressure of printing the ballots, we think would result in further pressure being brought to bear.

Mr. Speaker, the final point is that assuming that the notice suggested were to be published, the question arises as to whether the returning officer could get the notice published in time to reach the subscriber to the newspaper. Except in the principal cities of the province the newspapers in towns and smaller communities are published weekly or semi-weekly and the statute fixed the time for the Court of Revision to be held on a Saturday proceeding the polling date, we think it is questionable that the voter concerned would receive the newspaper containing the notice in time, even if it could be published in time.

Mr. Speaker, we have carefully considered all the angles involved and we have reached the conclusion that the provisions contained in this recommendation in Section 22 (1) (e) of the draft Bill should not be incorporated in the Bill because of the many practical difficulties that I have outlined. Good idea, the idea of the short statement is a fine idea but it just won't work, at least that's our best information and that's our judgment.

Now the provisions in the Bill concerning voting day The Committee recommended that the minimum period of 32 days between the date of the issue of the writ and the election be reduced to 28 days and the maximum period be reduced from 38 to 34 days This recommendation has been accepted and adopted in the Bill As a result the nomination day must be held not less than 12 days and not more than 18 days after the date of the issue of the writ of election. Voting or polling day is not less than 28 and not more than 34 days after the date of the writ. The period of election has therefore been reduced by four days, and that is in accordance with the recommendation of the Committee.

Official counts. The Special Committee recommended that the time between election or polling day and the date of official counts be reduced to nine days from twelve days. The Chief Electoral Officer here again points out that the time is too short to permit him to receive ballot boxes from DROs in hospitals and sanatoria polls, separate the ballots by constituencies and then forward to each of the 60 constituencies the ballot boxes with essential enclosures. The Bill makes provisions for the 12-day period as in the present Act. Again, a good idea, but we think not practical because of the time.

Return of the writ. The Special Committee recommended that the period between election day and the date of return of the writ be reduced from 22 days to 14 days after voting day. Section 139 of the Act, the present Act, provides that the election return is to be made to the Chief Electoral Officer upon the expiry of 10 days after the addition by him or 22 days after polling. Mr. Speaker, this suggested reduction could be made only if the time between polling day and the official count were reduced but it draws a very fine line between the date of polling and the date of return of the writ, leaving only four days after the final count for the return to be made and within which an absolute right to a recount or addition is provided under another Section in certain cases. Accordingly we have decided to leave the 10-day period presently provided for.

Recounts. The Special Committee recommended, first, that a right to apply for recount or addition should be limited to a candidate or his business manager. This has been accepted and adopted in the Bill. Secondly, that the candidate or his manager would be entitled to obtain a recount as a matter of right if the plurality of the votes cast in favor of the successful candidate is less than the total number of the unopened ballot envelopes, rejected ballots and ballots objected to. Or if a mistake has been made in the addition of the votes by the returning officer or the DRO, provided that the candidate or his business agent within four days after the official count requested the returning officer to apply for a recount which he would be required to do. Third. The third recommendation from the Committee, that in other cases applications for a recount or addition or if the returning officer neglected or refused to make the application then a candidate or his business agent would apply for recoup or addition in ten days. In the former case - that's the first case - no security for costs would be required; in the latter case a security for costs would be required. The importance or the principle of a candidate or his business agent having an absolute right to obtain an order for recount is well recognized and is accepted. However, we feel, that there should be an absolute right for recount under most conditions or circumstances that could require it. Mr. Speaker, election officials are and have always been found to be honest and sincere persons, however

they are human, they make mistakes and err in judgment, the kind of judgment that honest and sincere persons quite frequently make and we all make these mistakes. For these reasons, Mr. Speaker, it is felt that the right of recount or additions should be absolute upon written request by a defeated candidate or his business manager, only to be filed with the returning officer. Form 36 is provided in the schedule for this purpose. Upon receipt of such request the returning officer must - it's mandatory - apply to a judge and the costs of recount are paid by the returning officer as part of election expenses. If he fails to do so, if facts are otherwise than those entitling an absolute right of recount, a defeated candidate or his business agent may make the application and obtain the order for recount or addition.

Now the recommendation of the Committee for an appeal against the refusal of granting by a judge an order for recount or addition to the Queen's Bench Judge has been accepted in the Bill and adopted.

Further provision not considered by the Special Committee, in the Bill will provide that application for the recount may be made to any judge at a judicial centre designated with respect to a constituency and that such judge may fix a time and place for the recount without becoming seized of the matter. Now under Schedule 35, nine or ten constituencies are designated for Regina judicial centres, nine for Saskatoon, four for Prince Albert and so on. The Special Committee recommendation also provided that if more than one recount has been ordered the same judge should hear them in the order of time in which they were so ordered. This could impose upon one judge at Regina or Saskatoon a duty to hear, in perhaps unusual circumstances, two or three or more recounts, but it could happen. He could be involved in two, three or more recounts, one after the other. Now since there are three district court judges in Regina and the same number at Saskatoon, and since each of the district court judges is designated to act in at least two or more judicial centres and "if it should transpire that there were two or more recounts to be held at either judicial centre, then the Queen's Bench Judge would designate a judge for each recount and they could then be held at the same time. This would avoid long delays in disposing of these recounts. So we think this is an improvement, Mr. Speaker, on the recommendation of the Special Committee.

Now the matter of appeal to a Queen's Bench Judge. An appeal lies from a judge who holds a recount to a judge of the Court of Queen's Bench who on such appeal has the same authority and jurisdiction as the District Court Judge had on the recount. Cost of appeals are in discretion of the Queen's Bench Judge but special provision is made in other Sections limiting the costs of a recount, or an appeal to an amount not exceeding \$500, no matter how many counsel appear for each party. We think this is quite an improvement.

Mr. Speaker, I have dealt with the important recommendations made by the Special Committee and have tried to explain the manner in which they have been dealt with in the Bill. I should probably, also before sitting down, state that there are a number of minor amendments in the Bill that could be called housekeeping amendments to correct errors, or clarify the meaning of sections that appeared somewhat ambiguous. Such amendments do not change the principle of the Bill. Furthermore there are a large number of Sections in the Special Committee Bill that were copied from the



existing Election Act without amendment. These have been included in the Bill without amendment.

One section of the Special Committee Bill, namely Section 194, has not been incorporated in the Bill before the House and may require some comment. This Section would require a landlord of apartments to grant access to apartments by canvassers, candidates or their agents, or any person acting on behalf of the candidates. The Committee Section provided by implication a penalty if the landlord refused to grant such access. We have closely and carefully examined and considered this Section but we are not at the present time convinced that this is causing any serious difficulty at the present time and we have not included it in the Bill.

In concluding my remarks, Mr. Speaker, I think it is fit and proper for me to say that the Special Committee discharged the duties and responsibilities given to them with credit to themselves collectively and individually and with credit to the Assembly. I think that Hon. Members will find, after study of the Bill, that the principal recommendations of the Committee as incorporated in this Bill have received full recognition and acceptance in principle, and that although several sections of their Bill have been amended or changed in some respect, the principle of the Committee's recommendations have been carried forward into the Bill.

Mr. Speaker, I move second reading.

**MR. E. WHELAN** (Regina North West): — Mr. Speaker, as one of the Members on this side of the House who participated in the Electoral Reform Committee's deliberations, I am very pleased that the Attorney-General has brought in this Bill. We have been waiting for it for a year. We think that there was a need for some changes. However, there are some principles that we think should have been included, some principles that are lacking and are missing and that we had hoped would be included in this Bill. For instance 1. We believe the neutral status of election officials such as the Provincial Returning Officer should be guaranteed. At present the appointment is by the Lieutenant-Governor-in-Council. We believe neutral status would be guaranteed if the appointment were by the Legislature. Other jurisdictions, Mr. Speaker, in this country follow this procedure and they have found it to be very workable and very practical. We think it should be in the Act. The independence of election officials could be achieved by providing that the Chief Electoral Officer be named by this Legislative Assembly, removable only on address by two-thirds of the Assembly. The advantages of this procedure are because initially, appointment of an Electoral Officer will require considerable co-operation among political parties and the likelihood of his ever being removed for political reasons will be greatly diminished. 2. The Chief Electoral Officer will not be the subject of partisan political debate. 3. He would be better able to fulfil the role of a neutral umpire in decisions affecting elections. Finally, he would be able to build up a permanent staff of qualified and independent Returning Officers and other election officials directly responsible to him and through him to the Legislative Assembly. The present method of appointment reflects the view that the electoral machinery is a legitimate prize in the spoils system. Although we do not suggest that this power has been seriously misused, we believe the possibility of arbitrary political appointments or dismissals should be eliminated, Mr. Speaker. It is our

conviction that adoption of a system of appointments similar to that provided for Federal election machinery would enhance the prestige of Provincial election officials.

When we sat as a Committee we discussed at great length, Mr. Speaker, the right of access to electors, particularly in buildings such as apartment blocks. The majority of the Committee recommended that all landlords should not prevent a candidate or a person acting on his behalf from having access to an apartment or similar building. And this was incorporated in the draft Act, Mr. Speaker, and it is not in the present Act. Apartment living is on the increase in Saskatchewan cities. These buildings are frequently equipped with electronic security systems designed to limit access. Further, in some other jurisdictions such as Ontario, where there is now a fine of \$1,000 for refusing any candidate seeking office from seeing a voter, landlords have refused and have made this sort of refusal on a political basis. Hence the penalty in the legislation has been written in, in Ontario and at the present time candidates are guaranteed access to tenants.

The right of a landlord, Mr. Speaker, to refuse access to his building is outweighed at election time by his duty to ensure that all tenants have the opportunity to meet and speak to candidates directly.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. WHELAN:** — The power to veto such personal contact should not rest in an individual or in a corporation. We regret that the right of access to electors is not guaranteed in this Act.

There is another aspect of the Act that concerns us. Democracy does not operate unless there is representation by population. No machinery is provided by this Bill to correct the unfair and undemocratic unrepresentative situation that exists whereby it takes four or five times as many voters to elect an MLA in Regina Centre as is the case in Albert Park. Albert Park has 4,000 voters and Regina Centre 18,000. Democracy has been denied, representation by population is not being practised and it should be guaranteed by law.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. WHELAN:** — Mr. Speaker, one of the important principles of election is an equality of worth by the ballot, therefore, the number of voters in a constituency is very important. One of the problem features of today is the rapid flux of population within the boundaries of a particular political unit. Constituency boundaries often neglect to register such population movements with the end result that large population groups may become electorally disadvantaged relative to other population groups. A Legislature that presumably represents the population cannot allow a situation to develop where it may be accused of electoral discrimination, Mr. Speaker, yet it is understandable that Legislative Assemblies may not always be acutely motivated to change electoral district boundaries in the light of population changes. Furthermore, where a Legislative Assembly itself presides over electoral boundary changes, charges of such changes as unfair or self-interested may be ultimately very harmful to the concept of representative democracy, even if such charges are not true.

Therefore, I should like to have seen in this Bill: (a) that the matter of electoral boundaries be placed in The Election Act; (b) the establishment of a permanent Electoral Boundaries Commission to be appointed by the whole Assembly and to report its recommendations back to the Assembly; (c) such a Commission to be charged with redistribution after each decennial census in accordance with a set of guidelines similar to (but in detail not identical with) the legislation respecting such a Boundaries Commission of the Federal Government which is operating at the Federal level. I regret that this has not been included in the Act.

Mr. Speaker, I believe that every citizen should have — and Members on our side of the House feel very strongly about this and there is no reference contained in the Act in this respect - should have equal rights to seek elective office. We believe the Legislature must guarantee that political office does not become the private domain of the well-to-do, the self-employed and the professionals.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. WHELAN:** — Mr. Speaker, such representation would not be representative of Saskatchewan. We therefore strongly recommend and urge when the amendments are brought in that an appropriate amendment be made which would permit a candidate as a matter of right to obtain leave from employment to campaign, and if elected, to serve in the Legislature.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. WHELAN:** — Mr. Speaker, there are some comments I should like to make, after listening to the introduction by the Hon. Minister, in respect to the recount procedure and there are some comments I should like to make regarding the election procedure. Therefore I beg leave to adjourn the debate.

**SOME HON. MEMBERS:** — Hear, hear!

Debate adjourned.

**HON. J. C. McISAAC (Minister of Education)** moved second reading of Bill No. 20 - **An Act to amend The Secondary Education Act.**

He said: — Mr. Speaker, this Bill, Bill No. 20 is an Act to amend The Secondary Education Act. A major change here is a change involving the term of office of school trustees to conform with municipal election terms of office and procedures. Members may well recall that last spring in the latter part of the 1970 Session, changes were made in The Urban Elections Act so that city councillors now hold office for a three-year period. Not only that but the entire slate is up for re-election at the end of a three-year term. Under existing school laws, trustees in cities or town districts as they are called, are elected for two-year terms. Now the Government felt, Mr. Speaker, and the thinking is shared by the Saskatchewan School Trustees' Association, that trustees should be elected at the same time and for the same term of office as councillors, particularly I think. Sir, when we depend on municipal authorities to conduct the elections. Consequently, amendments are being proposed which will bring this about. I think one significant further point in this respect, Mr. Speaker, to implement this synchronization of terms of office

will mean the extension of the term of office of some people now holding office and originally scheduled to complete their term in one year's time. School boards were advised last fall, in 1970, of the impending legislation to be considered in this regard, in order that they may plan accordingly. I realize that this procedure can be questioned perhaps, but at the same time, Mr. Speaker, the whole picture was reviewed and discussed by our officials and by the school trustees and their people and this was the procedure that was decided upon. I think in the light of the circumstances, it is the only alternative really open to us.

Amendments to Section 9 and Section 53 are designed to clarify the status of voters who live in communities in which both public and separate high school districts have been established and where boards of education are organized, as in the case here of the city of Regina, and for those people who have elected to use the opting privilege at the high school level. As the Act now stands, there is confusion for one category of ratepayers. For instance, what are the voting rights of a ratepayer who is a separate school supporter but who has used the high school opting privilege to declare himself a supporter of the public high school district? Does this give him the right to vote in elections for the Board of Education, which administers both the public elementary district and the public high school district? And as a supporter of the separate elementary system he would also be eligible to vote for the separate school Board of Education, which administers, of course, both elementary and secondary for that particular Board. The same is true, of course, with the public school supporter in a similar situation. I think it is obvious, Mr. Speaker, that this situation required clarification and I believe that the confusion will have been eliminated by making it clear that under such circumstances the voting rights for a Board of Education will be determined solely by the district which a ratepayer supports for elementary education. This amendment in no way affects the right of that ratepayer to opt for high school privileges from one district to another.

One other amendment might be mentioned, Mr. Speaker. I believe, because of the fact that a number of high school boards are now partners in Boards of Education and in joint Boards, operating comprehensive high schools, it was desirable that the annual meeting of the high school district be held jointly with the annual meeting of another district or districts. The existing dates for annual meetings in the Act are somewhat restrictive so that a new Section 40 is designed to allow for more flexibility here. There are, perhaps, some other amendments in this, Mr. Speaker, but I think they can be well dealt with in Committee and accordingly I move second reading of this Bill.

Motion agreed to and Bill read a second time.

HON. D. V. HEALD (Attorney General) moved second reading of Bill No. 21 - **An Act respecting Unsolicited Goods and Credit Cards.**

He said: — Mr. Speaker, it is with some pleasure that I speak today concerning this Act respecting Unsolicited Goods and Credit Cards. Over the years the people of our province have been subjected, I guess, along with everybody else in Canada and the United States, to a barrage of unsolicited goods and credit cards through the mails and by personal delivery. When credit cards have been received there has been general concern that the recipients are liable if the cards are lost, and I think this has happened in a

number of cases. There has been a general concern that the recipient may become liable as soon as he receives the card. This is an open question. Many people have also received unsolicited personal property, such as books and so on and then they received demands for payment later on. I get notices about this. I have people complaining to me from time to time about this. Many people have mistakenly paid for these unsolicited goods because of misrepresentation on the part of the sender to the effect that the recipient is legally liable.

We feel, Mr. Speaker, that the time has come to ensure that the people of our province are no longer to be bothered by these unsolicited goods and credit cards. We could find no more effective way in dealing with the problem than moving to prevent abuses at their source. This means, Mr. Speaker, that if anyone wants to send unsolicited credit cards or unsolicited goods after this Bill becomes law, they will do so knowing that the recipient has absolutely no legal obligation to the sender in respect thereto. In the case of credit cards the recipient has no legal obligation unless he expressly acknowledges to the sender in writing his intention to accept the unsolicited credit card or the unsolicited goods. But the choice, Mr. Speaker, will be the recipient's and not the sender's. There will be no liability in the event of loss, misuse, damage, misappropriation of the unsolicited credit card or goods unless they have been expressly accepted by the recipient. The only obvious exception to this rule, Mr. Speaker, is in the case of renewal credit cards which, of course, do not contribute to the problem.

Mr. Speaker, this legislation should serve to stop the practice of the distribution and mailing of unsolicited goods and credit cards. It should remove this nagging problem from the people of the province by dealing with the problem at its source. I urge all Hon. Members, Mr. Speaker, to support this Bill because it is designed to remove a serious irritant from the consuming public of Saskatchewan, and I accordingly, move second reading of this Bill.

**MR. A. E. BLAKENEY:** (Leader of the Opposition): — Mr. Speaker, we on this side of the House find ourselves in support of this Bill. I agree with the Attorney General (Mr. Heald) that the sending of unsolicited goods is particularly reprehensible since a number of people somehow feel that they are obligated to pay for ties or other accoutrements which arrive in the mail unsolicited. They don't altogether believe their legal advice when you tell them to keep the tie and throw away any demand letters. Unsolicited credit cards have been a problem. Their chief problem is the nagging worry which is in the back of your mind as to what happens if you lose this credit card. I and no doubt others have adopted the practice of taking the scissors and cutting them in two and throwing them away. This seems to me to be an unnecessary burden to place upon the citizen. I think they are a serious irritant. It occurred to me at the same time that we might deal with a somewhat less serious irritant but one which is an irritant nonetheless and that has to do with not unsolicited goods or unsolicited credit cards but unsolicited memberships in political parties.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — I have had complaints from constituents of mine who

happen to be card-carrying members of the party to which I belong, who have received in the mail, totally unsolicited, in this case from one Ken MacLeod, letters which say that he is pleased to enclose a receipt for their membership and hopes that they would accept it with his compliments. They are asked to, "please bring this slip or the membership if it arrives on time with you to the convention - it will identify you as being entitled to receive your ballot. Yours sincerely, Ken."

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — This particular member who was a loyal card-carrying member of the New Democratic Party - and I may say he is not the only one, I have at least four loyal card-carrying members of the New Democratic Party who have reported this to me and there may be many more - takes the view that this is a minor irritant to which he ought not to be subjected.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. BLAKENEY:** — I wonder, therefore, Mr. Speaker, when we are considering this matter in committee if the Attorney General might consider the possibility of a House amendment to deal with unsolicited memberships in political parties which evidently are having difficulty in getting their memberships up by any other means.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. HEALD:** — Mr. Speaker, commenting on the remarks of the Leader of the Opposition (Mr. Blakeney), I certainly have sympathy with the position which he espouses and which he espouses on behalf of his constituents and the loyal members of his party. I should be glad to discuss with him a House amendment when we get into committee.

**SOME HON. MEMBERS:** — Hear, hear!

Motion agreed to and Bill read a second time.

**HON. D. T. McFARLANE** (Minister of Agriculture) moved second reading of Bill No. 22 - **An Act respecting Intensive Live Stock Operations.**

He said: — Mr. Speaker, the major objective of this Act is to ensure that intensive live stock operations will not be established in locations which will constitute a pollution hazard. Persons planning to establish an intensive live stock production operation will be required to obtain a permit from the Saskatchewan Department of Agriculture certifying that the proposed intensive live stock operation, if managed according to the information given on the application, does not constitute a pollution hazard. A permit will not be issued by the Department of Agriculture if the Departments of Public Health and Natural Resources and the Water Resources Commission are not in agreement. The legislation will not be retroactive; however, existing live stock enterprises which fall within the definition of an intensive live stock operation will be required to obtain a permit prior to expansion of existing facilities. In view of the public concern about pollution, we believe this legislation will protect the

live stock producer against the risk of establishing an intensive live stock operation which may subsequently be considered a pollution hazard. All the applications for permits will be considered carefully and recommendations for modifications to prevent or control pollution will be made in advance of construction. This will help the live stock producer avoid the risk of being closed down at some future date because his operation constitutes a pollution hazard.

It is the Government's intention to make this legislation applicable only to those operations of sufficient size to be significant in regard to pollution. Most farmers contemplating the establishment of an intensive live stock operation will discuss the matter in advance with an employee of the Saskatchewan Department of Agriculture. This will provide an opportunity to examine the proposal in regard to pollution control and for subsequent amendments of plans as they are required.

Previously established intensive live stock operations will not be required to obtain a permit unless enlargement of the operation is undertaken. However, this legislation will apply to all intensive live stock operations in regard to clean-up of animal wastes in acceptable disposable methods.

This legislation is designed to protect the public against the possibility of pollution caused by intensive live stock operations and also to protect the live stock producer against the possibility of unnecessary or unreasonable demands being made on him by the public. In general, Saskatchewan does not have a problem of pollution by live stock and this legislation will serve to maintain our province in a relatively favorable position in this respect.

With those remarks, Mr. Speaker, I move second reading of this Bill.

**MR. J. MESSER:** (Kelsey): — Mr. Speaker, we certainly, at least in principle, are in favor of such a Bill, especially at a time when, not only in the Province of Saskatchewan but throughout the Dominion of Canada, people are concerned about pollution and the effects that it may have in the present day and also in the future. We realize that such a Bill is indeed needed in order to protect both public and producer. I noticed in looking over the Bill that it has some sweeping powers in regard to penalties and fines which I guess any bill of this nature should have in order to see that the regulations that it lays down are carried out. We, however, believe that there could well be a reason to criticize the bill in not having been brought down some years ago when the present Government launched its program in regard to diversification. I think there should be some consideration given to making this bill retroactive, because there are a number of intensive live stock operations within the province today that I think are now contributing to pollution within the province. It is unfortunate that the bill was not in effect when some of these livestock operations were built as they have been built within the last few years.

I think the question could also be raised here in regard to the controlling of live stock pollution and the costs that it will incur to the farmer or the live stock operator. We know that the wastes of live stock are considerable when you get into intensified units and the costs can be very, very large indeed in

controlling those wastes. It could reach a point if the regulations are too stiff that it would leave very little, in fact take away all profit, of some of these operations simply to correct the pollution factor. I am not saying that's an excuse and that the pollution should go on but I think that there should be some research in regard to means of correcting this pollution so that it will still leave a viable economic operation for some of those people who will have to be taking extensive and costly measures in controlling the pollution.

For these reasons and some others that I should like to state at a later date, I beg leave to adjourn the debate on this Bill.

Debate adjourned.

MR. D. G. McFARLANE (Minister of Agriculture) moved second reading of Bill No. 23 - **An Act respecting Refundable Deductions on the Marketing of Saskatchewan Hogs.**

He said: — Mr. Speaker, for many years various groups connected with the swine industry have been advocating a deduction on market hogs to provide funds for swine production and marketing research and the promotion of hogs and pork production. A deduction of this nature is now in effect in Alberta under the Alberta Hog Marketing Board and in Ontario under the Hog Producers' Association.

In March of 1970 I received a delegation requesting legislation authorizing a refundable checkoff for hogs. The members of the delegation were the president of the Saskatchewan Swine Breeders' Association, the vice-president of the Saskatchewan Hog Producers' Association and the vice-president of that organization and subsequently a resolution was passed at a meeting of the Saskatchewan Advisory Swine Council on March 18, 1970, requesting our Government to proceed with legislation to enable a deduction on all hogs marketed for slaughter.

The intent of the legislation is to provide funds for the betterment of the swine industry. These funds will be administered by a representative committee of producers plus one representative of the Department of Agriculture.

The legislation suggests that a special hog marketing deductions act board be established composed mainly of swine breeders and hog producers of these associations. This board would receive proposals for projects to be financed out of a special trust account established under this legislation. Deductions will be made by packers who purchase hogs for slaughter and these deductions will be forwarded to the Department of Agriculture at the end of each month for deposit in a special trust account.

Payment of refunds requested by producers will have first claim on this fund. The Hog Marketing Deductions Act Board will be responsible for deciding upon the projects to be financed by this checkoff. Research and market development projects will likely be high on the list of priorities.

The Hog Marketing Deductions Act Board will consist of two representatives appointed by the Saskatchewan Swine Breeders' Association, two representatives appointed by the Saskatchewan Hog Producers' Association and one representative appointed by



the Minister.

Mr. Speaker, I so move.

**MR. MESSER:** — Mr. Speaker, in spite of the Minister making reference to other provinces in Canada having these checkoffs — Alberta and Ontario I believe were two that he mentioned - and in spite of the representation that has been made to him by the Swine Breeders and the Hog Producers in the Province of Saskatchewan, I think it is a fact that the membership of both of these organizations is indeed small in regard to total hog producers in the province and there are vast differences of opinion in regard to checkoffs in relation to any livestock within the province.

Because of these points I should like to give further consideration to the Bill and beg leave to adjourn the debate and comment at a later time.

Debate adjourned.

**MR. McFARLANE** (Minister of Agriculture) moved second reading of Bill No. 24 - **An Act to amend The Stray Animals Act.**

He said: — Mr. Speaker, the main objective of this amendment is to remove the obsolete requirements with regard to disposal of impounded livestock and posting of notices.

The present Act requires that a person who purchases an unclaimed impounded animal as provided for in the Act must retain this animal for at least 30 days before resale and during this 30-day waiting period the previous owner has the right to repurchase the animal. These provisions adversely influence the sale price since the value of an animal is usually related to the timeliness of marketing and thus in many cases it is not possible for a poundkeeper to sell an animal for its true market value.

These amendments also repeal the requirements for posting notices in post offices wherever this requirement appears in the present Act. There are two reasons for this: first, rural delivery is increasing and the post offices therefore are not necessarily the best places to post notices, and secondly, most post office regulations for obtaining authority to post notices are impractical for the purpose of this Act. An authority must first be obtained from the Post Office Department in Ottawa and then from the district director for each local post office. Consequently in most cases local postmasters do not permit the posting of notices by poundkeepers.

With these remarks, Mr. Speaker, I move second reading of this Bill.

**MR. MESSER:** — Mr. Speaker, we have no objection to the amendments proposed in this Act. It seems of a general housekeeping nature and updating the legislation to comply with more modern-day functions that we find ourselves meeting.

Motion agreed to and Bill read a second time.

## ADJOURNED DEBATES

### SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. McIsaac that Bill No. 8 - **An Act to amend The Student Aid Fund Act** be now read a second time.

**MR. W. S. LLOYD:** — Mr. Speaker, in an earlier debate in this House when I had a chance to say a few words about the proposals for bursaries I said that there wasn't, in my opinion, any need for legislation and that the Government could have proceeded without legislation. Having seen the legislation that is now before us, having read the Minister's remarks in introducing that legislation, I must state that I still agree with myself in that earlier comment - that nothing in the Bill indicates any real need for this legislation. I am somewhat disappointed that if the Government was going to increase its bursary support that it had not proceeded further than it has done at this time. I can't avoid the suspicion that for some reason the legislation is being placed before us just in order to delay some decisions of one kind or another.

I look at the Bill and I notice, for example, such momentous changes as that proposed in the name of the Bill. It used to be called The Student Aid Fund Act. It is now to be called The Student Assistance and Aid Fund Act and I invite the Legislature to consider what real difference that makes to students in Saskatchewan.

It does provide, I admit, for the setting up of a committee. I am still of the opinion that this could have been done without any legislation and I am very much of the opinion that if it were going to be done it should have been done some months ago because it is important that students have this matter cleared up and they know what is available for them.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. LLOYD:** — It does, I admit, add 'bursaries' to the words 'loans and scholarships' as present in the previous legislation. The Act was previously wide enough to enable the payment of bursaries without that particular change.

I am sorry that the Minister (Mr. McIsaac) isn't in his seat. Hardly anyone else is in his seat over there, Mr. Speaker, so it is a little bit difficult to direct questions to the Government and to invite answers when the Minister is closing the debate. But there are some things which we deserve to know when the Minister does close the debate if he closes it.

We should be told, for example, when this committee is going to be set up. After the committee is set up when is it reasonable to expect the Government to make a decision as to the rules on which bursaries will be given? I can't press this point too strongly. It is important that students know in the very near future just what kind of assistance is going to be available to them with respect to this fall's activities. As a matter of fact students should know by this time and consequently I express again the disappointment that the Government hadn't proceeded without the delaying tactics of this particular Bill.

So, Mr. Minister, if you will: when is this committee going to be set up and when can students and the people generally expect that there will be an announcement of the rules and regulations which will make available to them these bursaries which are being discussed?

The second point I want to make is one which I referred to also in that earlier debate. This Bill puts into the hands of the Minister the complete authority to make decisions with regard to student assistance. It even - if I understand it - is the intention of the Government to take some of the right to make these decisions which were previously in the hands of the University and now put them in the hands of the Minister. It gives the Minister then - if one takes the Bill at face value — the right to make final decisions affecting any and all kind of assistance which students may be able to obtain in this province. I warn that this is not a good position for the Minister to place himself in. It is not a good position for him. It is not a good position for Government. It is not a good position for students and I raise with him again the necessity of having some provision whereby there may be an appeal if the student is not satisfied with the Minister's rejection or the Minister's decision as to the amount of the award being given. So that is the second question I wanted to ask.

Thirdly, I had hoped that the Minister would give us some better information with regard to the additional amount of money that is actually going to be expended. We can get this in discussion of the Bill or we can get it in the discussion of the Estimates but before this Legislature goes home, I trust that the Minister will make absolutely clear how much additional money will be added if indeed there is any additional money contemplated, by the Government with respect to student aid.

I raise this question in view of some information which is in the Estimates. There it is noted that some \$650,000 which the University previously provided in various forms of assistance is now to be provided through Government decision and direct Government action. I know that while the figure of \$650,000 previously paid out by the University is mentioned in the Estimates, there are at least rumors around that the amount of assistance which the University used to give through its own agencies and by its own decision and which is now to be given by the Government, is indeed much more than \$650,000. It is suggested in some places that up to \$1 million that the University used to provide by way of bursaries, by way of scholarships, by way of assistance, teaching and research assistance, and so on, is now going to be paid from the amount voted for this.

We know that the first-year scholarships paid for a considerable number of years amounted, according to the Department of Education's report, to some \$277,000. It presumably will be incorporated under this particular bursary plan or aid plan as well.

So that in those two items there could be something in excess of \$1 million which had been paid for many years and that of course indicates that the increase which is being talked about is not nearly as much as they would have us suppose. But there are other items which have been paid under other plans which I suspect may well be included in this amount of money too, and I hope the Minister (Mr. McIsaac) will detail very carefully those other items which have been paid for in previous budgets in other ways and will be included in this \$1 million and some dollars.

I should like to know, for example, whether the assistance to students taking a library course is going to be included in this sum rather than included in the budget of the libraries. I should like to know whether the assistance available for some years to students who are taking dental training is now going to be taken out of the budget of the Department of Health and paid in this one. Whether the same is going to apply to students who have been training as physiotherapists, whether the amounts which the Medical Care Insurance Plan has provided for assistance to medical students is going to be included in this, whether the assistance of the Department of Welfare for those taking social work is going to be included in this amount as well.

In other words I hope the Minister will give a very detailed account as to items of assistance which have been paid for some number of years under other plans but are now to be included within this particular plan so that we can see better than we can at the moment just how much additional money is being paid. I suggest to the Minister that either when we discuss this in Committee or when we discuss it in Estimates, unless he is prepared to give a very detailed account of that then we can only suspect that there is very little additional money indeed being provided as a result of this Bill which we are told we ought to have.

I think we ought to look for a moment further at the fact that the money which the University had been paying out for some years to assist students is now to be paid out in this particular way. I think it is fair to say, Mr. Speaker, that the University did not accept willingly this change in procedure. I think it is fair to say that there is some considerable concern that this may well interfere with some of the rights which universities have traditionally felt to be theirs. I think it is fair to say, Mr. Speaker, that there is reason for concern that this Government is again beginning to threaten the academic freedom of the University when it starts to make this kind of decision. As a matter of fact it should be noted that the faculty of the University on the Regina Campus have passed the resolution expressing, and I quote: " . . . that a line item of the university budget should be removed and action which implies danger to the economy of the university." And that is something which the Minister should comment on and which I couldn't help noting that he avoided commenting on it when he introduced this particular Bill.

It is important to note, also, that the Government used the traditional methods which it has used in dealing with other bodies when it developed this particular plan. It didn't consult the university about it, as I understand it. It simply gave the university orders that this was to be done. And over and over again there can be proper objection raised to the fact that this Government makes decisions not as a result of consultation but simply out of some feeling as to its own needs or to its own wishes. This is a very serious kind of shortcoming.

Mr. Speaker, I don't think that there is any need to argue further than we have, or to agree further than we have, with the Government with respect to the need for substantial assistance of this kind. In the earlier debate in which I made some reference to this, I noted that a few years ago, approximately one out of every four of Saskatchewan's students enrolled in post-secondary institutions borrowed money. That was a few years ago. Two years later one out of four had increased to almost one out of every two students at post-secondary institutions who had

borrowed money. The amount had increased from \$640 per student a few years ago to \$840 in the most recent reports which I have seen.

It is worth noting, too, that students borrow not only from these sources but from private sources. There are studies which indicate the total amount of money borrowed from other sources is almost as much as the total amount borrowed through the Canada Student Loan Plan. So there is very substantial need for increased public assistance by way of money which is not repayable. I press the Minister again to answer the question as to how much extra money is going to go to students as money which they don't have to pay back because of this Plan. Certainly students should know the details very clearly and I emphasize that again, and trust that the Minister will be able to give us assurances that within a month at the most details will be available to students so that they can be making decisions with regard to their plans for this coming fall.

Mr. Speaker, while we have some objections to the method which the Government has used in proceeding, particularly with respect to taking the money out of the university budget and putting it into its own hands, while this does give some room for concern, or at least questions as to the Government's reasons, we are going to support the idea. I hope that the Government doesn't see fit to send a glowing letter (from the Premier) to each student who gets a bursary perhaps saying, "This is the dividend from the free enterprise development of the Province." We have had too much of that sort of thing, Mr. Minister, Mr. Premier and Members of the Government. I hope that the Government will restrain some of these political impulses of theirs to make use of public money for political purposes. So let's not have flowery letters of this kind sent out in connection with whatever bursaries may be developed.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. LLOYD:** — As I said before, also, I hope that whatever is done as a result of this Plan right now, we do not forget the need for continued expansion of this kind of assistance. It seems to me it is surely one of the reasonable expectations of a society which is becoming more and more productive, that we shall be able to lower more and more the financial barriers which prevent or handicap any student from continuing with education — an education which will benefit them and will benefit the economy.

There is the great danger, I repeat, Mr. Speaker, of having done something in this regard. We sit and say thank God that is finished with and enjoy ourselves in the rocking chairs for a number of years after.

I want in that respect to refer to a Resolution passed by the Saskatchewan Conference of the United Church not so long ago. That Resolution reads:

It is resolved that the Saskatchewan Conference of the United Church of Canada petition the Government of Saskatchewan to appropriate sufficient funds for university education, (a) to enable the Saskatoon and Regina Campuses to eliminate tuition fees. (b) to provide a bursary to supplement room and board costs to those students living away from home while attending university.

I think that it is necessary eventually to go that far. I hope that it is possible to go much further than that in the not too distant future.

Mr. Speaker, I want to repeat the sort of questions which I have directed to the Minister; when will this committee be formed? When will there be an announcement of rules and regulations? Can this be done within a period of one month so that the students will know where they are going? What additional money is really going to be provided as a result of this Plan over and above the amounts which are provided by the Government, by the university and by various departments of Government?

Mr. Speaker, I am glad to have the opportunity to support this sort of provision regardless of the qualifications I have raised.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. J. KOWALCHUK:** (Melville): — Mr. Speaker, it is indeed difficult to follow a man of the calibre and the type as Mr. Woodrow Lloyd is, who exposes, questions and expounds so well on many of the aspects of education.

But I do want to make a number of comments on this Bill. I say that this assistance was long in coming. I am sure that many young people will appreciate this assistance. For seven years, the young people of our province have waited. For seven, lean and hungry years, as our Leader has said prior to the Budget Debate, even when the CCF Government had left some \$2 million for such a student aid program. These people were left without aid by this Liberal Government which seemingly deliberately discriminated against them, particularly the needy student when the costs have sky-rocketed and tuition fees more than doubled.

The Provincial Treasurer (Mr. Steuart) loudly proclaimed in his Budget Speech the other day that the enrolment at the university is levelling off. Of course, Mr. Speaker, it has levelled off, with the hundreds upon hundreds of students not getting any bursaries and hundreds more being denied student loans or even only receiving a partial loan, when indeed a full loan was needed. Is it any wonder that the enrolment at the universities has dropped? How many students have dropped out at mid-term, Mr. Speaker? Where there was financial need for many of these students their ability to finance themselves for more than three-quarters of the yearly cost of anywhere between \$1,500 to \$2,000 was impossible for them, Mr. Speaker.

The situation was just intolerable. They had to drop out. No jobs available, Mr. Speaker, even as far back as two years ago. Where was the assistance then? Where was the assistance, Mr. Speaker? Where was the aid to assist these students who wanted to go to school? I do hope Mr. Speaker, that this isn't just a token "band aid" assistance for the few select students once again. In reality, I believe that this was a deliberate attempt in the past to keep the sons and daughters of our farmers and working people of the province out of the universities, just as deliberate as the Trudeau Government used labor and unemployment to fight inflation.

Now the figures quoted in the United Church brief which was presented to this Government, stated, and was backed up by statistics, that 64 per cent of the Canadian population are in

low-middle class, blue collar occupations. Mr. Speaker, their children made up only 35 per cent of the Canadian undergraduate group at universities. Children from professional homes made up almost 50 per cent of student registration and they represent only 20 per cent of the population. As you can see, Mr. Speaker, these professional groups always predominate in the universities. They do not need loans and bursaries, Mr. Speaker. This discrimination is so very evident in that we, the people, subsidize the universities for the rich. We all know that the operational grants of these universities is paid out of your pocket and mine to a tune of about 80 per cent. The affluent people have no trouble finding the remaining 20 per cent. It is the 20 per cent of the cost that the poorer segment of our society has difficulty finding and it makes it absolutely necessary for scholarships and bursaries to be provided.

A democratic country like ours can ill afford to discriminate when other nations regard youth as the greatest resource and treat them in a manner providing higher education on the basis of ability of the scholar and not on the amount of money that he has.

Mr. Speaker, for seven years this Government went along with this discrimination. They pilfered the \$2 million from the Student Aid Fund, put aside by the CCF for scholarships and bursaries. They pilfered it to balance the Budget in 1965 and they have made no attempt to replace it until now. Thousands of our students had to drop out of university, as I said before, especially in the last two years when they could find no summer employment or no bursaries and few scholarships. And for those who got loans these were very small in most cases. The promise of subsidized summer employment as stated by the Provincial Treasurer the other day whereby 2,000 students will be helped is in my opinion a disgraceful performance.

Mr. Speaker, we all know full well that another 10,000 will be without jobs. The selected few will get the jobs as was done last summer with Operation LIFT. Just yesterday, I received" the names of the people within my constituency who worked for Operation LIFT and all of them without exception, came from Liberal families. I have no objection, Mr. Speaker, to students, no matter who they are, being given a job whether it is with Operation LIFT or any other lift. But included in that group, Mr. Speaker, was a very well to do retired businessman. While thousands of other students were without jobs, jobs for the well to do were being provided through Operation LIFT.

However, Mr. Speaker, I and many other people of Saskatchewan accept the programs as will be provided by this Bill, small as it is, nothing really notable and as already noted by Mr. Lloyd this is merely a shift from one allocation of money in university expenditure to another. I hope, Mr. Speaker, that the neediest students will benefit and will not be based on any political affiliation or otherwise than on the basis of need.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. KOWALCHUK:** — I submit, Mr. Speaker, that these bursaries be tied to three criteria. 1. The financial need of the student. 2. The ability of the student. 3. The progress of the student. And a good example of this type of administered fund to assist people was the DVA program for returned veterans after the last war.

Mr. Speaker, what amazes me is that these people to your right. Sir, who profess to be the protectors of the individual's rights, are deliberately undercutting human rights and local autonomy and nowhere is this more evident than in the education bills presented to this Legislature in the last two years. This one is no different, Mr. Speaker. The Minister has the final decision. The spirit of mandatory decision making seems to be an obsession with this Government. Surely an applicant for a bursary should have recourse to a review of his application if he is denied assistance of this kind. In this Bill, the decision is final.

Mr. Speaker, one other very important area of consideration which must be given, is to the student from an area other than where the university is located. All university students don't come from Regina or Saskatoon. Students from my constituency of Melville have a number of strikes against them even before they start at the university. These are the away-from-home costs such as travel, board and room and others. These add up to a far greater burden on these students and must be considered in the allocation of amounts from bursary and scholarship programs.

Mr. Speaker, in the view of the thousands who will be needing and seeking this aid, mostly due to the critical unemployment situation, the estimated amount of \$1.48 million is not enough. I ask for your consideration, Mr. Minister, to increase the amount substantially. Slice off some of the highway expenditures if necessary or some of that ever-ready money available to the American pulp mills and make it available to our young people. They are looking to us in these difficult times. We cannot, and we must not, refuse them aid or we risk the chance of being alienated totally from them. They are our hopes of our future heritage.

Yes, Mr. Speaker, no one will realize better than our young people why all of a sudden after seven years in the wilderness this Liberal Government decided to show some generosity. An " election is in the offing and the Liberals are attempting to mend the bridges.

Mr. Speaker, because this Bill does offer some aid for students and because I believe that something is better than seven years of nothing, I will support this Bill.

**HON. J. C. McISAAC:** (Minister of Education): — Mr. Speaker, just a few comments in reply to the Hon. Member for Biggar (Mr. Lloyd) in particular and in part reply to some of the statements made by the Member from Melville (Mr. Kowalchuk) who just sat down.

First of all with respect to some of the comments from the hon. friend from Melville, tuition fees certainly haven't more than doubled under this Government. Tuition fees in the university here in Saskatchewan are among the lowest anywhere in Canada still.

**MR. D. W. MICHAYLUK:** (Redberry): — They have gone up twice.

**HON. J. C. McISAAC:** (Minister of Education): — They may have gone up but many things have gone up several times, more than twice, but they are still among the lowest tuition fees anywhere in this nation.



He went on to say that hundreds of students were either denied loans or only got part of the loan. I think, that the Member is well aware, Mr. Speaker, there are criteria set out by the Federal Government that are worked on and developed and up-dated by a committee of all the provincial authorities in this respect and we must abide by those criteria.

For his information there were something over 10,000 loans granted last year for an average, I believe, in the neighborhood of \$800 and some were very close to the maximum.

Mr. Speaker, 1,400 student loans were provided under the original Student Aid Fund that we are speaking of here, by the former government in their day in office. I believe that Mr. Lloyd himself mentioned one in four. We certainly realize that costs have gone up and that more people, more students, are borrowing funds to go to university. I think the figure today is probably two out of every three who have sought and are utilizing the Canada Student Aid Plan to avail themselves of the opportunity to go to university.

University enrolments are levelling off, not only in Saskatchewan, but in Alberta, British Columbia and in other provinces as well and they are levelling off at a rate somewhat in advance of the original figures and projections put out by the Economic Council of Canada just a few years ago. I am sure again that some of my learned friends opposite, the Member for Biggar (Mr. Lloyd) in particular, is well aware of that fact, although he didn't make that statement. It was the Member for Melville (Mr. Kowalchuk).

Mr. Speaker, the Member for Biggar asked when this committee would be set up and when it would be established and when students can expect an announcement, as such, as far as policy is concerned under this legislation. I can tell him this, that the Committee will be established just within a day or two of the Bill being given Royal Assent. As a matter of fact steps are underway to secure personnel or appointees, as it were, to constitute the committee as soon as the Bill is given Royal Assent. When can the students expect any announcement, Mr. Speaker? I should think here perhaps not 30 days but certainly 35 days if you like. In four to five weeks I think that we should have been able to have had a meeting and have issued broad guidelines with respect to the policies under this legislation.

I may, Mr. Speaker, have to advise some of the Committee members and indeed some of the students by a letter. I'll try and keep it simple and clean if this is the case and take his advice in that regard.

Mr. Speaker, the Hon. Member for Biggar (Mr. Lloyd) also asked and spent some time on the amount of new money that would be contained in the Estimates for this particular program. I could go into some detail here. I certainly promised them that I will give them all of the details when we get into either the Estimates or this Bill, but I can tell him from memory that it is in the neighborhood of \$300,000 to \$400,000 of new money that is contained in the \$1.484 million that is set out in the Estimates for this particular program. I could go into some detail here. I certainly promised them that I will give them all of the details when we get into either the Estimates or this Bill, but I can tell him from memory that it is in the neighborhood of

\$300,000 to \$400,000 of new money that is contained in the \$1.484 million that is set out in the Estimates of the Department. He mentioned the University money that was formerly in the University budget to the tune of \$650,000, I believe. There is also the money that he referred to in some of the Department of Public Health bursaries. I am not sure of all of the ones he mentioned, but I believe, most of them will be included in this vote.

I pointed out in giving this Bill second reading, Mr. Speaker, that it certainly was the intention here to bring all of the various scholarship programs sponsored by different Government agencies, Department of Health, the Library scholarships together. Another case in point, two or three, I believe, that I established personally affecting affairs for community planning, all of this kind of activity will be under the wing or under the umbrella of this committee. In addition, I could point out, Mr. Speaker, that the grade 12 scholarships will be continued this year on the same general basis as last year. The money for these as the Hon. Member for Biggar, I'm sure perhaps may recall, does not appear in the Estimates as such. This is taken from the interest on the fund set up for the last several years. So if you want to add that figure to what is in the Estimates I suppose you could get up into the neighborhood of \$1,750,000 that could be put under this heading, "Bursaries and Scholarships."

I think, Mr. Speaker, with these few words - perhaps one more point. He mentioned the fact that he did not believe we consulted the University. We certainly did consult the University administration on this. They certainly didn't indicate to me that there was any grave concern when this subject was discussed. I certainly, along with him, noted some of the comments in the Saskatoon Star Phoenix from the university people up there. I haven't seen or heard of any comments from the University campus over here, but I can assure him as I did when I moved this debate, that there is no question of academic freedom infringed upon here. It is certainly not the intention to set up all of the administrative processes for this fund in the Department of Education. Various other agencies, the Department of Health, and University itself will present their proposals and once it is allocated they will handle the distribution from there on. We will not be involved as the Member for Melville (Mr. Kowalchuk) seemed to try to imply or wanted to imply in looking at individual applicants, not at all. This Committee will decide whether or not there should be scholarships given to encourage students to take postgraduate library work, for example, and if that is decided upon, fine, it will be up to the Provincial Library to go ahead and carry it from there.

I think, Mr. Speaker, the balance of my comments and the balance of the information requested by my hon. friend from Biggar can be best handled in committee. Accordingly, I move second reading.

Motion agreed to and Bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. McIsaac that Bill No. 15 - An Act to amend The University Act, 1968 be now read a second time.

**MR. W. E. SMISHEK:** (Regina North East): — Mr. Speaker, as I indicated the other day, we welcome

the amendment to include university students on the Board of Governors. I indicated also, that for a number of years we have been proposing - by way of a resolution and amendments to the University Act, whenever it came before us - that this step be taken of including student representation on the Board of Governors. It must be said that Saskatchewan is far from leading the pack in this connection. Other universities have made this decision a number of years ago, so it is a welcome decision.

I want to make one reference, Mr. Speaker, after hearing from the university students they are not happy with the proposal in Section 6 that their representatives on the Board of Governors hold office for the period from October to September. As I understand it they would prefer that the period be from October to September. As I understand it they would prefer that the period be from July to June. This period would make it better for them to select representatives and I should hope that the Minister will consider this recommendation from the student bodies and perhaps bring in a House amendment when the Bill is considered by Committee of the Whole.

In closing, Mr. Speaker, we do support the amendments before us in the University Bill, some of the minor points can be discussed when the Bill comes up in Committee.

**HON. J. C. McISAAC:** (Minister of Education): — Mr. Speaker, just a few very brief words to close this debate, namely, the last point mentioned by the Hon. Member for Regina North East (Mr. Smishek) with respect to the term of office for students on the Board of Governors. This is a matter I hadn't realized was a point of concern as I felt that the dates that were in the Bill were dates acceptable and I had not heard of it until reading in the paper this morning and again when my hon. friend mentioned it. We shall have a look at it. I'll be meeting with the students and if we can see the reasoning behind the change, I see no reason why we certainly can't have a good look at it.

Motion agreed to and Bill read a second time.

The Assembly adjourned at 5:30 o'clock p.m.