

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — Seventeen Legislature
10th Day

March 8, 1972

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

WELCOME TO STUDENTS

Hon. W. E. Smishek (Regina North East): — Mr. Speaker, I should like to introduce to you and to the Members of the Legislature a group of 105 students. They are Grade Eight students from the Imperial School that is located in my constituency of Regina North East. They are seated in West Gallery, Mr. Speaker. They are accompanied by their Vice Principal, Mr. Demanski and their teachers Mrs. Gerrard and Mr. Johnson and also the interim teacher, Mr. Tapp. May I extend to all of them a warm welcome and express the hope that their visit to the Legislative Assembly here today will be both enjoyable and educational.

Hon. Members: Hear, hear!

Hon. J.E. Brockelbank (Saskatoon-Mayfair): — Mr. Speaker, I should like to introduce to you and through you to the House a group of students even larger than the Member's from Regina North East (Mr. Smishek) from Saskatoon-Mayfair constituency. They are 130 in number coming from Howard Coad School in Saskatoon-Mayfair. I understand they are spread around in the East, the West and Speaker's Galleries in order that they could be accommodated here. They are accompanied by three of their teachers, Mrs. Trischuk, Mr. Szalaszy and Mr. Ross. I understand from speaking to the group of students just before they entered the Chamber that one of the young ladies in the group intends to become the Prime Minister of Canada some day.

Hon. Members: Hear, hear!

Mr. Brockelbank: — I'm not sure, Mr. Speaker, what her politics are but I'm sure that all Members, in the absence of knowing what her politics are, want to wish her well and to wish this huge class of students from Saskatoon-Mayfair constituency a good day in the Legislature, an interesting day and a safe trip back to Saskatoon-Mayfair.

Hon. Members: Hear, hear!

QUESTIONS

FREEZE ON HIRING AT UNIVERSITY AND DISMISSAL NOTICES

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, before the Orders of the Day, I should like to direct a question to the Minister of Education (Mr. MacMurchy). I want to ask the Minister if it is a fact that reports coming out of the city of Saskatoon and the universities of Regina and Saskatoon that because the NDP Government failed to give universities enough operating capital in 1972 that they have placed a freeze on all hiring within the universities; and number two, in order

to increase the pupil-teacher ratio there has been some one hundred dismissal notices passed out to professors on the campuses.

Hon. G. MacMurchy (Minister of Education): — Mr. Speaker, I am not aware of this sort of thing happening at all. I think when the Budget comes down Friday we shall hear the kinds of grants that are being provided to the university and they will be excellent in our opinion.

Mr. MacDonald: — A supplementary question, I wonder if one of the professors who has not received his termination or dismissal notice is the Professor Stewart on Regina Campus whom the students of the Campus are up in arms about because of a moral issue.

Mr. MacMurchy: — I have been able to read, Mr. Speaker, of some problems on Regina Campus. I'm sure that the Board of Governors and the people down there will look after the matter.

CUTBACKS ON CAPITAL WORKS PROGRAMS AT REGINA AND SASKATOON CAMPUSES

Mr. G.B. Grant (Regina Whitmore Park): — I should like to direct a question to the Hon. Minister of Education. Has he any knowledge of any cutbacks on capital works programs in relationship to primarily the Regina Campus and I'm thinking of the Engineering and Physics building but secondly in connection with the Saskatoon Campus and I refer there to the Administration building and the hospital program.

Hon. G. MacMurchy (Minister of Education): — Mr. Speaker, I think that I mentioned before that the matters relating to both operational grants and capital grants will be coming down in the Budget on Friday and we feel that both are very adequate for the needs of the university.

Mr. Grant: — A supplementary question then. Have the consultants or architects or engineers involved in these projects been notified not to proceed further with them?

Mr. MacMurchy: — Mr. Speaker, not by this Government. I don't know how I can answer your question. There certainly hasn't been any discussion by this Government with architects nor should there be.

Mr. Grant: — The Minister of Education has no contact with them?

Mr. Speaker: — You are permitted one follow-up question. You can't make a debate of it.

LOWERING OF RATES UNDER NORTH SASKATCHEWAN ELECTRIC

Mr. A.R. Guy (Athabasca): — Mr. Speaker, today I should like to direct a question to the Minister in Charge of the Saskatchewan Power Corporation (Mr. Messer). It was brought to my attention that last week at the Northern Co-op Trading meeting in La Ronge that the Minister

of Natural Resources (Mr. Kramer) said that the Government was on the verge of keeping their promise to lower the rates under North Sask. Electric to be on the same level as the southern part of the province. I am just wondering if the Minister could give me the effective date that these rate deductions will take effect.

Hon. J.R. Messer (Minister of Agriculture): — Mr. Speaker, there has been and is now a study being carried out with regard to readjustment of power rates not only to the southern portion of the province but to also the northern portion of this province. That study has not yet been finished. When it is finished it will be related to the activity of the new agency that we are talking about for northern Saskatchewan. It will relate to the extent that we want to provide power to those communities and we hope that there will be a lowering of rates in the northern agencies. It was not communicated to me nor has it been communicated to me that there has been any such statement made by the Minister of Natural Resources while he was in the northern community.

SECOND READINGS

Hon. J. R. Messer (Minister of Agriculture): — moved second reading of Bill No. 5 — An Act to amend The Margarine Act.

He said: Mr. Speaker, I rise in support of the amendment to this Act. For a number of years our province in company with practically all provinces and countries in North America and Europe have maintained restrictions on the sale of margarine. These restrictions were originally designed to prevent the less than honest operator from selling margarine under the pretence that the produce that was sold was or could, in fact, be butter. To the extent that that legislation behind these restrictions prevented the consumer from being misled, the legislation actually discriminates against the legitimate use and sale of margarine, it is unfair to both the consumer and to the producer of rapeseed and other vegetable oils.

Mr. Speaker, the legislation that I have introduced will correct some of the discriminatory aspects of The Margarine Act as it now stands bringing it more in line with the realities of the current decade. The restrictions on the use of colour in margarine will be repealed. Restaurant operators will no longer be required to post signs on walls and menus that indicate that margarine is being used in those establishments. The remainder of the regulations and controls contained in The Margarine Act will remain in force.

In particular, it should be noticed that all persons selling packaged margarine will be required under the Act to indicate clearly the nature of the product. Those who prefer butter will continue to be protected by the labelling requirements set forth in the Act.

Mr. Speaker, you may wonder why given this fact we wish to make the changes that I am now proposing. The reasons are quite simple. By prohibiting margarine from being coloured through a perfectly harmless coloration process, our current legislation attempts to make it as unappealing as possible in the eyes of the consumer. This has nothing to do with helping the consumer more easily to distinguish between margarine and other products that

are on the store shelves. This he can do by simply reading the label on the package. While at one time the colour restrictions were intended to help the consumer recognize margarine as margarine and butter as butter, today with modern packaging the impact is on the consumer when he or she gets the product home and puts it on the table. The Government must ensure that food is nutritious, healthful and honestly advertised and sold. However, it must not restrict and control in matters of person preference for good. To parody what another Canadian has said in another context, we in the Government of Saskatchewan firmly believe that the state has no place in the dining rooms of the nation.

Mr. Speaker, rapeseed producers in this province must not be subject to discriminatory legislation. The farmers of this province have faced great difficulties and displayed great imagination in making rapeseed one of the most important sources of growth expansion for Saskatchewan agriculture. Diversification into this new, what is now termed Cinderella crop, has added a much needed factor of stability to total income and business spending within this province. Rapeseed oil has become one of the major inputs into the manufacture of margarine and cooking oils in Canada.

In view of the importance of rapeseed, we in the Government can no longer tolerate legislation which does not give a fair deal to the rapeseed producers of our province. Rapeseed producers have asked for no special favours and we are not granting any special favours with this legislation. What we propose is fair and just treatment for all concerned, the consumer, the cream producer and the rapeseed producer of this province.

Mr. Speaker, the production of rapeseed poses certain special problems. It is accredited to the energy and ability of our farmers that our production has increased greatly in the last few years. The Bertha army worm invasion of last summer is an example of the difficulties that rapeseed growers are encountering and burdened with at times. It was also a clear example of the willingness of the Government to respond immediately to the problems of agriculture in this province. It was obvious that both the Provincial Department of Agriculture and the federal Department of Agriculture were not on top of the situation and that if action was not taken and taken immediately there would be considerable loss to the producers or growers of rapeseed in this province. Without hesitation the Department arranged for the airlifting of lannate from Texas to Saskatchewan to be distributed throughout this province. Every effort was made to bring in aerial applicators or sprayers so that as many acres could be covered in as short a time as possible to minimize losses.

The Provincial Government endeavoured to convince the federal Government that due to the delicensing of DDT they should respond with some sort of financial assistance with the high cost of lannate compared to that of DDT. The request was made that costs should be shared one-third by the producer, one-third by the federal Government and one-third by the Provincial Government. The federal Government, Mr. Speaker, did not accept that proposal. But the Provincial Government did honour the commitment with their one-third reimbursement to the producers. The provincial assistance amounted to over \$500,000. The army worm crisis showed clearly the decisiveness of this new Government.

We have budgeted for a program to forecast the outbreak of army worms and grasshoppers but we will also be establishing check stations that will be testing for possible outbreaks during the spring and summer months of the following years.

Mr. McIsaac: — Mr. Speaker, on a Point of Order, I just wonder what in the world the Minister is telling us about army worms and lannate spraying for. The Bill as I read it deals with margarine and the colour of margarine. Would you call the Minister to order, Sir.

Mr. Messer: — Mr. Speaker, if I may, the colouration of margarine has an effect on the industry not only in growing rapeseed in the province of Saskatchewan but on processing and handling and shipping that product. That restriction in colour limits the opportunity for those industries to take place in the Province of Saskatchewan. And I submit that it is very important to cover that field so that we can associate it with the legislation that I am now presenting.

Mr. Speaker: — I realize the point raised by the Member for Wilkie is the Minister discussing rapeseed or the army worms. I must say that we must stay close to the Bills and ask the Members, Ministers or otherwise, to keep their remarks tied closely. But the Minister is pointing out that this is the effect on margarine and I have to wait for his discussion but I hope he will keep it related to the Bill.

Mr. Messer: — Mr. Speaker, I interpret from that that the debate still allows broad ranging because margarine is directly related to the production of rapeseed in this province and I appreciate your ruling allowing me to make some remarks pertaining to that.

Mr. McIsaac: — Mr. Speaker, just on a point of order, if that's the interpretation of your ruling, I must disagree because this certainly is not my interpretation. The rules of the House are relatively clear in this regard. A Member may speak on the Bill and the principle of the Bill and once again I see no relation between the colour of the army worms and the colour of the margarine. He's talking about margarine in this Bill.

Mr. Messer: — I will not talk about army worms any more but I will, with all due deference to the Member opposite, have to relate the Act or the change in the legislation to the rapeseed production in the Province of Saskatchewan and I think it should also be related to the potential of other industries that it will encourage to establish in Saskatchewan because of those changes to The Margarine Act.

Now, Mr. Speaker, if I may continue, there are problems in the growing of rapeseed in this province. Weed control is difficult because chemicals normally used for broad-leaf weeds cannot be used. Separating rapeseed from other weed seeds is a problem. Seed bed preparation is critical in establishing uniform stands. The harvesting requires careful setting and operation of farmers' combines. Weather conditions can be devastating, dry spells reduce yields markedly and strong winds can blow swaths away. Even when the rapeseed is in the bind it is more subject to loss from heating than other grains.

Mr. Speaker, the farmers of Saskatchewan have displayed considerable ingenuity and persistence in increasing the production of rapeseed from 200,000 acres in 1963 to 2,800,000 acres last year. That's an increased by a multiple of 14 times.

In 1971 over 50 per cent of the rapeseed produced in Canada was produced in Saskatchewan. Marketing is also of grave concern. The position of rapeseed in international markets is subject to strong competition from other oils, soya beans, sunflower and palm oils. Thus the improving of the market for margarine and thereby the improving of the market for rapeseed oil is completely justified.

Rapeseed growers are concerned like other growers of other products about marketing methods and transportation and storage problems. Our farmers and this Government are concerned about the way that freight rates work to our disadvantage. As an example, the Saskatchewan rapeseed processing industry is at a great disadvantage compared to processors in central Canada or Vancouver. Western processors are dependent on the market of Eastern Canada for sale of margarines and oils or any of the products that they may derive from the rapeseed. Freight rate structures encourage the shipment of margarine and oil from Saskatchewan processors to Eastern markets. Thus the freight rate structure prevents the development of a larger more profitable processing industry right here in our province where most of Canada's rapeseed is grown.

Similarly, problems apply in exporting the product and the by-products of rapeseed. Mr. Speaker, I think a clear example can be given by referring to the processing plant that we have in Saskatchewan today, the plant at Nipawin. If that plant were to compete solely on the export market with a similar plant at Vancouver it would earn \$26.60 per ton less due to higher freight rates on rapeseed and margarine. With a plant capacity of 450 tons per day, a Vancouver plant would have an advantage of over \$4 million per year. The Government of Saskatchewan will work for changes in these unfair, unsatisfactory freight rate structures. We will strive to improve the position of the rapeseed processing industry because that would help diversify the economy of our province. A larger rapeseed processing industry will provide jobs in the same way that other secondary industries provide jobs. Greater domestic utilization of rapeseed oil will strengthen our agricultural economy and improve Canada's balance of payments position at the same time. The Saskatchewan Government will, therefore, press for freight rate changes that will put our rapeseed processors and our other industries on a fairer footing compared to the rest of Canada.

Mr. Speaker, there is concern in some quarters that this legislation will prove harmful to the dairy industry. Nothing could be further from the truth. I know that from various studies we have conducted most people prefer butter and will continue to favour butter for table use. There won't be any disastrous drop in sales simply through the sale of coloured margarine. There will I admit be some substitution of margarine for butter on the part of consumers. Far from being harmful to the Saskatchewan dairy industry the effect, we think, will be quite the opposite. Our ability to develop a manufacturing milk industry in this province making cheese and other dairy products is limited by our inability to expand production due to federal quota controls. A slight decline in butter consumption will make it possible to divert milk to the manufacturing milk products industry, which development our Government intends to encourage. This development is absolutely essential as a means of improving the overall conditions affecting cream producers. Those who are unable to profitably produce cream and need and demand alternatives and we intend to assist in providing those alternatives.

Mr. Speaker, the contrast between the years of Liberal inaction and the positive programs we institute are clear. From 1966 to 1971 while the Liberals were in power, butter production actually declined. The amount of butterfat sold by farmers also declined. The clearest indication of the failure of that government to encourage greater diversification in agriculture is a fact that from 1967 to 1971, the number of dairy cows in this province fell by 25 per cent. Nothing was done to provide alternatives for those forced to abandon cream production. With that record of indifference, Mr. Speaker, a dairy barn could have been burned down with them inside and they might never have known the difference.

Individual dairy farms were achieving production performance records but the dairy industry in total suffered from the complete lack of any consistent or imaginative policy direction. If we consider the experience of the entire eight years of the former government butter production fell by 46 per cent. Cream production fell by 17 per cent and cows on dairy farms fell by 47 per cent. Such, Mr. Speaker, was the sorry record of indifference of that regime.

The province is now barely meeting its own requirements for butter even though Saskatchewan, at one time, exported 10 to 12 million pounds per year. Between 1967 and 1971 the province lost 6.8 million pounds of subsidy eligibility quotas. The Canadian Dairy Commission's policy required that a new producer had to buy the cows and the quotas together. The loss of this quota meant a loss of over \$2 million annually to Saskatchewan farmers.

Mr. Speaker, as a Minister of this Government in introducing the Margarine Bill I think it is only fair to relate what the changes in this Margarine Bill will be doing to the dairy industry and it isn't going to be introduced in a high-handed manner as the former Government would have introduced it not explaining thoroughly to the electorate of Saskatchewan what the ramifications of such legislation will be.

Some Hon. Members: Hear, hear!

Mr. Messer: — Now, Mr. Speaker, if I may continue. This Government has negotiated an arrangement with Ottawa so that the quotas for the producers of our province will be returned to the 1970 levels. This is an example in which we stopped the losses caused by the lack-lustre Liberals and we negotiated substantial benefits from the federal Government. I gave notice of first reading of that Bill earlier this morning. The policies of this Government will be directed toward establishing a thriving, not only rapeseed and secondary industry related to rapeseed, but dairy industry in this province. We have a large market for dairy products as well as the products of rapeseed and most of these products are now being imported into the province. If cream production were converted to manufacturing milk production, butterfat could be used in the manufacture of cheddar cheese.

Saskatchewan currently produces no cheddar cheeses. If all the cheddar currently consumed in Saskatchewan were to be produced here from Saskatchewan milk, it would be necessary to switch 3.3 million pounds of butterfat from butter to cheddar production. The evidence is, therefore, Mr. Speaker, that more rapeseed could be used for margarine in substitution for butter and at the same time, the development of a dairy processing industry would improve opportunities for Saskatchewan farmers. Dairy farmers

And the dairy industry will be assisted by a number of new or improved programs. The Dairy Herd Improvement Program will be made available to more herds in the province, not only to those supplying the fluid milk market but to the manufacturing milk shippers as well.

Facilities will be provided for milk testing so as to provide more information to the producer on herd health, milk, quality and production problems.

The Government, in addition to producers' grants is also devising programs so that dairy cattle can be located for producers who wish to upgrade their dairy herds. An expanded production testing program will be initiated for producers converting from cream to industrial milk so that they may improve their herds as quickly as possible in an effort to increase dairy production and stabilize the industry within the next five years. Our Department personnel will also provide technical assistance to producers with regard to buildings and dairy equipment.

A recently completed dairy study indicates the feasibility of a manufacturing milk industry. The feasibility of a manufacturing milk industry with the Department of Agriculture following to make grants available to cream producers who wish to convert to industrial milk.

The Department of Industry and Commerce will provide a grant for building a multi-purpose industrial plant. The initial 800 plus producers who are willing to convert to milk production will almost double their income by changing to industrial milk. Total direct benefits accruing annually to producers by the establishment of one centralized milk plant would be approximately \$155,000 to \$250,000. when the annual returns to the processing sector are added, amounting to \$680,000, the total is close to an additional \$1 million accruing annually to that industry. If two such industrial plants are built we can expect the annual returns to be doubled.

With the development of a manufacturing milk industry, the decreases that have taken place in dairying over the past eight years will be halted and within the near future Saskatchewan will for the first time become self-sufficient in dairy products.

Although we are looking at a movement to industrial milk in the province through the conversion of cream shippers to milk producers, the Government working with the industry will ensure that any cream . . .

Mr. Lane: — On a Point of Order, Mr. Speaker, Point of Order.

Mr. Speaker: — Point of Order!

Mr. Lane: — The Point of Order is, Mr. Speaker, that this Bill is The Margarine Act and we have been on several wide-ranging topics so far. The Minister had every opportunity to enter the Throne Speech Debate and give a speech such as this and that's when it should have been given.

Mr. Speaker: — The Minister I believe is relating to the impact of this Bill, the Margarine Bill, to the rape producers and the

dairy producers. As long as he relates this Bill to the dairy producers or the rapeseed producers where the rapeseed is used for the margarine I'm afraid I have no alternative but to allow him to continue.

Mr. Lane: — Mr. Speaker, he has been on the manufacturing of whole milk plants and everything.

Mr. Speaker: — He's relating it to the impact of this Bill.

Mr. Messer: — Mr. Speaker, for the ignorance of those opposite who are not farmers, I should like to explain once more for them that there has been some misunderstanding and a great deal of concern with the dairy industry and the people involved in that industry and the processors and growers of rapeseed as to what the ramifications of such legislation may be. I am trying and endeavouring with some patience not only to explain it to the people of Saskatchewan who are listening intently but to the people to your left, Mr. Speaker, who don't seem to be able to relate very well. Once again, if I may continue.

Mr. Speaker, the new initiatives of this Government to assist dairy farmers and to develop a milk manufacturing industry stand out boldly against the background of eight years of falling dairy production and weak or non-existent Liberal policies. At the moment only two provinces in the whole of Canada lack a milk manufacturing industry. We are one province. The other is Newfoundland. For many years both of our provinces were afflicted with Liberal mismanagement that cared little for the farmer or the rural communities of those provinces. Both those administrations were chiefly interested in building personal monuments like pulp mills whatever the cost to the Treasury or to the environment. It is not surprising that both these governments have been rejected by the voters in the past year. If we are to build a secondary manufacturing industry in Saskatchewan and I believe we will, we must realize the potential that is tied to our basic industry of agriculture. This holds true for the dairy industry just as it does to the rapeseed grower and the rapeseed processing industry.

Mr. Speaker, I believe it important that we recognize that the change we propose in The Margarine Act is not one isolated action but is part of a comprehensive plan for the future with ramifications of many kinds.

This Bill indicates the concern of this Government for justice both for consumers and producers. We will not tolerate legislation which dictates unfair treatment either for consumers or for producers. With one important step we shall create fairer treatment for both the consuming public and producers of rapeseed in this province. In making this amendment to The Margarine Act, Mr. Speaker, our concerns and our plans go far beyond these considerations. Our Government has made these changes after having developed a set of well prepared plans for the dairy and rapeseed oil sectors. What we are really talking about here, Mr. Speaker, is one element in a comprehensive plan for agricultural and industrial development.

Mr. Speaker, the Hon. Members opposite from their remarks and their sceptical looks at this time, I believe, think that this legislation is small and unimportant and therefore should not have many words said in relation to it. They spend all of

their time talking about the glamorous, headline-getting issues and they miss the significance of this legislation entirely. That is not at all surprising, Mr. Speaker, because they don't understand the approach to economic development which our Government is pursuing in this province. When they were in Government, Mr. Speaker, economic development meant the development of highly visible resource-exploiting, capital-intensive plants built with the people of Saskatchewan's money and owned by residents of foreign countries. Mr. Speaker, that kind of approach will never result in the development of a sound economic base for Saskatchewan and we have the results of seven years of Liberal bungling to prove it.

Contrast that approach to the approach of our Government, Mr. Speaker, an approach which depends upon many vital initiatives such as the one being proposed in this amendment to The Margarine Act.

We believe, Mr. Speaker, that the main thrust of development in this province will depend upon processing and refining the natural products. It should be obvious to all, even to the Members to your left, Mr. Speaker, — although apparently it is obvious that it is not so at this point in time — that farm products make up the most important natural products produced in this province.

We believe firmly that economic development in this province will depend upon an expanded agriculture and upon industries processing agricultural products.

Some Hon. Members: Hear, hear!

Mr. Messer: — As I have indicated, two agricultural processing industries we intend to help and assist are the rapeseed processors and the makers of manufactured milk products. These are Saskatchewan industries — industries which are economically sound and owned and operated by Saskatchewan people. Owned and operated, Mr. Speaker, not only by Saskatchewan people but largely through co-operatives.

Compare that to the situation of a year ago when the best thing the Government of Saskatchewan had to offer in the line of economic development was to pay wealthy New York capitalists large sums of money to come in to exploit and destroy our North.

This Bill will encourage increased processing of rapeseed in Saskatchewan. More will have to be done and as I have indicated we are directly involved as a government in seeing to it that more is being done. We will not rest until all the features of our national economy discriminating against Saskatchewan economy development are eliminated.

Now in closing, Mr. Speaker, I urge that this Assembly give favourable consideration to this amendment to The Margarine Act. The amendment is supported — and I wish the Members opposite would listen carefully to this — by the Rapeseed Growers Association of Saskatchewan. It is supported by the Rapeseed Association of Canada, The Saskatchewan Wheat Pool, the Allergy Information Association, The Fisheries Council of Canada, the Institute of Edible Oil and many, many others.

I believe it is timely and necessary legislation. Our

Government is prepared to take all steps necessary to encourage the kind of development which Saskatchewan people desire through these sorts of action. And this is only one such step. I therefore move second reading of this Bill.

Some Hon. Members: Hear, hear!

Mr. E.F. Gardner (Moosomin): — Mr. Speaker, it is very seldom that we get such a long speech about some very minor changes.

Last summer we were up in northern Saskatchewan and driving north of Tisdale looking over the rapeseed situation that the Minister mentioned. We happened to go past his farm. We noticed a \$40,000 or \$50,000 mansion out on the farm surrounded by two or three sections of rapeseed. Perhaps this is some of the reason for the introduction of this Bill and the long speech that the Minister made today.

You know he made a very elaborate speech about some quite minor changes. He seemed to talk about everything except the Bill before us. In fact he used it as an excuse, I believe, to try and justify his bungling during the Bertha army worm problem last summer. I think that if you will recall at that time he spent thousands of dollars of the Saskatchewan taxpayers' money to bring in an unknown American chemical — Iannate — and to spray it indiscriminately over northern Saskatchewan without knowing what it would do to our wildlife, our crops, trees or to anything else. This dangerous chemical was certainly not tested before and even now the results are largely unknown.

If you will recall, Mr. Speaker, that in 1965 after 20 years of NDP Government the Liberals brought in a Bill allowing coloured margarine for the first time. Before that, under the NDP, the housewife had to buy white margarine. She got a little package of colour with it and she had to mix it at home with a fork. The first thing we did in 1965 was to change this so that coloured margarine was allowed.

Some Hon. Members: Hear, hear!

Mr. Gardner: — The amendments that we have here today in Bill No. 5 are certainly rather unimportant and the Minister has not really referred to them. There are only two sections to this amendment and the Minister didn't get around to telling us what they were. One is a slight change in the colouring requirements. The other section removes the requirements that restaurants state if they are using margarine. Now these are the only two things that this Bill does. If, as he says, he doesn't want to get involved in the kitchens of the country he should have removed the Bill altogether because there are certainly other sections in this Bill saying the margarine has to be stated on the package and other types of regulations.

But he only removed these two very minor points. This is all it does. It shouldn't greatly affect the sale of margarine or the use of margarine and it shouldn't greatly affect the growing of rapeseed. These changes I don't think will affect the dairy industry to any great extent either. These changes are of a minor nature. We will not oppose them although we may have questions for clarification later.

I might point out to you, Mr. Speaker, that the explanatory notes that are usually given to the Opposition so that they can study the effects of these Bills were put on our desks at 2:00 p.m. today. The debate on this started at 2:45. The usual procedure is to allow several days if possible for the Opposition to take a look at what is going on in these Bills. The Minister had several days to prepare his speech on this. He expects the Opposition to get up and speak and he gives us the explanatory notes at 2:00 p.m. today and starts his speech at 2:45.

But as I said these are two very minor changes. We are not going to oppose them and we will have some questions for clarification in Committee.

Some Hon. Members: Hear, hear!

Motion agreed to and Bill read a second time.

Mr. Messer (Minister of Agriculture): — moved second reading of Bill No. 6 – An Act to amend The Horned Cattle Purchases Act.

He said: Mr. Speaker, I rise with reference to the Act to amend The Horned Cattle Purchases Act. I believe that the explanatory notes were also laid on the desks of the Members today which is two or three weeks earlier than many of the explanatory notes laid on the desks by the previous Government.

This Bill amending The Horned Cattle Purchases Act will reduce the weight of cattle to which the penalty applies from the present 500 pounds to 250 pounds. Stock calves over 250 pounds in weight that have horns would in the future be assessed a \$2 penalty.

Discussions with those involved in the marketing process, both in the province and buyers from Ontario and the United States, have convinced us that they prefer to buy feeder cattle without horns.

Feedlot operators are generally aware of the disturbance, injury and loss of gain that even a few horned animals can cause in a feedlot, in stockyard pens or in railway yards or trucks. We believe that reducing the number of calves marketed with horns and hence the number of feeder cattle marketed with horns will be just one more favourable factor in convincing our customers that we wish to supply the kind of cattle that they want and demand.

If this Act has the effect that we hope so that order buyer who has an order for stock calves or feeders without horns will know that he can expect to get them in the province of Saskatchewan.

The horned cattle penalty was first introduced in 1939. At that time 19 per cent of the cattle marketed had horns. The penalty was then \$1 per head. There was little change in the number marketed with horns until 1949 when the penalty was increased to \$2 per head. Since then the percentage has declined to 14 per cent in 1960 and to about 11 per cent at the present time. We are aware that Manitoba suspended their Horned Cattle Penalty Act three years ago. But reports from that province indicate an increase in the percentage of horned cattle being marketed. They are now considering the reintroducing of that penalty in order to offset that increase in number.

Alberta very recently suspended their Act and will be recording the number of cattle marketed with horns to assess the effect of removing the penalty. We are firmly convinced that in the meantime we are well advised to take this action to further encourage the removal of horns. When feedlot cattle are in good supply buyers tend to bid less for cattle with horns. A price discount of just one cent per pound on a 500 pound stock calf means a loss of \$5 for the producer.

I would emphasize again, Mr. Speaker, that anything we can do to upgrade the general quality of feeder cattle, anything we can do to meet the customers' requirements will tend to attract buyers and reflect finally in the returns to the producer.

In addition to these reasons for increasing the penalty I would emphasize the human aspect of it. The time to dehorn an animal to minimize suffering and prolonged pain is when the animal is a calf before it is necessary to cut off a piece of the animal's skull to get all the horn tissue. It is more humane and losses are avoided.

I would also note that the present weight limit of 500 pounds is an impractical one. It would be necessary in many instance to weigh stock calves in order to apply it early. The 250 pound weight limit will tend clearly to separate the veal calf from the stock calf destined for the feedlot. These are the ones that should be dehorned.

This Act which will apply the horned cattle penalty to stock calves is one more measure towards the improvement of cattle in the Province of Saskatchewan.

I therefore move second reading of this Act, an Act to amend the Horned Cattle Purchases Act.

Mr. T.M. Weatherald (Cannington) — Mr. Speaker, one of the concerns of those of us in the Opposition for some time now under the new Government has been the free-spending habits of the Government opposite. I predict, Mr. Speaker, with great certainty this is the first of many taxes that the people of Saskatchewan and farmers will be seeing in the next short period of time.

We all know that at Christmas time you play Santa Claus for a little while and then in January the bills come in and this is one of the many Bills that the taxpayers of Saskatchewan and the farmers in Saskatchewan will be seeing.

As for the points that the Minister made regarding the \$2 penalty I would point out to him that in our view it will do little to change the number of horns on the animals being marketed simply because there is already a great incentive through the market place today to encourage a producer to remove horns now. Anyone who has bought calves in the livestock yards knows full well that calves that come in that market with horns on them are usually discounted anywhere from two to three cents adding up to \$8 to \$10 on that particular animal.

A further penalty of \$2 on that animal will add that much more financial loss to the producer who is already in practically every single instance, suffering a \$7 to \$8 loss on that animal under present circumstances. So what it really amounts to, Mr. Speaker, in the long run there will probably be very little

effect on the number of horns that will be showing up in the markets but it certainly will have a substantial effect of raising considerable revenue for the Government.

Mr. Speaker, I think despite the points mentioned by the Minister that this is largely one of the intentions that the Government opposite has in mind. I think most producers will readily acknowledge that the real intent of the Act is to raise revenue for the Government. The actual effect of removing horns will have very little effect because there is now already a greater return for marketing cattle without horns.

Mr. Speaker, I want also to mention that the Minister makes the point regarding livestock, of it being difficult to ascertain the proper weight. I can assure him that animals over 250 pounds which are marketed will make for very little difference as far as feedlots are concerned. Most of these animals in the 300 or 400 pound range now are easily dehorned when you buy them and it will not be changed very much by the Act which he is bringing in.

Debate adjourned.

Hon. R. Romanow (Attorney General) moved second reading of Bill No. 9 – An Act to provide for the appointment of a people to investigate Administration decisions or acts of Departments of the Government and certain other Organizations and to define the Person's duties, functions and powers.

He said: Mr. Speaker, it will give me great pleasure after these few remarks to move second reading of this Bill. It has a long title but is generally and I am sure will be commonly known as the Ombudsman Bill for the Province of Saskatchewan, 1972.

Before embarking on my remarks I am sure that the Members of the House will allow me one indulgence. I have been informed by the Whip from the other side of the House that one of our long-time colleagues of this Legislature from the Liberal side, the former Minister of Labour and Minister of Public Works (Mr. Coderre) took ill today, rather seriously. I am sure we all feel very badly about that. Those of us who know Mr. Coderre wish him a speedy recovery to good health.

While I am on my feet I may as well say the same thing also about the Leader of the Opposition (Mr. Steuart). If I know him and although he had only had the operation yesterday, he is probably listening to the debate very avidly and taking notes down to make sure he can criticize the Government as soon as he is back in this House. We hope certainly that both men come back in good health and that Mr. Steuart comes back to this House as quickly as possible.

Now, Mr. Speaker, it gives me great pleasure this afternoon to say a few words in introducing The Ombudsman Act, 1972. It gives me a particular amount of pleasure because I am sure as the years go on and as future parliamentarians and others who are concerned about the protection of civil liberties get themselves involved in the area of human rights, they will hail today's introduction and I hope the subsequent passage in second reading of The Ombudsman Act, as truly one of the great steps forward for the province of Saskatchewan in protecting the basic rights of our people.

Some Hon. Members: Hear, hear!

Mr. Romanow: — The Ombudsman is a concept, Mr. Speaker, that is not new to this Government or to this Party. The office of the Ombudsman has been operating successfully in Sweden where it originated since the early eighteen hundreds — 1809. From Sweden it was adopted in various other Scandinavian and other Western countries. Denmark, for example, in 1953. The Danish and Swedish experiences were so successful that the concept then spread to the Western world. And you saw it introduced, first of all, in New Zealand and subsequently in many of the provinces in the Dominion of Canada. For example, the Province of Alberta has one. The Province of Manitoba has one, the Province of Quebec, the Province of New Brunswick, just to name a few. And from time to time we hear debate about the federal Parliament introducing the question of an Ombudsman for the activities of their officials at a federal level.

As you can see, Mr. Speaker, the idea of an Ombudsman is not something that is totally new. But it is one that is catching on in popularity and is one that is gaining wide spread acceptance by civil libertarians no matter what political party or what political faith. People are concerned in the protection of basic rights. Therefore, as I have said, it gives me great pleasure in introducing this Bill for second reading today.

Now what broadly speaking does an Ombudsman do? There are definitions of the role of an Ombudsman. Basically, Mr. Speaker, I have always thought of the Ombudsman as being an office where there is a residue of highly skilled, very qualified personnel who are able to accept the complaints from day to day of the citizens of our province, complaints alleging that officials or bureaucrats have in some way or other have infringed upon their rights in the course of the bureaucrats' or civil servants' activities on a day to day basis. The Ombudsman therefore traditionally has been thought of as the person who would receive complaints of the citizens who so allege that their rights have been infringed. He would have a right to question civil servants and employees of the Government, employees and civil servants of Crown corporation. He would have access to a wide range of government files, he would have, in effect, a great deal of latitude in coming to and searching out and finding the truth or the untruth, as the case may be, of a particular allegation.

Now, one can take issue I suppose in some small detail with respect to that broad general definition but I am sure that all Members of this House would accept that as being a generally accepted view of the Ombudsman. That is what this Bill will be doing. Now, is an Ombudsman really needed in a parliamentary system of democracy? Isn't that the role of the MLA, some will ask? Well, to that clearly, Mr. Speaker, I answer Yes, that an Ombudsman is needed and is needed particularly today in the 1970s as government and as our society gets more highly automated, more technological, more complex and touches on more of the activities of the average person in Saskatchewan. Whether we like it or not, whether we agree or disagree for philosophical or political reasons, government, I feel, in the years ahead will of necessity find itself more and more concerned with the day to day decisions that we make. It is inevitable, for example, that we'll get more involved in consumer affairs and decisions taken by governments and there will be a profound effect on the business involved, on the consumers and the citizens. Questions of perhaps unjust imprisonment may arise, questions of refusal of welfare claims that a person may allege were improper. You can think of a host of examples where the Ombudsman can carry out his function to

make sure that the rights of that person have not been infringed. So I think that in today's very complex and technological world an Ombudsman is an absolute necessity.

But what then? What then of the role of the MLA, what does the MLA do in this system of an Ombudsman? Well, many of us have traditionally thought of the MLA's role, among other things, to be the role of carrying the complaints of his constituents to the appropriate minister of government, to the Premier, to whatever other official is concerned. That role, Mr. Speaker, will continue for the MLA but I think it only stands to reason that as government gets more complex, so much more complex becomes the role of the MLA. I say it is virtually impossible for any one MLA to be so conversant, so knowledgeable, in effect, to be an expert on the multiplicity of departments and agencies that exist, so expert as to be able to do the job that should be done in tracking down and finding out whether or not his constituent has been wronged by a government agency. I think that this requires a further onus on the MLA. As government gets more complex the MLA should be more involved in the policy issues of government, if you will, the philosophical approaches, whether we agree or disagree as to the direction that government should or shouldn't be taking in the modern days in the 1970s and onward. I think that you will see gradually the role of the MLA evolving more as the role of being the man who listens and hears what his constituents would like by way of a new government policy. It will evolve into the role of enunciating that view in this House, evolve to the point that he defends it on the hustings subsequently and although he will still have the role of bringing to the attention of the department of government the individual grievance or wrong doing, that role, I predict, for good or for bad will gradually fade out and thus the need for an Ombudsman.

I say that an Ombudsman who is a highly specialized person, who has attached to this office people who are experts in the various areas of activity whether they relate to the Power Corporation or the highly technological activities of SaskTel or the human activities of SGIO. A person who has this expertise at his command has the freedom to be able to search out the complaints and to make recommendations back to this House is really a desirable aspect in the development of modern day government in the 1970s. As I said in the beginning, it is a step forward to ensuring and guaranteeing that a top-heavy government, Liberal, NDP or Conservative does not trample on the individual freedoms of a citizen.

Mr. Speaker, those are some of the questions that have been raised in the past and may be raised in this debate. Some will wonder whether or not the New Democratic Party or this new Government is a johnny-come-lately when it comes to the question of introduction of this Ombudsman Bill. To that I say, Mr. Speaker, the answer is No. I only regret that in 1963 and 1964 because of the pressures of office and I suppose because the concept wasn't really that developed yet that the government of the day didn't have an opportunity of seeing how it operates because now we have had an opportunity of seeing how it operates in other jurisdictions. Since 1965, Mr. Speaker, Members on the New Democratic side of the Legislature were in opposition and during that time have been on a more or less regular routine bringing in a resolution urging this Assembly and the Government of the day to adopt and to implement the office of Ombudsman. I know, for a fact, that it has been a pet project of the Hon. Premier, Mr. Blakeney, for back in 1965 according to the Hansard

of this House, Mr. Blakeney, who was then a private Member in Opposition introduced the resolution urging the establishment of an Ombudsman. He said then at the time, "broadly, much such an official keeps watch over the way in which government officials apply the laws and the regulations to the public and investigates complaints of private citizens against such officials." Even then Members on our side were urging an Ombudsman. I wasn't then present as a Member but I was in 1968 and one of the most enjoyable and rousing debates that I ever took part in at that time was a good debate by Mr. Willis who is a retired MLA from our side, again, and again urging the government of the day to implement an Ombudsman. Regretfully, Mr. Speaker, on each and every occasion the Liberal government of the day saw fit either to reject or not to comment on or to ignore what was obviously advancing an area in human rights. Therefore, for seven years no Ombudsman legislation. We are not johnny-come-latelies.

The Member from Moose Jaw North (Mr. MacDonald) applauds. The Member from Moose Jaw North, I take it from the applause, is against an Ombudsman. He may very well be, it is his right, of course. I'll be very interested in seeing what the Liberals do now that they are in Opposition with respect to an Ombudsman. It was my great pleasure about four or five weeks ago to be on a radio hot line program over the CBC where the guest interviewer was a young lawyer of considerable ability and intelligence. His name is Mr. Ross Keith. I think it is no secret that Mr. Keith is a strong member of the group called Group 171 in the Liberal Party. I think it is no secret that Mr. Keith is seeking to promote new ideas and is seeking to advance those concepts which guarantee human rights. I assume that Mr. Keith will be doing so not only in the capacity as a guiding source of Group 171 within the Liberal Party but in his capacity as a member of that Party and above all in his capacity as a citizen in the Province of Saskatchewan who believes in the protection of civil liberties.

Some Hon. Members: Hear, hear!

Mr. Romanow: — I am sure that most people within the Liberal Party will be disappointed if the Member from Moose Jaw North, in fact, opposes this Bill. I am sure that most people in the Province of Saskatchewan would like to see the Liberal Party keep in step with the times in the developing in civil rights.

Now, Mr. Speaker, let me proceed very briefly in the time remaining to me to explain in some detail how this Bill is drafted and what it intends to do. First of all, we come to the question of the appointment of the Ombudsman. The person who is going to be the Ombudsman, the Bill says, must be a Canadian citizen, that person will be nominated by the Assembly and the Cabinet is then required to appoint the person so nominated. The Ombudsman appointed and I stress this, Mr. Speaker, will not be an officer of Cabinet, he will not be the officer of one Party but he will be an officer of the Legislative Assembly, in other words, reporting and responsible to all of us. The Bill sets out a period of time for five years but that person maybe reappointed for a second period of five years on the resolution of this Assembly. Can the Ombudsman be removed or suspended? The answer is that the Bill provides for that. The Assembly may pass a resolution to remove or suspend the Ombudsman and the Cabinet must then pass the necessary order to so remove or suspend him. If the Legislature is not in session

at this time, the Cabinet may suspend the Ombudsman but grounds for suspension are very carefully defined. He may be suspended only if he is disabled to carry out his duties or he is neglectful of his duties or for a form of misconduct. We can suspend him for these reasons and these reasons only. And if the suspension is carried out when the House is not in session then the suspension is valid only until the House next convenes in which case, quite obviously, the actions of the Cabinet will have to be justified and brought and supported before the Members of this Assembly.

Now, a third aspect of this Bill, Mr. Speaker, is the proposed remuneration of the Ombudsman. This has caused us some considerable difficulty because we want to get a man of extremely high calibre and ability and one who is considered by all people in Saskatchewan to be more or less fair and impartial. For that type of an individual I think we are going to have to make provision for adequate compensation. I hope that we can get a person from Saskatchewan. He may or may not be a man who has legal training. I would certainly hope that this would add to the office if he did have some legal training but I'm not one who is wedded to the idea that an Ombudsman has to be a lawyer or a judge or a retired judge or someone of that type. But we do have to pay money in order to get a good Ombudsman. If he is going to do all these things that I say he should do for the protection of the public, therefore it is proposed that the salary of the Ombudsman be fixed in the Act itself and that is be fixed at \$25,000.

I might say that salaries in Manitoba and Quebec are fixed by the Cabinet. I don't think this is entirely acceptable. There may be occasions when this can be done but generally I don't think it is acceptable because Cabinet could then say reduce it to one dollar. The Ombudsman would have the right to carry out his duties but if the salary is reduced to one dollar, in effect, he would be stopped. In Alberta and Newfoundland the salary is \$20,000 fixed by the Act. In New Brunswick the salary is equal to that of a queen's Bench judge and in the United Kingdom because England has an Ombudsman also, the salary is \$9,600 pounds, about the same as in New Zealand.

I come to the question of staff. The staff that the Ombudsman will have will be appointed under The Public Service Act through the provisions of The Public Service Act. The Ombudsman and his staff are also entitled to The Public Service Superannuation Act benefits. Again, the advantages are clear, for by this provision we avoid the question of Order-in-Council appointments and the possible bringing of staff into dispute there. The Ombudsman and his staff are required to take an oath of secrecy and further the Ombudsman may delegate to a people his powers of investigation at will subject to the approval of the Cabinet because we wouldn't want the Ombudsman to delegate his powers to any individual in the odd chance that he made some gross error in this area.

Now, what are the functions and powers of the Ombudsman, Mr. Speaker? The functions and powers are one of the important provisions of this Bill. They are set out in section 12. It is the function and duty of the Ombudsman according to section 12, and I ask all Member to note this, to investigate any decision or recommendation made including any recommendation made to a Minister or any act done or omitted relating to a matter of administration and affecting any person or body of persons in his or their personal capacity in or by any department of agency

of the government or by any officer, employee or member thereof in the exercise of any power or function conferred on him where the person is aggrieved. I submit, Mr. Speaker, that definition of section 12 is very wide, an all encompassing definition which will allow the Ombudsman to carry out his duties freely. He has a wide scope and a wide latitude of activity.

Agency means any board or commission, Crown corporation for example. Department - we know what the department term commonly means. This will mean, in effect, that the Ombudsman will be able to check into allegations of wrong doing with respect to the highway Traffic Board, the Liquor Board, Liquor Licensing Commission, Milk Control Board, just to name a few, and to carry them out impartially and fairly in the interests of that citizen with politics aside.

There is a limitation. The complaint which may be the subject of the investigation must be a matter whereby a person is or may be aggrieved. I think lawyers on the opposite side of the House will know that term is one that is generally understood and well recognized by the courts when we talk about the question of aggrieved. In other words, Mr. Speaker, with respect to that term his complaint may not relate to another person. In other words, if person A has a complaint to make, person B is not entitled to make that complaint for him or to have it investigated just to satisfy himself that person A had reason to complain but decided not to complain. If there is a complaint then it should and quite properly be made by the person who is aggrieved so that the orderly dispatch of business and the resolution of the rights and wrongs can be carried out as quickly as possible.

Now, Mr. Speaker, Members may want to know at whose instance investigations by an Ombudsman may be made. They are as follows:

1. The Ombudsman may decide to investigate a complaint at his own motion. In other words he may see something or read of an administrative act in the paper and he sends out his officers to check it out.
2. He may investigate a complaint made by a person or a group of persons involved in the same ground of complaint, if the complaint is made in writing by a person who is resident of Saskatchewan or who was a resident of Saskatchewan when the subject matter of the complaint arose.
3. He must investigate and report upon any matter that is referred to him by this House or by a committee of this House or by the Cabinet. And I think this is an advantage also that is to be noted by all Members. That this House could, by resolution determine to put an administrative act into the hands of the Ombudsman. Because of his impartiality, we want to appoint the right man and certainly it would be the intention of the Government to get the support of the opposite Members of the House in appointing that person so that confidence isn't undermined in him, we could refer it to the Ombudsman for him to report back to us.
4. A complaint may be made with regard to a matter that arose within twelve months before the Bill came into force.
5. No complaints may be accepted or investigated in a matter that occurred more than twelve months before the complaint is made unless the Ombudsman for a special reason says that this

matter can and should be investigated.

Now, Mr. Speaker, these are wide powers. The Ombudsman may investigate any complaint, notwithstanding that under any Act of the Legislature that Act is termed to be final. He has a wide latitude and a wide scope to act to protect the liberty of our citizens.

Now, Mr. Speaker, there are areas that are not subject to an investigation by the Ombudsman. What are these areas? Firstly, actions, decisions, recommendations, or omissions made by this House, made by the Cabinet, made by any Member of the Cabinet, are not within an Ombudsman's jurisdiction. Nor are the decisions or actions of the judges, nor are any proceedings of arbitration, nor those of a council or solicitor for the government acting for the Crown because of a Crown solicitor privilege.

Now, why did we exclude these provisions, Mr. Speaker? Because it has been brought to my attention that some Members say that this is an exclusion of power, the Attorney General is trying to make the law apply to everybody but to himself, the Government is arrogant and the like. I don't deny any Member the right to say that. If he honestly believes it, let him say it. But I don't honestly feel that any Member of this House believes that to be the case with respect to this Bill. Because I am informed by my law officers, Mr. Speaker, that this Bill with these exclusions is almost identical with respect to these exclusions in every other Bill in the Dominion of Canada or anywhere else in the Western world.

Some Hon. Members: Hear, hear!

Mr. Romanow: — And why do they exclude the Cabinet and why do they exclude the Attorney General and Ministers? You know why? Because, Mr. Speaker, we are held responsible in democratic parliamentary procedure. There is a place for us to be accountable. We are accountable right to this Assembly, we are accountable every day that we meet and every day that we answer questions and every day that there is a written question put on the order paper. Any Member in this House who would suggest that there is usurpation of power is simply not telling the truth, is untruthful to himself and is misleading the people of the Province of Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. Romanow: — Because to do it otherwise would be to take away what are basically the concepts of democracy.

Let me say this matter has been studied carefully. An author by the name of Stanley Anderson, reporting for the federal Government on this issue said this: "An Ombudsman office does not alter the basic structure of government, it does not lessen the executive branch's primary responsibility of policy making." That's our responsibility. On the contrary the operations of the Ombudsman are supportive of these functions. The pertinent acts in parliamentary institutions discussed are designed to keep the Ombudsman within proper grounds, Mr. Speaker.

Whatever establishment or agency we set up we must never set up an establishment or agency which will be superior to

the actions and the decisions of you, Mr. Speaker, and the Members of this Assembly sitting in session and thus the exclusion provisions. Are they valid? I think they are.

Mr. Speaker, continuing, the Attorney General has the right to certify that a matter is contrary to public interest. If this should ever be done on a rare occasion, I should like to think it would be a very brave Attorney General who would do it. That has to be reported to this House. Reasons why he should do so would have to be brought to the attention of this House. The procedure for complaint is straightforward. The report is made to the Minister, the Minister must take action on the Ombudsman and if the Minister doesn't then it comes before the House in the yearly report.

Mr. Speaker, my time has run out. We can discuss the further detail of this Bill in Committee of the Whole.

I say to you again, Sir, and to all of Saskatchewan on behalf of the Government and the people of Saskatchewan, it gives me great pleasure today to speak and to move what I think will be one of the greatest pioneering Bills for the protection of civil liberties – The Ombudsman Act, and accordingly, Mr. Speaker, I move that Bill No. 9 be now read a second time.

Some Hon. Members: Hear, hear!

Mr. K.R. MacLeod (Regina Albert Park): — Mr. Speaker, the matter that concerns me as I rise to speak about this Bill and concerns me about some other Bills, is the delay that we have in obtaining copies of the Bill and delays in obtaining explanatory notes that relate to these Bills. I understand, Mr. Speaker, that it has been the custom of this House in past times to get the explanatory notes at about the time the Bills were set out, not necessarily the same moment, but perhaps a day or two later.

Mr. Romanow: — Mr. Speaker, on a Point of Order, this is the second Liberal speaker who has said that. I have never in my three and a half years as Opposition Member ever had an explanatory note by the Liberal Government at the same time. In fact, one-half of our explanatory notes are on the table already and I would ask the Hon. Member to refrain from that comment please. We are trying our hardest to do it and if he wants to adjourn it, fine.

Mr. Guy: — Point of Order. I think it should be pointed out, however, that when the explanatory notes were not available there was an understanding between both sides of the House that that Bill would not come up for second reading until such time as the notes were available a few days before hand so that there would be some opportunity to peruse them. We have not had any explanatory notes for the particular Bill that's under discussion today. It was brought to our desk yesterday and this is no way to expect the Opposition to handle the affairs of this House.

Some Hon. Members: Hear, hear!

Mr. Speaker: — I don't think this is a Point of Order. It's a

Point of Procedure and the Members can adjourn the debate. It isn't a matter that the debate has to proceed but that it is a discussion of procedure not on a Point of Order.\

Mr. MacLeod: — Mr. Speaker, I will not belabour the point. I merely wanted to point out, of course, that we can't be an effective Opposition without the co-operation of the Government. I point out that we do caucus at either ten o'clock in the morning or at one o'clock in the afternoon each day and as at one o'clock this day we really had no knowledge, for example, of the business that's going on tomorrow in the House. So, therefore, we caucus without knowing what it is the Government has in mind. But, Mr. Speaker, in any event, I don't intend to belabour the point. It does present us with some difficulty, however, when we discover that the Minister of Agriculture (Mr. Messer) in dealing with the margarine Bill thinks that paragraph 5 deals with pulp mills. It doesn't ease our study in any way.

Mr. Speaker, when I do speak of this Bill as I now do, I wish to comment that I shall deal with it at some length at a later moment. I only have a few remarks today to focus some attention on one or two of the more striking features of the Bill.

The question we face today, Mr. Speaker, is this — who is to govern the Government? That is, who is to control those who are in government and who is to protect the citizen against the insensitive use and occasional abuse of government power?

Today we do have some protection. That includes ministerial control over government officials, it includes this Legislative Assembly's control over Ministers, it does include an active Press and the Assembly has 60 MLAs. We have recourse to the courts, we have all kinds of appeal, we have The Saskatchewan Bill of Rights and we have the proposed Human Rights Commission.

The single greatest source of power in our system, Mr. Speaker, rests with the 12 or 13 Cabinet Ministers and their deputies. The single most powerful office in the entire group apart from the office of Premier is the office of the Attorney General.

Under the proposed Bill all these primary sources of government power, the Ministers and their deputies and the Attorney General's Department are beyond the scope and the power and the probing of the Ombudsman. Each and every one of them is exempt. No Act, declaration, nor decision, nor failure by any Minister is subject to the Ombudsman.

The most effective device at the disposal of any government to prevent prying is the ministerial declaration that disclosure of that information is not in the public interest. The Attorney General may extend the cloak of his protection to everything in government, every document, every piece of information, every decision, every Act, all conduct of every kind whatsoever merely by his declaration that this is not in the public interest.

I should — no, not just like in Alberta. Not like in Alberta at all.

I read section 17, the first part of it, sub-section 1 of section 17:

Where the Attorney General certifies in writing to the Ombudsman that the investigation of a matter would be contrary to the public interest, the Ombudsman shall not investigate that matter or, if he has commenced an investigation of the matter, he shall discontinue the investigation.

Now that is not, Mr. Speaker, the same as in all other Bills. The certificate of the Attorney General is not subject to question. He may declare that anything is not in the public interest and therefore may not be disclosed. It may not be investigated.

The Attorney General has absolute authority to extend his protection whenever he chooses. His decision is not subject to any way to review or question. The slightest act of any official, any official at all in government, may be protected by this certificate merely on the word, the word only of the Attorney General that examination of what the official has done is not in the public interest. The veil of that protection is impenetrable. We cannot determine whether or not it really is in the public interest. That subject is one that cannot be examined.

Now, I propose to examine this entire Bill in greater detail, Mr. Speaker. I should like to suggest that if we are to have an Ombudsman we must have an Ombudsman with power. We must infuse him with some life. We must invest him with some real authority. We must give that Ombudsman some energy and some strength. We have to arm him with something more than a powder puff. We cannot have a powder puff Ombudsman when in fact the real power rests with the Attorney General.

The Attorney General should not assume as he did during his remarks that we would oppose the Bill. That kind of assumption on the part of the Attorney General can lead him, I suggest, to some very grave mistakes.

But the Bill is defective, Mr. Speaker. It requires study and undoubtedly our assistance to make it the kind of Bill that is required by the people of Saskatchewan.

I move now that we adjourn debate on this Bill.

Debate adjourned.

Hon. G.T. Snyder (Minister of Labour) moved second reading of Bill No. 26 – An Act to amend The Pension Benefits Act, 1967.

He said: Mr. Speaker, I am privileged today to have the opportunity to move second reading of a Bill to amend The Pension Benefits Act, 1967.

It will be known that in Canada we have always had the problem, Mr. Speaker, of how best to provide financial security to members of our society who have reached retirement age. Government sponsored pension plans such as the Old Age Security and Canada Pension Plans were designed and implemented to provide a minimum basic standard of security for our senior citizens. Due to the limitations of these plans, along with the recognized variants in financial needs after retirement, private pension plans have been initiated by the employers and employees to supplement government sponsored plans. Some 16,000 pension plans

covering approximately 40 per cent of the entire work force are presently in existence with more plans being implemented every day. Over a billion dollars are being deposited in these private pension plans each year. The responsibility for governing and controlling the operations of these vast sums of money falls upon the Provincial Government. Legislation similar to The Pension Benefits Act here in Saskatchewan have also been adopted in the provinces of Ontario, Quebec and Alberta as well as the Department of Insurance in Ottawa covering those pension plans falling under federal jurisdiction, such as railroads and banks.

Pension legislation is now effectively protecting approximately 90 per cent of all employees participating in company pension plans. While considerable progress has been made, Saskatchewan in regulating solvency and investment of pension fund moneys, very little has been done to improve the portability of pension plan benefits. All too often employees participating in private pension plans believe that they have a degree of retirement security only to find upon termination of their services for one reason or another that they have no vested interests in their accrued benefit. Furthermore, very often those employees who reach retirement find that the benefit provided by the plan is grossly inadequate. It is the intention of this Government, Mr. Speaker, to improve the portability of pension benefits when an employee moves from one job to another and to investigate some way of improving private pension plan benefits.

The Pension Benefits Act and its counterparts in the aforementioned provinces were recognized as pioneer legislation and it was anticipated amendments in major redrafting would be required after the various authorities had the opportunity to evaluate the effectiveness of present legislation. The Bill before you, Mr. Speaker, is an amendment to The Pension Benefits Act, 1967. almost identical legislation has been in operation in the Province of Ontario since 1965. The amendment's objective is to prevent the loss of pension rights for those employees who lose their jobs due to a company going out of business or closing down a significant part of the total operation. Contributions to the pension plan paid in by the employer are irrevocable so that on termination of the plan the funds all go to the employee and his beneficiaries. Therefore, Mr. Speaker, an employee who is still a member of a pension plan when it is terminated participates in the distribution of the fund assets which includes his share of the employer contribution.

From experience it has been revealed that most companies when planning to close out their operation, invariably reduce their staff over a period of time. The employee who employment terminates just prior to the actual winding up of the business operation and of the pension plan usually receives only his contributions back with a nominal rate of interest.

The amendment before you today, Mr. Speaker, gives the Superintendent of Pensions, who is an employee of the Department of Labour, the right to declare a pension plan terminated on a date prior to the company's decision to wind up their pension plan and business operation.

This, in effect, Mr. Speaker, would give those employees laid off during the phasing-out process of the business operation the same entitlement to distribution of employer contributions as those employees who were still members of the plan when it was terminated.

There is also a provision in the amendment for the company to object to the superintendent's declaration and to appeal his final decision to the courts. So I think this indicates clearly that there is an appeal mechanism provided also in the Bill, Mr. Speaker.

To better illustration the effects of the amendment to The Pension Benefits Act, perhaps it would be in order for me, very briefly, to cite an example of what is presently practised in some instances. This particular case, Mr. Speaker, involves a medium sized company which was owned by two principal shareholders who were also employed by that corporation. The company had a pension plan in effect for quite a number of years. It provided that the employees contribute 5 per cent of their salary and the employer's contribution was in a like amount.

The two principals unilaterally decided to wind up their business operation. Over a relatively short period of six months all of the employees were discharged except the two principal shareholders. The terminated employees received only their own contributions back with interest in one lump sum. Each time an employee terminated his employment and took out his refund it then released the employer's contribution paid on his behalf as a surplus in that pension plan.

The plan was finally terminated and wound up. The only two members in the pension plan were the two principal shareholders. They divided the pension fund assets between themselves, one receiving approximately \$176,000 and the other \$154,000.

It is worthy of note also, Mr. Speaker, that the proceeds were not taxable since they were converted to purchase a rather substantial deferred retirement annuity for the two principal shareholders who were the remaining beneficiaries of that pension fund.

The new amendment, Mr. Speaker, would give the Superintendent the right to declare the pension plan terminated six months prior to the actual winding up of the plan and thus give those employees whose employment was terminated during that six month period entitlement to the employer's contribution made on their behalf in the form, I suggest, of deferred wages while they were members of the plan.

The underlying premise and moral justification in supporting this amendment, Mr. Speaker, is that the employees had no control or influence in the termination of the pension plan or their employment and as a consequence their opportunity and their right to retain their employment was jeopardized due to circumstances beyond their control. It therefore follows, Mr. Speaker, that their entitlement to any moneys paid into a pension plan on their behalf should be irrevocably acknowledged.

Therefore, Mr. Speaker, I believe this is good legislation which should receive the support of all Members of this House. Mr. Speaker, I move second reading of this Bill.

Some Hon. Members: Hear, hear!

Mr. J.G. Lane (Lumsden): — Mr. Speaker, I am a little confused as there seems to be some breakdown in distribution. Some Members over here don't

have explanatory notes for this particular Bill. Have they been prepared?

Mr. Snyder: — I understand they are being prepared but like some other Bills that are before us, they haven't yet arrived. I would just hasten to join with the Attorney General in informing the Hon. Members that for a good number of years in this House we operated without explanatory notes being provided for us for a large number of pieces of legislation. I am sure that a genuine effort is being made to provide all Hon. Members with these explanatory notes.

Mr. Lane: — We have no doubt that an effort is being made, Mr. Minister, however, we have your assurance that in this particular Bill, these amendments are similar to other province. I think that in order to inform the Opposition that we should like to wait and see the explanatory notes and will be able to assess this a little further. And with this I should like to adjourn debate on this second reading.

Debate adjourned.

Mr. Snyder (Minister of Labour) moved second reading of Bill No. 4 – An Act respecting the Department of Social Services.

He said: Mr. Speaker, among other things the Bill that I am moving second reading of at the moment does a number of things but immediately the Bill changes the name of the Department of Welfare to the Department of Social Services.

I want to begin by saying that this proposal which is being suggested is not merely for the sake of change. I believe the name more clearly defines the scope and the intent of the Departmental functions.

Initially, Mr. Speaker, the word welfare referred to the well being of people and of society generally. Because of the indifference of some people to properly understand social problem and their refusal to accept an obligation, the term welfare I fear has taken on a rather negative and one-sided meaning. In the minds of some the Department of Welfare is merely a cheque writing service providing handouts to indigent people.

The needs of the people of this province, Mr. Speaker, are much broader than their financial needs and the services of the Department are much more varied than the provision of financial assistance only. We believe that the name Department of Social Services gives a much more accurate representation of the functions and objectives of the Department.

Inherent in the new Department of Social Services is the belief of this Government that any act of legislation must be relevant to the needs of people and that legislation must continue to change as the needs of the people of the province change.

Under present legislation, Mr. Speaker, provincial advisory boards and provincial appeal committees can only be established under The Saskatchewan Assistance Plan Act. We have found that these two mechanisms, the appeal committees and the advisory boards have functioned well in keeping legislation current and

ensuring the basic rights of the people of this province are protected. We are therefore extending these concepts to all areas of programming. I want to take this opportunity to commend the previous Administration in also following this course of action. We believe that all areas of programming and legislation must be continually reassessed in order to assure that we are indeed meeting the needs of an every changing society.

The appeal committees, Mr. Speaker, will be independent, impartial committees that will hear grievances arising out of administrative decisions or actions arising out of the implementation of this Act. The committees, of course, will not have the power to rule contrary to the Act or its regulations.

Some examples of complaints that might be considered by the committees are, first of all, a disagreement between the Department and the foster parent over the removal of a child from that foster parent or a case where an adoption applicant is rejected and the prospective parent disagrees with the decision. This is the case with the proposed Provincial Appeal Committees and as well Provincial Advisory Boards can be established to deal with any area of legislation administered by the Department.

The advisory boards will be comprised of a group of independent impartial citizens who will be asked to assess and make recommendations relative to the programs carried out by the Department.

Advisory boards are essential, I believe, if we are to keep our services related to the needs of society. They provide the citizens of the province with an easy and accessible route to make suggestions to the Government and to question established policies. Contributions made by the Provincial Appeal Committees and Advisory Boards, I believe, will ensure that our programs and our services are representative of the people which they service. It is our hope, Mr. Speaker, to include more people on the advisory boards and on the appeal committees that come from the client groups.

The Department of Social Services gives legislative authority to some of the administrative practices that have grown up in recent years also, Mr. Speaker. At the suggestion of the Provincial Auditor these functions are now being written into legislation rather than being put into effect by Order-in-Council as has been the practice in the past.

The Act gives authority to the Minister to administer the funds to a client receiving services from the Department. This is a service which clients such as the elderly and the disabled have requested that we provide.

I want to emphasize, Mr. Speaker, that this service will be provided, not as a matter of course, but only upon the request of the client. In addition, Mr. Speaker, the Act sets out broader ministerial powers for the expenditure of funds of the Department to a maximum of \$1,000 an increase from \$500 without the necessity for providing an Order-in-Council. This was determined to be advisable to reduce the unnecessary administration costs and paper work in connection with the payment of small accounts. It also gives the Minister the authority to make grants up to a maximum of \$5,000 to a non-governmental agency which is providing social services and is engaging in research, perhaps related to social services for the benefit of the people of Saskatchewan.

It is my belief, Mr. Speaker, that this Act will better serve the needs of the people of this province than did the Department of Welfare Act which preceded it and which we propose to repeal.

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

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, I just have a few comments today. I did not anticipate this Bill coming up this afternoon. We were just informed about it a few minutes ago and as a result I would like to take a little more time.

There are one or two areas that I should like to comment on today. First of all, I certainly see no objection to changing the name of Department of Welfare to the Department of Social Services. In fact, I think, that over the years in which the Liberals — our side of the House — administered the Department of Welfare there was a general extension. The concepts of welfare certainly are undergoing a rapid change in society today and the concept of providing service, rather than the stigma of welfare, is I think a good and progressive step.

I should also like to say that I also agree with the concept of putting our concept of an appeal committee established, first of all, under the Saskatchewan Assistance Plan in which we gradually over the years tried to expand to other areas of departmental work and into the Bill itself in making it a legislative right and a legislative responsibility is certainly a good one.

However, Mr. Speaker, there is one area that I am concerned about and that is the section of broadening and enhancing the Minister's responsibility in the administration authority from \$500 to \$1,000 in relation to property and small bills owed by the Department for services provided. That, I think, is probably, as he indicated, an opportunity certainly to cut down on the red tape and Orders-in-Council, etc.

However, under section 8, Mr. Speaker, the Minister is asking this House to give him the responsibility and the authority on his own merit to make grants to any organization in Saskatchewan of \$5,000. We have had one opportunity in this Legislature, Mr. Speaker, to see one of those grants. And certainly the manner in which that grant was proposed, the manner in which that grant was accordingly granted to that particular agency and by the same Minister of Welfare, under the terms or guise of welfare or social services. It makes us hesitate to grant the Minister this kind of responsibility and this kind of authority, Mr. Speaker, because it says 'or other grants'. Now I am not just sure what that 'other grant' has in its context. Certainly, Mr. Speaker, I am concerned about the possibility of granting the Minister those kinds of powers which permit him — and it says 'annual grants or other grants' — does that mean a grant of \$5,000 per month? Does that mean a grant of more than one occasion in a year? He says 'annual or other grants'. And to give the Minister the right and the power and the authority to give a \$5,000 grant to any agency in the Province of Saskatchewan, anybody that he sees fit, certainly is of concern to the taxpayers of Saskatchewan and the people of Saskatchewan. Because one thing that has been very real, very apparent, since

this Government took office is the fact that they have expanded the concept of providing Government funds to support agencies which may not in themselves merit that kind of support. Some of them certainly do.

For that reason, Mr. Speaker, I am going to adjourn the debate. I want to check into the number of grants, the kind of grants that have been allocated by the Government since they have taken office and then, Mr. Speaker, on the next occasion after I have had an opportunity to peruse them, I should like to make some other comments.

I, therefore, beg leave to adjourn the debate.

Debate adjourned.

Hon. K. Thorson (Minister of Industry and Commerce): — moved second reading of Bill No. 7- An Act to repeal The Coal Mining Industry Act.

He said: Mr. Speaker, this is a Bill which will repeal The Coal Mining Industry Act.

The purpose of the repeal is simply housekeeping. The present legislation which I may say for the benefit of the Members, The Coal Mining Industry Act is chapter 276 of the Revised Statutes of Saskatchewan, 1965. It provides – it is rather short – some definitions about coal mining. It gives certain powers to the Minister of Mineral Resources. It has something to say about the licensing of operators of coalmines and it gives to the Cabinet the power to make regulations. That is essentially all there is to the present Coal Mining Industry Act.

All of these powers and provisions are contained in The Mineral Resources Act, which is chapter 70 of the Revised Statutes of Saskatchewan. And, in fact, the Department of Mineral Resources which has the responsibility for regulating the coal mining industry operates under The Mineral Resources Act and there are a number of regulations passed under the authority of The Mineral Resources Act.

In short, The Coal Mining Industry Act has not been operative for a great many years and it is proposed that it should be repealed so as to keep the statute books up to date and current and not to mislead anybody about what the Department of Mineral Resources is actually doing in this field.

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

Motion agreed to and Bill read a second time.

Mr. Thorson (Minister of Industry and Commerce): — moved second reading of Bill No. 8 – An Act to repeal The Coal Miners' Safety and Welfare Act.

He said: Mr. Speaker, I rise to give second reading of the Bill to repeal The Coal Miners' Safety and Welfare Act.

The Act is now found in chapter 372 of the Revised Statutes of Saskatchewan. The purpose of this repeal again is housekeeping in nature to keep the statute book up to date and current.

The Coal Miners' Safety and Welfare Act is somewhat more extensive than the previous Coal Mining Industry Act but essentially is aimed at providing regulations, inspections and the like for the safety and welfare of people employed in coal mines. The provisions of that statute are pretty well covered in their entirety by The Mines Regulation Act which is chapter 373 of the Revised Statutes of Saskatchewan and particularly by the regulations passed under the authority of The Mines Regulation Act.

This Bill to repeal chapter 372 will not add to or subtract from anything which the Department of Mineral Resources is doing or the Government of Saskatchewan is doing in the field of welfare or safety for people employed in the coal mining industry. Again, this is a matter of housekeeping and with that, Mr. Speaker, I move second reading.

Motion agreed to and Bill read a second time.

Hon. R. Romanow (Attorney General): — moved second reading of Bill No. 29 – An Act to amend The Lord's Day (Saskatchewan) Act.

He said: Mr. Speaker, this Bill, Bill 29 is a Bill to amend The Lord's Day (Saskatchewan) Act. The Bill does two things. First, it authorizes a public library to provide all the services that it would provide on any other day with respect to the Lord's Day and secondly, it would authorize the holding on the Lord's Day a rodeo or a show of horses. In effect, it expands the degree of activity in The Lord's Day (Saskatchewan) Act to allow these types of activities to be permitted on Sunday. For this term there will be no further amendments to The Lord's Day (Saskatchewan) Act. I don't know if they can be referred to as housekeeping or not. I certainly don't think they are very controversial. I support the intent and the thrust of the Bill, therefore, I move second reading of an Act to amend The Lord's Day (Saskatchewan) Act.

Mr. H.E. Coupland: — (Meadow Lake) Mr. Speaker, we don't see anything controversial in this Bill. We shall probably have a few questions on third reading, otherwise we support this motion.

Mr. J.G. Lane (Lumsden): — If I could make one comment. Would the Attorney General permit a question at this particular point? You made the comment that you didn't expect any other further amendments to The Lord's Day Act during this Session, Is that notwithstanding the possibility of proposals in the committee to study liquor laws?

Mr. Romanow: — Mr. Speaker, I thank the Hon. Member from Lumsden. In fact, I don't know what the committee report on liquor has to say in this area. That, of course, would have to be a subsequent debate and resolution by this House and it may very well be dependent on the recommendations. I don't know even if they are down or not, we should have to open it up. I am sorry I intended it to mean only those two forms of activities but there could be as well something on liquor. That's the answer I can give there.

Motion agreed to and Bill read a second time.

Mr. R. Romanow (Attorney General): — moved second reading of Bill No. 30 – An Act to amend The Farm Security Act.

He said: Mr. Speaker, this is the Bill which comes into the Legislature on a regular basis. It is the Bill to amend The Farm Security Act. The purpose of this amendment to the Act is to extend the operation of the Act for a further three-year period, 1973-75, thereby limiting the rights of a vendor or mortgagee or his successors or assignees by providing that such rights shall not in respect of the crop grown by the purchaser or mortgagor in the years 1973, 1974 and 1975 affect more than one-third of the crop produced in any one of those years. It also extends for the same three years the provision providing that where the average value per acre of the crop sown is less than the value of 10 bushels of No. 2 northern Wheat, the purchaser, mortgagor or lessee is only required to account for one-third of the crop less the current year's taxes paid by him. The amendments extend for a further three-year period namely, to July 1, 1975. The restrictions on a final order of foreclosure affecting a homestead being the farm residence and the land on which the residence is situated up to 160 acres.

Mr. Speaker, this Bill can also be termed more or less a housekeeping Bill. This amendment is required from time to time in order to give the Bill validity and legal effect, accordingly the amendments are necessary. Therefore, I move second reading of this Bill.

Mr. Lane: — Just one comment, Mr. Attorney General In light of the fact that all members of the Saskatchewan Law Society have received notice that the Government is going to hire Crown solicitors and this Bill comes before the House regularly, if your Department has the time, I realize this is not a priority, to get this problem solved once and for all and we can get this thing cleared up so it is not always brought to the House. I realize it is a housekeeping amendment, but it is a routine thing that always comes before the House.

Mr. Romanow: — I'll take the comments of the Member under advisement and it certainly is a way, perhaps, that we can speed up the procedures of this House in the future.

Motion agreed to and Bill read a second time.

Hon. R. Romanow (Attorney General): — moved second reading of Bill No. 17 – An Act respecting The Federal Court of Canada.

He said: Mr. Speaker, with respect to Bill No. 17, Members of the Legislature will probably be familiar with the fact that recently there has been a new court instituted known as The Federal Court of Canada. The Federal Court of Canada has been given jurisdiction and powers to decide over certain matters. In fact, my predecessor, Mr. Heald, is now a member of that Federal Court. We have to recognize the existence of the court provincially to give it jurisdiction here. Therefore, the amendments are set out in section 2. The purpose of the amendment to this Act is as follows: 1. We would recognize the recent establishment of the Federal Court of Canada to replace the Exchequer Court of Canada. 2. It would remove the statutory authority for the Federal

Court to use provincial courthouse facilities

This latter part, Mr. Speaker, may require a bit of explanation. With respect to the present Federal Courts Act, Revised Statutes 1965 Chapter 78, there is a provision in that Bill which statutorily allows the Federal Courts to use provincial court house facilities, it just simply says that. We are repealing The Federal Court Act and you will notice that that section is not repeated here. That doesn't mean that we take away the right of the Federal Courts to use our provincial courthouse facilities. It is simply thought not necessary that we would incorporate that provision again in this new amendment situation. The Federal Court, of course, will continue to use the provincial courthouse facilities. It seemed to us like a redundant provision in that Bill, thus it is not there. Basically the thrust of this amendment I think is fairly straightforward. It will recognize the Federal Court of Canada and gives it the jurisdiction in the controversies between Canada and Saskatchewan, controversies between any other province or territory of Canada that may have passed a similar Act. We repeal that provision in respect to the statutory use of the provincial courthouse facility. With those few words, Mr. Speaker, I shall move second reading of an Act respecting The Federal Court of Canada.

Motion agreed to and Bill read a second time.

Mr. Romanow (Attorney General): — moved second reading of Bill No. 18 – An Act to amend The Court Officials Act.

He said: Mr. Speaker, Bill No. 18 is an Act to amend The Court Officials Act. I should classify these amendments as being basically routine and housekeeping. The purpose of these amendments are as follows:

1. We would confer province-wide jurisdiction on certain court officials to permit them to serve at any judicial centre thereby avoiding the need for special appointments and the gazetting of these appointments in each case.
2. The amendment does the following: it limits the existing authority for payment of the fees collected by a person to a court reporter, a process issuer or server or bailiff, who are, in fact now the only officials entitled to retain percentage of fees collected. In other words, with respect to this point number two we are simply setting out in law the fact that a percentage of the fees can only be collected by those people set out in section 4 of the amendment namely, court reporter, process issuer or server or bailiff. In effect it statutorily sets out what I am informed is the situation now.
3. The amendment would remove from section 2 the authority of the Cabinet to prescribe the area of employment of a court official as this authority is no longer required if we allow court officials to go from one judicial centre to another judicial centre. To give you an example, Mr. Speaker, a local clerk is working in Saskatoon, a judicial centre, regularly. He goes on a holiday. You have to move in another official say from Humboldt to take his place. Up until now you would have to gazette it, give special authority and the whole business. We think that is unrealistic. We would make it anywhere in Saskatchewan so they could move around without the necessity of receiving documentation and the like. With those few words, Mr. Speaker, I

would move second reading of a Bill to amend The Court Officials Act.

Motion agreed to and Bill read a second time.

Mr. Romanow (Attorney General): — moved second reading of Bill No. 19 – An Act to amend The Criminal Injuries Compensation Act, 1967.

He said: Mr. Speaker, Bill No. 19 amends The Criminal Injuries Compensation Act, 1967. May I say at the outset that The Criminal Injuries Compensation Act, 1967 is certainly one of the most worthwhile pieces of legislation this Assembly has seen I think in quite some time, introduced by the former Attorney General, Mr. Heald. It is now being copied and in fact we can expect federal legislation in this area according to the Federal Speech from the Throne very shortly. We now want to examine it in the light of the forecast federal legislation and what effect this might have on our own provincial Bill and the operations of the Provincial Crimes Compensation Board but that will be sometime in the future. I don't think any answer need be given to that here.

Having said those words about the basic purposes of the Act the amendments that are before the House today are fairly simple and straight forward being basically of a housekeeping nature. They have come to my department on the suggestion of the present chairman of the board, Mr. James Eremko. We have considered them, some we have accepted, some we have rejected and added one or two amendments that the Department felt were necessary as well.

There are four basic purposes for these amendments and they may be summarized, Mr. Speaker, as follows:

1. The Amendment would free members of the Compensation Board from liability in respect of any actions taken by them. That is to say, we feel that there should be immunity given to the members of the board acting where within the scope and in the good faith of their offices they have come to certain decisions or done certain acts or omitted certain acts. This immunity would in effect give the Compensation Board members a little more security in the knowledge that they are not liable to a subsequent law action in a court of civil law for doing something wrong. That's the first amendment.

The second amendment would free a member of the board or an employee from giving testimony in a court of civil jurisdiction. This amendment is straightforward. If this amendment is passed by the House, you can't compel the board member to come forward and to give testimony in a civil action pertaining to a matter that was before the Crimes Compensation Board. I think the logic of that is very good. If a person being a claimant or a witness who comes before the board, gives certain testimony in the nature of those procedures I don't think that it would be fair or right for the board member then to come to a subsequent proceeding in a court of law and divulge all of those things. We want this to be in a quasi-judicial area where witnesses and claimants give their testimony freely without any concern.

The objective of the third amendment would be to permit compensation to be given in the event of the death of a victim. This is an expansion of the scope of payment under the terms of the Act and I suppose is one of the substantial improvements

of the Bill. Up until now I am informed by my officials that this compensation was not statutorily recognized so we now seek that amendment and it would permit compensation in the event of the death of the victim.

The fourth and final purpose of the amendment would be to authorize the board to re-hear a matter upon its own motion. In other words, the board can decide on its own motion that it has to be re-heard due to some circumstances that they didn't know of or some new event that requires them to be heard. They can therefore on a re-hearing rescind an earlier order or alter it or vary the decision of order that was made before under the Act. So, in effect, I think these amendments basically expand the scope and the operation of the Criminal Injuries compensation Board, as it is known. I think the amendments are good. I don't think they should produce any controversy. I would therefore move, Mr. Speaker, second reading to an Act to amend The Criminal Injuries Compensation Act, 1967.

Mr. Lane: — I should like to join with the Attorney General in commending the former Liberal Government for this very progressive piece of legislation. I do question, but I am not objecting or are we objecting to the necessity of section 5(a). I certainly welcome the expansion of the terms set out in clause 3 of the Bill. I notice, however, that section 4 as proposed says, “the board may of its own notion rehear any application...”, I am sure that's not the intention of the Minister. I am sure too that this particular section in the case of this particular board should be reviewed to see that there is a constant review of board hearings by the board itself. Provisions such as this can be very easily abused by the board or a board and I would hope that the Attorney General would keep it under review.

Mr. Romanow: — Mr. Speaker, with respect to section 4 of the amended Bill, new section 23A, I believe that is a typographical error. It should be “motion” as opposed to “notion”. But the same effect would be as I have explained it. I comment I can make to my learned colleague from Lumsden is that not all things that the former Liberal Government did were bad, just most.

Motion agreed to and Bill read a second time.

Hon. W.E. Smishek (Minister of Public Health): — moved second reading of Bill No. 31 – An Act to amend the Health Services Act.

He said: Mr. Speaker, I hope this Bill will not be considered controversial. The amendment to The Health Services Act contains only one provision. It authorizes grants to be made to municipalities to assist them to adjust the fluoride content of municipal water supply. Mr. Speaker, since I became Minister of Health I have undertaken various studies for the purpose of improving the dental health of the children of the province. One of the accepted measures that may be taken in the field of dental health is fluoridation by a municipality of its water system. All water supplies have some fluoride content. Where this content is low the standard method of fluoridation is to bring the fluoride content level of water up to one part per million.

Mr. Speaker, I am not satisfied with the current level of dental health among our children. I've talked about this during the Throne Speech. Just to reiterate, recent surveys show that at the time of examination, 75 per cent of more than 5,000 children surveyed still required fillings and only 25 per cent either have had no need for fillings or had their fillings completed, and 26.8 per cent of the children examined still required extractions. Mr. Speaker, it has been adequately established that the dental decay experience of children raised in an area where the drinking water has an adjusted level of fluoride will be approximately 60 per cent less than decay in the teeth of comparable children raised in areas where the fluoride level in the drinking water is not regulated.

Two separate surveys by the Department of Public Health, one in 1965 and one in 1969, show for instance, that dental decay among Saskatoon children is less than among Regina Children. Saskatoon adjusts the fluoride level in its water but the fluoride level of Regina is not adjusted. I am advised that of the 500 urban municipalities in Saskatchewan, 332 have water supplies capable of being fluoridated. As of December 31, 1971, 117 municipalities with the total population of 324,000 had municipal water supplies in which the fluoride content had been adjusted. There remain some 215 urban communities with a total population of 290,000 persons having municipal water supplies capable of the fluoride content being adjusted.

I have not as yet established any rules for providing financial assistance to municipalities intending to increase the fluoride content of their water supply. I am prepared to provide financial assistance to those municipalities encountered in this respect and eventually the financial formula will be worked out. I understand that the maximum cost of installing the equipment of a fairly large community would be in the order of \$2,000.

Mr. Speaker, remember that this is not a compulsory program. It is still up to the municipalities and to the local communities to decide whether they want to fluoridate their water. But if they so decide, we would be prepared to provide grants. Mr. Speaker, it is my understanding that this has been done in the past. My officials have brought to my attention that the authority seems to be somewhat limited and it is for this purpose that we are bringing in the Bill for clarification because it has been established that the Provincial Government has provided assistance and we want to make sure that we do not discriminate. It is for these reasons that we want to have the authority clarified.

Mr. Speaker, in the last few weeks there have been a number of stories emanating about fluoride. Some concern is expressed that fluoride may have some harmful effects. Publicity has spread from one end of the country to the other. Concern has risen as a result of a recent publication entitled "Environmental Fluoride" by Marier and Rose, two employees of the National Research Council. It needs to be clearly understood, however, that their views do not necessarily represent the official view of the National Research Council of Canada. The monograph in question only represents a selected review of the literature by the authors and is not a report on an original National Research Council research study. Their review has been criticized as not being sufficiently representative of 168 references out of a possible of something in the order of 16,000.

Reference should have been made, but was not, to the World Health Organization study entitled "Fluoride and Human Health" which was published in 1970. This states the considered opinion on the subject of respected scientists from all over the world. This World Health Organization study conclusively endorses the controlled fluoridation of water supplies as a safe and effective measure to combat tooth decay. I should add that it is my intention to bring this statement to the attention of the National Research Council.

Mr. Speaker, what we shall be doing by adopting this Bill is to authority grants to be made for this purpose. Therefore, I recommend it for the consideration of the Legislature and I move second reading of Bill No. 31, Mr. Speaker.

Mr. G.B. Grant (Regina Whitmore Park): — Mr. Speaker, in commenting on this Bill, there are not too many statements that the Health Minister made today that I can take exception to. I agree with most of them. I think if he could answer two or three questions that we can proceed to give this Bill second reading.

I was pleased to find that he had done some research on the article emanating under the title of National Research Council and I think he has clarified this to some degree, but the persons quoted are of some stature. I am sure he will agree that this question of fluoridation is not black and white by any means. There is a large group of people in this province who violently oppose fluoridation of our water supplies. I have the personal experience of having a friend who is active in that group and if the Minister hasn't been approached by the anti-fluoridationists I'll be glad to see that this chap does approach him. I found that I was riding the rails between the Department and world authorities who promote fluoridation and those who oppose fluoridation including world authorities and the opinions of the dental professionals who maintain that this is probably the only way we shall ever be able to begin to keep up to the cavities. Even if we had as many dentists in Saskatchewan as we feel we need, they still couldn't begin to fill the cavities as quickly as they are occurring.

While the dental van program which was started two or three years ago utilizing auxiliary type personnel is certainly helpful and has the blessing of the Dental College, it is only a small step in the right direction and something of a more serious nature has to be done. I can tell the Hon. Minister, and I am sure he is already aware of it, that it took about two years to convince the College of Dental Surgeons that we should proceed with this type of an operation. The first meeting I tried to hold with them they wouldn't even talk to me about it. So I am glad to see the College is accepting this dental van project down in Oxbow.

The Minister made reference to the fact that financial help has already been given on some occasions. I was a little puzzled as to the need for the clause because it seems that under 53B in the Act there is ample provision for the making of grants for this purpose. This section reads:

The Minister may make grants or subsidies or loans to local governing authorities, hospital boards and

health regions or any other, for the provision and operation of health services or public health services.

I presume that is what we have been doing in the past, operating under this clause. It seems to me it is wide enough to cover this need without being so specific because if you are going to be specific, next year you will have to bring in a clause covering some other specific grant. I really don't feel that this clause is necessary but I guess the legal authorities did. Possibly the Minister will comment further on that.

Before sitting down there is one other point that I feel should be covered in amendments to this Act and I am surprised that something wasn't done about it. I believe under the present Act there is provision for a local council to implement a fluoridation program or it can be put to a vote. I couldn't find the exact clause but I believe it is section 28 where reference is made to a vote under a certain bylaw and it refers to the majority and majority vote shall carry.

Back about 1967 or 1968 there was such a vote taken in the city of North Battleford. I agree that it will only happen probably once in ten thousand times but the Hon. Minister will recall the results of that vote — it was a tie vote — 1,472 each way, I believe — so everybody was not in favour of fluoridation. I was always under the impression that a tie vote was a negative vote. Correct me if I am wrong on this. I know that if I was ever caught as a chairman with a tie vote I always said the motion was defeated. But apparently the city of North Battleford didn't feel this way. In spite of all the noise that preceded the vote, they decided to go ahead with the fluoridation of the water supply. This bothered me. When the vote was fifty-fifty I felt if they were going to do this they should have foregone the expense of a vote and just proceed under the other provision. I'd like to ask the Minister if any consideration has been given to changing that particular section to require at least 51 per cent in favour of the vote or insist that if there is a tie vote the municipal council won't proceed to implement the scheme.

Mr. H.H.P. Baker (Regina Wascana): — Mr. Speaker, I didn't know this Bill was coming up today. I wanted to make some comments. I think the Minister of Health tried to slip this one in because I don't agree with him on it. I haven't my notes here that I have compiled so that I could speak to it today. I think it is obvious that the Minister wants to provide funds for the fluoridation of water when you find that probably over half of Saskatchewan has not been in favor of it and we should provide funds to assist those that have. I always thought that funds would be provided for projects of this type providing it was a universal thing. We have a lot opposed to it. The city of Regina, for example, on two votes defeated it quite soundly, and would not contaminate our good drinking water with fluoride. I think that we should respect the wishes of people in communities that have turned this down. I have not been convinced yet over the years that it is proper to add this sort of chemical to our water supply. Yes, it may have some good effects for children's teeth but we still don't know the real effects it might have on other parts of the body and particularly our adults and even for our young people too. It's too new a thing to assess. I think we should be very, very careful, Mr. Speaker, in putting these sort of things in our water supply when you find across the continent there is a great demand to have it removed. You find that there is a big demand in the United States to have fluorides

taken out of water where they have had it for years. There may be other chemicals and additives that could be used to do the same thing and not be harmful to the body or to the health of people.

I should like to say a little more on this and I believe perhaps others on this side feel the same way. I would request that I have leave to adjourn the debate.

Debate adjourned.

Mr. Smishek (Minister of Public Health): — moved second reading of Bill No. 32 – An Act to amend the Public Health Act.

He said: Mr. Speaker, in Bill No. 32 The Public Health Act, the first provision of this Bill concerns municipal scavenging systems and waste disposal grounds. All cities and towns now have municipal waste disposal grounds for the disposing of garbage and other refuse. It is desirable from the public point of view that waste disposal grounds also be established for all hamlets and subdivisions in rural municipalities and local improvement districts.

Clause (p) of subsection (1) of section 72 of the Act is being revised so that there will clearly be the authority for regulations to be made imposing this requirement. This Bill is so being revised to strengthen the authority to make regulations governing municipal scavenging systems.

Mr. Speaker, subsection (2) of section 73 now requires notice of publications of public health regulations in the Saskatchewan Gazette to be published in two newspapers in the province. While this notice will describe, in a general way the nature of the regulation which has been made, it will not indicate the contents of the regulations to any detailed extent. It is intended in the future that whenever regulations are made under the Act a statement describing the contents of the regulations will be sent to the various news media in the province. It is believed that this procedure will be more meaningful to the public than the notice that has appeared in the newspaper pursuant to subsection (2) of section 73. It is proposed in this Bill that this subsection be repealed.

Mr. Speaker, I might just tell the story of what happened within a week's time of my taking office. A number of regulations were changed by the previous Government. They were in accordance with the law. For one reason or another this did happen and I'm not trying to fault anybody. Some regulations were made and were not advertised over a period of three or four months. The Hon. Member will recall that almost a full page of advertisements appeared in the newspapers. In fact I received a number of phone calls asking what this was all about. The ads were virtually impossible for a layperson to understand. It occurred to me at that time that this was really a waste of public money informing the people in this kind of a way when really they are unable to understand what is meant by the advertisement and the particular regulations. You have to go into more detail in order to inform the public by removing this particular section. It is certainly not intended to hide anything, they will be still notified in the Saskatchewan gazette and we will try and inform the people and particularly those people who are affected will be advised. I think that we

can do it in a more meaningful way and inform the public better than in the past as well as be able to save some money.

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

Mr. G.B. Grant (Regina Whitmore Park): — Mr. Speaker, I am pleased indeed that the Minister explained the meaning of the ads appearing last July or whenever it was. He wasn't the only one who couldn't understand them, I couldn't understand them either. I was so relieved to be out of all those details in the Department of Health that I was one who didn't phone you but I hadn't forgotten about it. I was going to ask you about it and appreciate this information. I think that this is a move in the right direction and I think it could apply to a lot of other advertisements in our newspapers required by Government. I would suggest that other departments might take a look at it.

In dealing with this particular section 72, I think it's really just a tidying up of regulations that were a little loose. The Minister points out certain provisions and what not. This amendment will require them to do certain things and as the Minister has already experienced there are a number of cases where the provision for this scavenging is most inadequate. I was wondering if he could advise the House whether the matter was brought to the attention of the Saskatchewan Association of Rural Municipalities because I presume a great number of municipalities may be affected.

Mr. K.R. MacLeod (Regina Albert Park): — Just briefly, I wonder if the Minister in his closing remarks would indicate to us that any regulations that are published will not, or will, as the case may be, involve publications in the newspaper. If so I am assuming that we will not have any problem about the kind of newspapers in which it is published. I assume that any publication will refer to daily newspapers published in the Province of Saskatchewan

Hon. E.I. Wood (Minister of Municipal Affairs): — I should just like to say in regard to this Bill that when it first came forward I was a little perturbed that it might have some effect upon the rural municipalities which are pretty wide spread and in some there may be no hamlets in them. The setting up of a central nuisance ground might seem not too desirable or useful. I thought there might be some implications that this might be not too desirable to many of the municipal people.

I asked the people in my Department to check it out with the Department of Public Health and the report that came back to me was there were certain changes in regard to the proposal that are being brought forward allowing for the regulations that could be tailored in regard to the needs of each municipality. It would not be right across the board. There could be regulations brought forward that would take care of some of the differences between municipalities that the municipal people would be prepared to accept and go along with this Act. I just thought I would report to the House that I had made those studies to find out.

Mr. Smishek: — Mr. Speaker, I believe that the Hon. Minister of Municipal Affairs has answered the question that was raised by the Hon. Member from Whitmore Park.

The question raised by the Hon. Member from Albert Park (Mr. MacLeod) about any publication that will be given the widest publicity. In case he wasn't clear on it, the idea in section 72 is to remove the advertising but it is certainly the intent in issuing any press releases of information to give it the broadest circulation.

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

Motion agreed to and Bill read a second time.

Mr. Smishek (Minister of Health): — moved second reading of Bill No. 3 – An Act to amend The Mental Health Act.

He said: Mr. Speaker, in speaking to amendments of The Mental Health Act which I have introduced, I should like to take the opportunity to explain our Government's attitude towards mental illness and to speak to a number of current issues.

Our Government has historically been associated with advanced in the treatment of mental illness. You may recall that it was the CCF Government in the late 1950s and early 1960s that adopted a revolutionary concept in providing for the care and treatment of the mentally ill with the support of many dedicated public psychiatrists, social workers, psychiatric nurses and other employees and a determined will to improve this service. The Government was able in a short period of time to humanize the care and treatment of the mentally ill.

No longer was it acceptable to collect thousands of afflicted human beings in remote asylums. No longer was it necessary to speak of mental illness in hushed voices. No longer could society divorce itself from accepting responsibility for mental illness, both on an individual basis and as a society. Because you could no longer lock up these patients it became increasingly necessary for many people to see the illness, understand it, and deal with it. With this process a gradual change of public attitude has occurred which has made possible the future expansion of community-based psychiatric programs. We pioneered the development of community-based psychiatric services and established community-based programs in Regina, Saskatoon, Yorkton, Moose Jaw, Swift Current, Prince Albert, North Battleford, and Weyburn. This has enabled thousands of Saskatchewan people who had been rejected and confined by society to turn to their families and friends and communities to re-establish their rightful place among us. The psychiatric treatment which they require from time to time is provided through the ever-expanding community-based services.

Mr. Speaker, even though this service concept has been adopted in many parts of the world with great success, we are occasionally confronted with individuals who reject this approach for treating and care for the mentally ill. I assure you, Mr. Speaker, that regardless of the criticism we intend to continue the development of community-based psychiatric services. We intend to strive to bring these services even closer to the people they serve. We intend to extend the

range of services available and improve the deficiencies which have been identified by the succession of special studies. We believe that psychiatric services should be included within a general framework of our preventive and curative services.

We do not deny that the Mental Health program in Saskatchewan faced definitive and perceptive problems. It was so under the last administration, it remains so under this one. I would remind the House that in the most complex field in psychiatry, Government policy on the nature and organization of services is often guided by professional experts in the field. It is no secret that psychiatric experts have widely different views on the best approach to care and treatment of patients. When the experts can't make up their minds on what should be done, it is that much more difficult for any Government to construct a psychiatric program which is going to satisfy everybody. I would stress that the position of our Government remains that persons afflicted with cancer or heart disease or kidney failure are sick. We don't believe that the mentally ill should be locked away in institutions. Nor do we believe that our society should ignore psychiatric illness. Mr. Speaker, I recognize that it will take much longer than the eight months we have been in office in order for our leadership to stimulate the new direction required by the psychiatric program. However, I should like to tell you a few improvements that have been made.

The day before yesterday I met with representatives from the Alvin Buckwold Clinic in Saskatoon. You may recall that it is one of the province's assessment centres for the mentally retarded. It is a good teaching centre for university medical students and students of behavioural therapy. This centre has been in existence for five years financed entirely by federal grants. The federal Government has promised to keep this program in operation by assuming the financial cost for a limited period of time until suitable long-term arrangements can be worked out.

Mr. Speaker, I recognize that there is a need for additional psychiatric beds in Regina here. As a matter of fact, funds are ear-marked for an improved psychiatric facility in the city of Regina. On the Psychiatric Services Research staff of the Department of Public Health, Dr. Allan Boulton, a noted biochemist, has within the past year achieved major biochemical discoveries associated with mental illness. The Medical Research Council of Canada has considered his work so significant that it has provided over \$200,000 for him to expand his research capacity. I am very concerned about the child psychiatry and mental retardation. I am concerned how best to further strengthen these programs, Mr. Speaker.

On Monday last, in speaking to the Throne Speech I indicated that we had removed the discriminatory taxes on the estates of the mental patients. This means the citizens of Saskatchewan who are affected will save in the order of \$00,000 a year. Mr. Speaker, one of the perpetual handicaps for the psychiatric program has been in that the Federal Government has not seen fit to recognize responsibility for the majority of mental health costs in Federal cost sharing, yet advanced provinces like Saskatchewan have been convinced for years that mental illness is simply another form of illness. While our society has been increasingly accepting it in this light the Federal

Government has drawn a distinction between physical and mental illness. It will support programs for the treatment and physical illness but it virtually excludes support for mental illness. Personally, I cannot conceivably understand how this outdated mentality is allowed to persist at the centre of our National Government. While we will be advancing as quickly as possible within the resources available to our province, you can be certain, Mr. Speaker, that I shall continue even more vigorously to try to convince the Federal Government to eliminate this outdated attitude and financial discrimination.

Mr. Speaker, I have reaffirmed my commitment to improve and extend our public psychiatric services. I am aware of many of the present deficiencies in the program and the very great difficulties that we shall have to overcome to achieve our objectives. I have told you of the financial handicap that the Federal Government places on the provinces in developing mental health programs. I have mentioned some of the recent improvements in the psychiatric program. I therefore find it grossly unfair, Mr. Speaker, to have our public psychiatric services receive unwarranted, uncalled for abuse by two psychiatrists in private practice. Mr. Speaker, these psychiatrists obviously have little appreciation of the complexity of the public program or the problems that must be faced in it. Equally, I am disappointed when the Press saw fit to report in substantial detail the emotional outbursts of these two private psychiatrists whose remarks seem highly geared to sensationalism rather than constructive criticism. Our Government has encouraged participation in planning and program development from all segments of the community. Naturally we expect that responsible criticism will lead to an improvement in the health services. However, the remarks of the two psychiatrists who have recently created headlines have contributed nothing to the improvement of psychiatric services. Their comments have, however, contributed to the undermining of the confidence of the public in our psychiatric program. Obviously, it is much easier to establish a private psychiatric practice than to participate in public psychiatric programs. It is also much easier to criticize than it is to construct. I am not impressed with the criticism of those who leave an organization and then use their unofficial status to criticize irresponsibly.

Mr. Speaker, the amendments to The Mental Health Act before the House at this time are further evidence of our concern for this program. The amendment removing the Saskatchewan Hospital at Weyburn from the Act is necessary because of the implementation on November 1st of 1971 of a new program in Weyburn. The former Saskatchewan Hospital at Weyburn provided inpatient care for about 400 patients. This facility was replaced by the Psychiatric Centre Weyburn and the Souris Valley Extended Care Hospital. These new programs will enable more psychiatric patients to be treated on an ambulatory basis. The Souris Valley Extended Care hospital will provide needed long-term care for the residents of the area. The Act will be amended to provide more mental retarded persons and certain mentally ill persons who are not recovering to be given leave to visit their families for recreational, personal and social reasons. At present, a patient may only be released to the care of his family or friends if the leave is only to be conducive to the recovery of the patient. Further amendment will allow us to approve homes for the accommodation of patients from the community even though they may never have been inpatients of psychiatric facilities. This will increase our

ability to treat psychiatric illness in the patient's own community without the necessity of transferring them to patients' facilities.

The Act will be changed so that the certificate of incompetence can be issued when it is found that a patient is not capable of managing his estate. At the present time, the Act provides for a certificate of incompetence to be issued where a person is found upon admission to be incapable of managing his own affairs. A person's incompetence to manage his own affairs seems to imply that he has no mental competence to do anything. He may not be able to attend to his own business interests but he may be quite competent to make other personal decisions on his own behalf.

Another amendment will provide the authority for the classification of approved homes. Plans are underway for homes to be approved for the accommodation of young persons who have psychiatric problems. While these will be quite similar to approved homes presently used for the accommodation of the adults it may be desirable to separate the homes into two classes of categories.

The last amendment which was approved by the Provincial Auditor will provide the authority in respect to receiving and holding in trust by an in-patient facility of money realized from the donation or bequests and a disposition of funds so held in trust. The amendment will clearly provide the administrative authority for the administration of the various trust funds accounted in each facility. Mr. Speaker, I should hope that all the Hon. Members would support these necessary amendments so that we can continue improving this important program. These amendments will advance the social aspects of the treatment of mental illness and contribute to the achievement of our objective. In this re-establishment of the Saskatchewan psychiatric program as the foremost program of its kind in North America in the months ahead, we shall be able to advance more directly to the goals that I have outlined. Mr. Speaker, I move second reading of this Bill.

Mr. G.B. Grant (Regina Whitmore Park): — I have some comments I should like to make and due to the lateness of the hour, I ask leave to adjourn the debate.

Debate adjourned.

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