LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — Seventeenth Legislature
18th Day

Monday, March 20, 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 welcome two groups of students from my constituency. Firstly, a group of 42 students from the Haultain School who are seated in the Speaker's Gallery. They are accompanied by their principal Mr. Falkowsky and also by Miss Allen. I wish to express the hope that their stay this afternoon will be educational and informative and will assist them in their studies in the future.

May I also introduce to you and to the Members of the Legislature a group of 67 students from the Dr. George Ferguson School. They are Grade Six, Seven and Eight students. They are accompanied here by their principal Mr. Nicol and Mr. Don Hill. To them I extend a warm welcome and hope that their stay in the Legislature will be pleasant, informative and educational.

WELCOME TO MR. STEUART

Mr. Smishek: — While I am on my feet, Mr. Speaker, may I also extend a warm welcome to one of the Members on the front benches opposite, the Member from Prince Albert West (Mr. Steuart) . . .

Hon. Members: Hear, hear!

Mr. Smishek: — . . . He underwent some post graduate studies of practical experience in medicine in the last few days. So he is a new student with new experiences. I wish he is now in good health, I welcome him back to the Legislature.

Hon. Members: Hear, hear!

WELCOME TO STUDENTS

Mr. W.A. Robbins (Saskatoon Nutana Centre): — Mr. Speaker, I should like on behalf of Members of the Assembly to bring warm greetings and welcome to a group of students from St. Matthews Elementary School in Saskatoon located in Nutana Centre constituency. I understand they are in the west gallery. They are accompanied by their teachers Mr. Huber and Mr. Hepp. I sincerely hope they will find the afternoon proceedings of value in terms of education and I wish them a safe journey home.

Hon. Members: Hear, hear!

Mr. D.L. Faris (Arm River): — Mr. Speaker, it is with great pleasure that I introduce to you 30 Grade Eight students from the Loreburn School seated in the east gallery. They are accompanied by their teacher Mr. Morris and their driver Mr. Bristow. I hope that they will find their experiences here today both interesting and edifying and I hope that they have a safe journey home.

Hon. Members: Hear, hear!

QUESTIONS

CLOSURE OF QUAKER OATS COMPANY

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, before the Orders of the Day I should like to direct a question at the Minister of Industry (Mr. Thorson). The Province of Saskatchewan received some more disturbing news on Friday concerning the withdrawal or the closure of another very basic industry in Saskatchewan – Quaker Oats. I should like to ask the Minister of Industry if he could give the House a report and if he could tell us what the Government is going to do to prevent the stampede of business and industry out of Saskatchewan?

Hon. K. Thorson (Minister of Industry): — Mr. Speaker, Quaker Oats Company did not inform the Government of Saskatchewan of its intention to close the mill at Saskatoon. As a matter of fact, the Company made no contact with the Government of Saskatchewan at all. We heard by way of rumor about the middle of last week that this might happen. We contacted the Company by telephone last week and we have some statement over the phone which are very much along the lines of the statements that have appeared in the Press. Quaker Oats has two mills, one at Saskatoon and one at Peterborough. Their position is that their declining markets overseas, as well as in Canada, can adequately be supplied by the mill at Peterborough. And I gather that freight rates are a factor in that. Shipment of grain there and the milling of it there, closer to some of their markets, makes it more desirable from their point of view to close the Saskatoon operation and keep the Peterborough operation going. There is a declining market in the United Kingdom, apparently at least for Quaker Oats, because of the anticipated entry into the European Common Market. Another factor we understand, is that the mill in Saskatoon is an old one, built in 1912 and, therefore, faced with the prospect of having to close one or the other, the Company chose to close the one at Saskatoon.

We have asked the Company to supply us with more of the data on which their decision is based which we think will be of assistance to us in evaluating the wisdom of their decision and indicating to us alternatives which may be open to us to find employment for the people who will be laid off in Saskatoon and for keeping the milling industry as much as possible in Saskatchewan.

Mr. Speaker, I think the Member will understand that since the Company didn’t take us into its confidence we obviously had no way to prepare for this announcement which came last Friday

and we are only in the process of evaluating it now.

Mr. MacDonald: — A supplementary question. Mr. Speaker, I find it very disturbing that an industry that has been in Saskatoon as long as Quaker Oats wouldn't find it necessary to contact the Department.

Mr. Speaker: — Order! We must have just questions and not statements.

Mr. Thorson: — Mr. Speaker, may I point out, if the Members are going to be permitted to preface each question with a speech and conclude it with a speech then I expect to have the same courtesy on this side.

Mr. MacDonald: — Mr. Speaker, he has always maintained that courtesy. All I want to know, Mr. Speaker, is it is very disturbing that the industry didn't ask . . .

Mr. Speaker: — Order, order! I'd like to remind the Members that it is quite plain as to what questions must and must not do as set out on page 147 of Beauchesne. Beauchesne says, "It must not be a speech however short nor be of an unreasonable length". A question must not give information, it must just seek information. I can't permit prefaces to questions.

Mr. MacDonald: — Mr. Speaker, I will certainly try to abide by your ruling. What is the Minister going to do to see if he can't generate enough confidence of business and industry in this Government so that they will keep communication with him?

Mr. Thorson: — Mr. Speaker, I'm surprised that the Member for Milestone should ask that question. I would think that the question was answered, quite clearly answered by the people of Saskatchewan on June 23 last.

Mr. MacDonald: — If I cannot preface mine with a political statement, surely you are not going to permit the Minister.

Mr. Speaker: — Stick to the question.

Mr. Thorson: — We are proceeding with our programs as we have announced them in the course of our Budget Debate, as we have announced them in other places and at other times, to develop an economic program for the Province of Saskatchewan which we are confident will encourage business people and will create an attractive climate for the development of secondary industry in Saskatchewan.

ANNOUNCEMENTS

SHELLBROOK WINS INTERMEDIATE B HOCKEY CHAMPIONSHIP

Hon. G.R. Bowerman (Minister of Indian and Metis): — Mr. Speaker, I'm sure the

Members will want to congratulate again the Shellbrook Hockey Club on their fourth consecutive win of the Saskatchewan Elks Intermediate B Hockey Championship. The final game, Mr. Speaker, was played Saturday against the Notre Dame Hounds at Wilcox. It was a two game total goal series and I must admit that it was narrowly won by the Shellbrook Club. They say that Fr. Murray is reported to have said in his presentation of the trophy that although people at Shellbrook hadn't learned how to vote they did know how to play hockey. I want to assure the Members on the other side of the House, particularly the Member for Milestone (Mr. MacDonald) that we play our politics in Shellbrook as we play hockey and that is we play to win. And on the basis of the hockey scores to date that means we shall have another two terms of consecutive winning in the next elections in the constituency of Shellbrook.

Mr. Speaker, all members of the team, their management, their trainer, their captain and coach deserve provincial recognition in their determination to excel in hockey. I am sure that you, Sir, and all the Members of the House will wish to extend those commendations to them.

Some Hon. Members: Hear, hear!

Mr. MacDonald: — Mr. Speaker, I want to join with the Member for Shellbrook in extending congratulations to the Shellbrook team. I had the good fortune to watch that game along with the Minister. It was an exciting encounter. The Notre Dame Hounds won the second game 7-5, lost the first one 6-3. Shellbrook is certainly to be congratulated on a very fine effort.

Some Hon. Members: Hear, hear!

QUESTIONS

HOW DO YOU PROPOSE TO RAISE THE $6 MILLION IN BUDGET FROM POTASH?

Mr. E.F. Gardner (Moosomin): — Mr. Speaker, before the Orders of the Day I should like to ask a question of the Minister of Mineral Resources (Mr. Thorson). I met briefly this morning with some people from the potash industry. They are concerned about the item in the Budget . . .

Mr. Speaker: — Order! Will the Hon. Member just put his question.

Mr. Gardner: — Well, I'm not too sure he will know what it's about. Would the Minister tell us by what method he is going to raise the $6 million shown in the Budget as an increase mostly from the potash people? Will it be done with a Bill introduced in the Legislature, will it be done by regulation or some other method? I wonder if he can give us an indication of when and how we will get the details on this?

Hon. K. Thorson (Minister of Mineral Resources): — Mr. Speaker, I'm in the course of some consultations with representatives of the potash industry on the matter raised

by the question. I want to assure the House that the method by which we shall achieve our objective will be announced in due course.

ANNOUNCEMENTS

LLOYDMINSTER BORDER KINGS WIN INTERMEDIATE A PROVINCIAL CHAMPIONSHIP

Mr. M. Kwasnica (Cutknife): — I should like the Members of this House to join with me in congratulating the Lloydminster Border Kings for winning the Intermediate A Provincial League Championship last Saturday. Four games out of seven, four straight. I wish to extend my sympathy to the Rosetown team who didn't quite make it.

Hon. Members: Hear, hear!

MR. MICHAYLUK AND MR. STEUART RETURN AFTER ILLNESSES

Hon. A.E. Blakeney (Premier): — Mr. Speaker, before the Orders of the Day I should like to take this opportunity to join with the Minister of Health (Mr. Smishek), firstly to welcome back the Member for Redberry (Mr. Michayluk) who has been on the sick list for three or four weeks. I'd particularly like to welcome back to the House the Leader of the Opposition (Mr. Steuart). We are pleased that he has had a speedy return to the House. We wish him a particularly successful convalescence in the benign and relaxing atmosphere of this Chamber.

Hon. Members: Hear, hear!

Hon. D.G. Steuart (Leader of the Opposition): — Mr. Speaker, if I may just thank both sides of the House for the kind wishes they sent me, all of them to get better as a matter of fact which I thought was very sporting especially from the Members from the other side. I can report, Walter, that your hospital is in fine shape and doing an excellent job. And, Mr. Speaker, I thank you and through you the Members of the House for the very fine wishes and very cordial cards that they sent me during my stay in the hospital.

SECOND READINGS

Hon. R. Romanow (Attorney General) moved second reading of Bill No. 27 – **An Act to amend The Surface Rights Acquisition and Compensation Act, 1968.**

He said:

Mr. Speaker, it gives me great pleasure to move second reading of an Act to amend The Surface Rights Acquisition and Compensation Act. This afternoon I shall try to elaborate somewhat on the intentions and purposes of this Bill. Before I do so I should like to draw to the attention of the Hon. Members of this House that this matter has been one of some considerable contention in Saskatchewan for, I think, a number of years. In fact, one of the very first encounters that I remember as a Member of the Legislative Assembly was right after the first Session in 1968 got under way when I and two or three of my colleagues, the Whip, the Member from Weyburn, the now Minister

of Municipal Affairs (Mr. Wood) and one or two others, met with several groups of people who are associated with Surface Rights Associations in Saskatchewan. Members will know that in 1965 the Government of the day, which was the Liberal administration, appointed a Royal Commission to inquire into the whole matter of acquisition of Surface Rights by operators with respect to well sites, roadways leading to well sites and pipe lines of various types installed for the purposes of gathering oil and servicing the wells including also the installation of power lines to serve the operating wells.

In the fall of 1966 a year later, the Commission made its report. And the Act was passed in 1968 adopting many of the recommendations of the Commission. The Commission was headed by Judge J.E. Friesen. Well, it was in 1968 that the Bill was first presented to the House that I had my first involvement with respect to Surface Rights and the problems of the farmers of Saskatchewan. As I have said various complaints were presented then and since the election of June 23 we have still received complaints from farmers with respect to Surface Rights.

Now the basic thrust of the complaints can be summarized something along these lines, that is, that the Act was a major improvement and a worthwhile piece of legislation but that in its method of operation over the last couple of years or so and in some of the interpretations of sections it appeared to lean in favor of some of the operators as opposed to the farmers. Farming people indicated to me privately and sometimes publicly a very obvious fact, that was ever present, namely, the operators are in business on a full time basis, they are familiar with the laws, they have the time at their disposal to convince the farmer to sign away the rights, make the particular arrangement at a time which may not be beneficial to the farmer. The farmers on the opposite side quite obviously are not necessarily engaged in this type of activity nor are they familiar with it unless they happen to have some direct interest and the result was that on a few occasions the farmer was caught in an awkward situation and an arrangement was entered into which turned out not to be to the best interests of the farmer. And the result was a continued plea that we should seek to equalize the opportunities as between the operators on the one hand and the landowners on the other hand. As a result of these complaints, as a result of listening to the farmers of Saskatchewan, and as a result of studying the Commission Reports, this Bill is now before you, Sir, and the Members of this Legislature.

In the main, the proposed amendments included in this Bill adopt the recommendations that were carried out in 1966 or suggested in 1966 by Judge Friesen. There are one or two minor modifications. I want to spend some time, Mr. Speaker, and Members of the House, to outline in detail what the amendments will do.

Firstly, with respect to the oath of office. Since the Arbitration Board is appointed and functions under the Act, it is, in effect, exercising and discharging what has been described as a judicial or quasi-judicial function. It is felt by the Government that each member of the Board should take an oath of office. This does not now exist in the Bill. Section 2 of the amendment, therefore, prescribes the form of the oath to be taken. Members of the Board appointed before this Act comes into force will be required to take the oath immediately after the Act comes into force. Members appointed hereafter, that is

after this amendment becomes law, will have to, of course, take the oath before acting as members of the Arbitration Board. Although this may appear to some to be a somewhat minor amendment I think that it will elevate the office and indicate the importance of the operation to the members of the Surface Rights Arbitration Board in this very important task that they carry out.

Now the second aspect of the amendment relates to a mediation officer. One of the recommendations made in the Friesen Commission Report was that a mediation officer should be appointed. The purpose of the office would be to try to mediate disputes between owners or occupants and the operators on the other hand. This recommendation was not accepted when the Act of 1968 was passed. When I talked to a lot of the farmers personally over the last several weeks it did appear to the Government to be a good suggestion. Very often a farmer was perhaps unaware of what the law said or what his legal rights were and a simple explanation of those rights by someone like a mediation officer would rectify the problem very quickly. We felt that, therefore, this amendment would be justified and it is now proposed to provide for the appointment by the law of a mediation officer and to define his duties and his responsibilities. The Friesen Commission Report indicates to us that there were many areas where disputes had arisen between the owners and the operators which could not be resolved except either by arbitration or by action of the courts under the Act. Although some of these disputes had been referred to arbitration others might perhaps have been settled if a mediation officer had intervened and tried to bring the parties together. This Bill provides for an appointment of such an officer who will be attached to the Board of Arbitration but who will act independently of the Board. If an owner or an operator has a complaint he may file it with the Chairman of the Board who will then refer it to the mediation officer. The mediation officer would investigate the matter, interview the parties, seek to bring them together to an amicable settlement without going to arbitration. If a settlement is reached it must be reduced to writing, that is to say a settlement reached by mediation must be reduced to writing and signed by the interested parties. This settlement, so reduced in writing, would then be filed with the Chairman of the Board who is required to make an order in the terms of the settlement. This order if necessary could be filed in the District Court and enforced as a judgment of the court if necessary.

The mediation officer to be appointed will not be a member of the Board or otherwise employed by the Board. By so providing we feel that he will have a measure of independence and will not be able to influence the Board once the hearing comes on before the Board in case of any dispute that remains unresolved. Similarly, the mediation officer won't be influenced by members of the Board itself. At least this is the intention of the legislation and we hope that this is the way it will work in practice.

Disputes that have been referred to the Board for arbitration may at the request of the owner or operator be referred to the mediation officer for action. If he manages to effect a settlement that will terminate the arbitration proceedings, if not, then the arbitration proceedings continue.

Since all mediation efforts must of necessity be without prejudice to the rights of the parties to a dispute if no settlement is reached a special provision is made in the Act

that the mediation officer is not a competent or compellable witness in any of the subsequent proceedings either before the Board or in any court action pursuant to the provisions of the Act.

I should like briefly to explain the question of the tortious claims. One of the problems that was emphasized by the Friesen Commission when it very extensively examined this problem, was the number of times that a repeated trespass occurred, if that is the proper term to be used. Say, for example, one of the drivers of trucks delivered materials or drilling machinery to a particular well site. Instead of following road allowances or roadways open to him, occasionally a truck driver would cross an owner's land with a heavy load leaving deep ruts that the owner had to spend time and money to level off. Other cases that apparently came to the attention of the Commission were that gates of pastures were opened and left open and as a result cattle often went astray. Not to be omitted, are the occasional oil spills or salt water floodings that the owner had to spend time trying to clean up or to round up the cattle. These are but a few of the types of incidents that we refer to when we use the term tortious claim or the tortious clause which is the substance of this amendment. These are examples of the type of incident that causes damage to or loss of property, loss of time and money, resulting also in a great deal of dissatisfaction on the part of the owner or the occupant of land. Many of these complaints arose when the owner or occupant was absent from his home and had no knowledge of the name of the truck driver or of the employer of the driver. All that the owner or occupant knew was that something had been delivered by someone for use in connection with the operation about to be commenced or already underway. Now as I understand the law, the owner or occupant could have sued the operator for whatever damage he had sustained in this type of an example, but according to the ordinary law of proof the owner or occupant would have to prove directly that the truck driver was employed by the owner of the truck who in turn was employed perhaps by a sub-contractor, who in turn was perhaps employed by the operator who had acquired the surface rights. In most cases the owner, quite obviously a farmer, neither had the time, nor the money, nor the ability to establish that continuous chain of employment and that degree of proof.

Now these claims were repeated to me once the Government assumed office and we went to the Commission and noted that the Commission in 1966 recommended that provision should be made in The Surface Rights Act to the effect than an owner or occupant who had suffered damages under these circumstances could, if the claim was not settled, take the claim to arbitration. We also recommend that proof of the existence of the operations of the operator and of the cause of the damage was sufficient to cast the onus upon the operator to prove that the truck driver was not directly or indirectly employed by the operator or any one of the contractors or sub-contractors. In effect, what this amendment does is to reverse the onus back onto the operator, in effect requiring him to show that the damage was not caused by one of the various people who could come directly or indirectly under his chain of employment and command.

These recommendations were not incorporated in the Act of 1968. It is now proposed to amend the Act by adding the appropriate provisions to the effect that the proof already

mentioned will cast the onus on the operator to prove that the damage was not done by him or any sub-contractor or contractor or any other person directly or indirectly in his employ. If a claim is made and the amount thereof does not exceed $1,000 under this tortious clause section the Arbitration Board may settle the dispute. If the amount does exceed $1,000 then our present thinking is that the claimant should pursue that in the ordinary courts of law because anything over $1,000 will be rather a substantial claim. From the information reviewed by the Commission it would appear that most of the claims will be well under $1,000 maximum. It is our opinion that the Arbitration Board or the mediation officer should be able to settle a vast majority of them thereby circumventing the question of cost and court proceedings in this area.

A fourth area of the amendment relates to the question of review of annual rents. Many of the leases of well sites and roadways contain provisions for a review of the annual rental to be paid for them at several year intervals. Some of such leases do not contain such provisions. They were written some considerable time ago and have no review clause. There is no doubt many were agreements voluntarily entered into between an operator and an owner with respect to surface rights and the compensation therefor. But these agreements contain no provisions for a review of the annual rentals at any time. The result has been that some owners are entitled to have the annual rental payable to them reviewed at regular intervals and other owners have no such similar rights. It is felt that all owners should, so far as possible, be in the same position with respect to review of the annual rentals at fixed periods. This amendment before the Members of the House proposes to provide for such a review of annual rentals at fixed periods. This amendment before the Members of the House purposes to provide for such a review of annual rents with respect to all surface leases, agreements or orders of the Board at a regular five-year interval.

Now, Mr. Speaker, let me briefly touch on the question of consequential amendments. The Act contains provisions whereby an order of the Arbitration Board awarding payment of compensation may be filed in the District Court and enforced as a judgment of the Court in the event the operator fails to pay the compensation order. If the tortious claim provisions result in orders being made by the Arbitration Board either requiring payment of compensation or perhaps ordering the operator, for instance, to do a certain act or thing in both cases the present provisions of the Act are deficient. It is, therefore, proposed to amend the Act by appropriate amendments to permit orders for compensation to be filed as judgments of the court and, in addition, to give the District Court jurisdiction to enforce orders which require an operator or owner to do something other than pay money. It is felt that this provision is necessary in view of the amendment to the Act as proposed in the Bill.

Now, Mr. Speaker, those basically cover the major amendments with respect to this Bill. There is a provision also that relates to the costs of the arbitration proceedings. The Commission recommended that an owner should be allowed costs with respect to the acquisition of the surface rights and also with respect to the arbitration hearings relating thereto. Also the Commission recommended that the owner be awarded costs with respect to the acquisition of pipe line rights-of-way and of the hearings if arbitration proceedings resulted. The two recommendations were adopted in part only and we looked at the question of costs in this amendment. Some argument exists with respect to the question of introducing costs in a mandatory way

and this can be discussed further by the Members of this House in Committee of the Whole.

Mr. Speaker, we will also be introducing hereafter an amendment to The Pipe Lines Act. May I just very briefly say a word or two on this at this time. This discussion may occur again in the proposed second reading of The Pipe Lines Act but I think it is necessary here in order to dovetail the operation of this proposed Act and The Pipe Lines Act. One of the major problems arising out of the operation of an oil-producing well is very often the installation of flow lines and gathering lines connecting one or more wells on different land owned by the same or different owners with a battery site, or water lines established to connect with a water well as well as an oil well. An owner of say a section of land may have 16 producing wells on that section. Each of the wells in order to transfer the production thereof is connected with flow lines or gathering lines to a tank situated perhaps in the centre of the section or even in adjoining lands not owned by the owner. Tanks are then connected with gathering lines to a larger tank which is in turn connected with the main trans-provincial pipe line. The Commission recommended that the flow lines, gathering lines, service lines and tank battery sites with which these lines are connected should come within the jurisdiction of The Surface Rights Acquisition and Compensation Act and we feel that this is a worthwhile improvement. The result is that there will be necessary provisions to include these particular matters within the jurisdiction of this particular Act.

The Commission also recommended that the right of the Minister to grant an operator rights with respect to those particular pipe lines should be taken away by an amendment to The Pipe Lines Act. This was not done and information received indicates that orders were made by the Minister under The Pipe Line Act very often resulting in a conflict of interest.

The last amendment proposed to the Act under consideration is that an owner is entitled to have the compensation determined by the Board of Arbitration under the provisions of the Act unless the compensation has previously been determined by the appropriate court.

Now, Mr. Speaker, in conclusion a separate Bill will be submitted to the House following this one to amend The Pipe Lines Act to limit the application of that Act to the type of pipe lines that are not within The Surface Rights Acquisition and Compensation Act so that the Minister will not have the power to make an order that may in any way affect adversely the interests of a farmer who has such pipe lines on his property.

Mr. Speaker, I think these amendments are a substantial improvement to the existing law, The Surface Rights Acquisition and Compensation Act. I think they will meet with favor by the vast majority of the farmers who have direct dealings in this particular area of the law. I have certainly taken considerable time in listening to a number of farmers and a number of the people concerned in this matter. Members of the House will know that we have a new Surface Rights Arbitration Board and with these amendments I am hopeful that we will have increased confidence placed by the farmers of the Province of Saskatchewan in the operations and the workings of this particular Bill. Therefore, it gives me great pleasure to move seconding reading of this Bill.

Mr. H.E. Coupland (Meadow Lake): — Mr. Speaker, just a few words on this Act. I can't see too much wrong with it. Possibly a little more power for the Board but I think it will improve the farmers' position in that they will probably be able to deal directly with the Board thereby bypassing a lot of litigation. As I understand it they could still go to the courts if they so desire. In a lot of these Bills I think they are only as good as the board that is appointed so I tell the Government that we will be watching what happens in the years ahead on some of this. Otherwise as far as I am concerned I would say that we are in favor of it.

Mr. T.M. Weatherald (Cannington): — Mr. Speaker, I want to make a few comments on this Bill although not at any length. Mr. Speaker, back in the beginnings of The Surface Rights legislation under a Liberal Government a great number of changes took place which greatly improved the relationship between both industry and the land owner. Mr. Speaker, these complaints had arisen for many, many years going back to the beginnings of the oil industry and thanks to no action of the Members opposite who belonged to the Government up until 1964. The industry was in a terrible state of affairs as far as surface rights were concerned when the Liberal Party assumed office in 1964. Then under that Government substantial changes and great deal of work was undertaken in this respect by the Hon. Mr. Cameron who was Minister of Mineral Resources. This is a difficult problem simply because it requires a very fine line of arbitration and compensation to be settled between what is fair to the industry, the oil industry, Mr. Speaker, and what is fair to the landowner. And I thought it was most regrettable that the Minister in charge of the Surface Rights Board chose the middle of an election campaign to fire the previous Board under Mr. Powell who had received great respect from the industry and from farmers alike as chairman of that Board. He chose the Estevan election as a time which would be propitious to gaining some votes and, therefore, fired the Board with the explanation that the landowner would receive more favorable arbitration if politically his Party did reasonably well. Now, Mr. Speaker, under the Surface Rights Legislation which was a giant step forward to solving what is a very, very complicated problem, the Minister is introducing a number of amendments which are quite satisfactory but I must say, Mr. Speaker, that I was dismayed in his closing remarks when he said, "the new legislation and the new Board would bring about increased confidence by farmers in the Board". I listened to this with great dismay, Mr. Speaker, because I can assure the Minister if he doesn't know already he will have to acquire a great deal of confidence with the oil industry as well.

Some Hon. Members: Hear, hear!

Mr. Weatherald: — I think it is most regrettable and I hope not but I am afraid that it indicates a consideration of one side only, Mr. Speaker. But I can assure the Minister opposite in talking to the oil industry in my part of Saskatchewan that in order to make the legislation work satisfactorily for our province, it will require a tremendous amount of co-operation between the industry and between the landowner as well. I think the most important change in this legislation, Mr. Speaker, will be found at a later time because the oil industry and landowners alike are waiting to see what the new arbitration awards will likely be. We have now a completely new Board. The oil industry is

concerned as to what the judgments given by that Board will be as far as remuneration to the landowner. The landowner now has high expectations built up by the Attorney General, by his actions during the election campaign and is most certainly and in some cases rightfully expecting large settlements. We have the stage set, therefore, for considerable problems in the oil industry. We have the landowner expecting a substantial and large monetary increase in his remuneration and we have the oil industry very concerned about whether they can actually make these payments that the Attorney General is probably expecting from the Board. I might say, Mr. Speaker, that the results of what the Board's arbitration awards as far as compensation are concerned are being watched with great interest. The oil industry is watching it with substantial interest and indeed farmers throughout Saskatchewan or landowners in general are watching it with interest. It will be most interesting to find out when the new settlements are arrived at by the Board that the Minister has newly appointed. I can assure the Attorney General that there is a very fine line here to be decided if we are to retain an oil industry of substantial consequence in Saskatchewan and the compensation paid must be at least in accordance with what the earnings are from the wells. The increased payments from arbitration, once the Board was set up in many cases have increased in tremendous and dramatic manner. I know of many leases in my own area that were being settled for somewhere in the neighborhood of $250 for a three acre site. Now, since the new legislation was brought in a few years ago, they are more than double what they were at that particular time. I want to tell the Attorney General that many companies have been very fair to the landowner, there are some that have not, but that many companies have been fair to the landowner and they find the firing of the old Board most regrettable. I think in summing up, Mr. Speaker, that the true value of this new legislation and results of firing of the board will become more evident as the Board adjudicates the relationship between many landowners and the oil companies themselves. With that in mind, Mr. Speaker, I beg leave to adjourn the debate.

Debate adjourned.

Mr. Romanow (Attorney General) moved second reading of Bill No. 28 – **An Act to amend The Pipe Lines Act.**

He said:

Mr. Speaker, with respect to Bill No. 28 I propose to be very brief on this. In moving second reading on The Surface Rights Arbitration Bill, I brought to the attention of the Members of the House that it is intended to have a consequential amendment to The Pipe Lines Act. This amendment is very short and simply brings certain types of pipe lines, the flow lines and the gathering lines basically, under the provisions of The Surface Rights Acquisition and Compensation Act. Certain other powers that the Minister of Mineral Resources (Mr. Thorson) has under The Pipe Lines Act remain but it is the intention of the Government to bring these types of lines under the provisions of the Act subject to the terms and conditions of compensation of the Act. It is something that was recommended in the Friesen Commission Report and wanted by the farmers of the Province of Saskatchewan. Therefore, I would move second reading of an Act to amend The Pipe Lines Act.

Motion agreed to and Bill read a second time.

Hon. J.R. Messer (Minister of Agriculture) moved second reading of Bill No. 34 – **An Act to amend The Diseases of Animals Act, 1966.**

He said:

Mr. Speaker, it is with pleasure that I move second reading of an Act to amend The Diseases of Animals Act. The purpose, Mr. Speaker, of this amendment to The Diseases of Animals Act will, I think, improve the incomes of farmers who sell their livestock by giving buyers increased confidence that the animals purchased at auction markets are in fact disease free and healthy. The feeder buyers of Saskatchewan will benefit. Feeder buyers from out of the province will recognize that Saskatchewan producers are concerned about all quality aspects and that ours is a good Province in which to buy feeders bother to be fattened within this Province and/or to be shipped outside of the boundaries for fattening. The auction markets themselves, I believe, will enjoy an increased volume of market through their facilities due to this amendment.

Mr. Speaker, the control of animal diseases requires the joint effort of both Government, veterinarians, farmers and I think market operators. There is a direct relationship between the disease among animals on the farm and the selling of infected animals at the market. If farm herds have a relatively high incidence of disease it is natural that some of these animals will be sold at markets where they may come in contact with healthier animals. A healthy animal from a healthy herd if sold at a market may pick up a disease and carry it to a herd that didn't until that point in time have a disease. Mr. Speaker, I am emphasizing these relationships so that all Members will see that to improve livestock quality and control disease particularly, we need to deal with disease at the markets and on the farm. There would be little point, I think, in shutting the door if the disease organisms can get in through the windows. The veterinary inspection will be meaningful only if disease control measures are taken also at the farm.

Since Members will want to know what the Government is doing about veterinary services at the farm I will give them that necessary information. We have had numerous requests for a swine herd health program from representatives of swine breeders and hog producer organizations. A program of this nature is now in effect in Alberta and Ontario and according to reports this preventive medicine is serving the industry well. We are proposing this as a voluntary program. Enrolment of a swine herd will be at the request of the swine breeder. On the farm veterinary inspections will be made at least three times a year. These inspections will be made mainly by local veterinarians whose service will be paid for by the Department of Agriculture. In many cases these same veterinarians will do the inspection work at the auction markets and without the auction market work their incomes might not be sufficient to keep the veterinarians in some communities. All pigs which die after six months of age will be sent to the Provincial Veterinary Laboratory for post-mortem examination. The breeder will be advised of the remedial action to be taken. A representative sample of tissue, mainly snouts and lungs, will be taken at abattoirs from pigs sold for slaughter by breeders who have enrolled their herds in the program. This will serve as a further method of detecting disease at an early stage. Swine breeders will be given a certificate of herd health for their record if freedom of disease merits this recognition. This program should be

particularly helpful in the elimination of rhinitis and virus pneumonia.

Some Saskatchewan swine breeders claim that export business in breeding stock is being lost due to the absence of health certification. Swine breeders who enrol under this program will pay approximately 25 per cent of the cost. While the number of herds enrolled in the first year may be quite small this program is an important first step towards increasing the practice of preventive veterinary medicine in Saskatchewan. Mr. Speaker, this program is also a very natural counterpart to the veterinary inspection at auction markets.

It would not be reasonable to introduce this Bill without being confident that the veterinary staff and clinics will be able to carry out the inspections needed. We intend to provide greater assistance for veterinary clinic construction to make it more helpful to the veterinary service district boards. Under the current program a grant of up to $3,000 per year is paid to cover half the annual amortization charges. While a number of veterinary boards have indicated interest in constructing a clinic most of them have run into difficulties attempting to arrange a veterinary service district board loan. In some instances the rural municipalities involved cannot agree on backing of the loan.

To date three districts have overcome these problems and are building veterinary clinics under the existing program and other districts are trying to achieve the same results with somewhat limited success. The new program will provide for payment of the Government's 50 per cent share of clinic costs in one large grant of $15,000 to $20,000. Construction of six or seven clinics is expected the first year under this new policy with the possibility of 20 to 25 veterinary clinics being in operation in subsequent years. The long term government expenditure may be in the order of $250,000 to $300,000.

Mr. Speaker, these added veterinary clinics ensure that inspection is possible throughout the Province. The availability of a clinic will assist veterinary services boards to retain the services of veterinarians and will ensure that auction market inspections are at all times possible. In addition, a clinic will improve the kind and quality of service of the veterinarian and his time will be used more efficiently both in practice on the farm and at the auction market.

Mr. Speaker, I now turn to consider more specifically who will derive the benefits from veterinary inspection because the cost must be related to the costs of the inspection in some other direct way. Livestock are now bought and sold in many ways and in many places. But auction markets are very important in the entire marketing organization in this province. Veterinary inspections will make auction markets even more acceptable as places to buy and sell when buyers have greater assurance of buying healthy cattle or livestock. If good supplies of healthy livestock are available in large numbers on a regular basis buyers will return again and again to that market. If a good cross section of buyers are present, sellers can count on good prices and will use the auction market as their way of selling their livestock. The more livestock that go through his sales ring the greater the income to the market operator. It is clear, Mr. Speaker, that sellers, buyers and market operators would all benefit from compulsory market inspection. But I

believe that we can show that the major benefit will ultimately go to the producer. And we can also see that by considering the reasoning of a buyer who sits at the sales ring and bids he does not way to pay more than the cattle are really worth. As a buyer thinks about what he can pay he must ask himself what are the odds that this animal is diseased, that it will need veterinary care and drugs or perhaps may even die. If there is no inspection at the auction market he must recognize that a certain percentage of animals will be diseased. He must, therefore, make allowances for this factor when he is making his bids. This is true whether he is a farmer looking for breeding stock, a feeder looking to fill his feedlot or an order buyer or broker with orders to fill. The buyer cannot then pay top price for an animal that may well be diseased or sick.

The seller whose animals are healthy will prefer to sell at a market where there is veterinary inspection and where he will, therefore, come closer to getting full value for his animals. The benefits of the inspection will accrue to the seller and we believe that is only fair that he should pay all or most of the direct cost of the inspection at the markets. It will be essential that the department hire a veterinarian to supervise the program and ensure uniform standards. A great deal of judgment will rest with that veterinarian but in Saskatchewan generally our veterinarians are highly qualified and well trained and would be able to carry out the inspection in what I think would be a professional and most competent manner.

It is, however, Mr. Speaker, a reasonable question to ask if the Government really wants to encourage the livestock industry why does it not absorb the cost of inspection itself? That's a fair question and one which I have considered carefully. There would be two reasons for making the seller pay the cost. The first has to do with fairness. Only a fraction of the animals sold are sold in auction markets. If general revenues were used to pay for the inspection the farmers who do not use these markets would be paying for the services provided for the farmers who do. That in my mind and I think in the minds of farmers would not be fair. The second reason involves a decision as to how best the Government could encourage the diversification and expansion of the livestock industry in our Province. Mr. Speaker, the amendment provides that the Minister may determine by regulation the fees that shall be payable. While these procedures will be established by regulation it is important now to consider whether the Government should subsidize the inspection costs or whether there are some better ways for the Government to use public funds to stimulate and assist the livestock industry.

Mr. Speaker, to consider this adequately it is necessary to consider briefly some other ways of creating what I think is a brighter future for the livestock industry in Saskatchewan. Individual farmers can pay the costs of the inspection but livestock producers on their own initiative cannot take what I think is real meaningful action in regard to market promotion and development as single producers. I should like to outline the approach we shall be taking in a new and an important market development thrust. The Saskatchewan Government is entering into what I think is a vital field for the health of our agricultural sector, market development. Saskatchewan's dependence upon export markets for her agricultural products requires that we devote considerable effort to market development.

A red meats marketing mission has been established to examine opportunities for the export of livestock products to the American Pacific Coast Region. This mission will spend 10 days in that area beginning in mid-April to examine the market opportunity for Saskatchewan livestock products. Mission members will be represented by producers, Government, the packing industry, Saskatchewan Wheat Pool and the university. The mission will be jointly funded by the Saskatchewan Department of Agriculture and the Cattle Check Off Fund.

The American Pacific Coast Region offers a potential market for our livestock products. That area has a large population base and does not now produce enough livestock products to satisfy consumption demands. Our principal competitors for that market are likely to be hog producers in the American corn belt. It is, therefore, imperative that this mission examine the market in that area to enable us realistically to attempt to capture a part of that market and to put Saskatchewan producers in a better competitive position relative to their United States counterparts. The mission will contribute to an improved knowledge of the opportunities existing in that area and the difficulties which are and will be faced by all segments of the Saskatchewan livestock sector in tapping that market as an outlet for our met products.

This mission will meet with groups representing various segments of the American livestock marketing sector at meetings arranged with the Canadian Consul Generals in those areas. During these meetings mission members will attempt to gather as much information as possible and make the Americans aware of Canadian products. A written report will be prepared on their return.

The initial thrust of this mission will be to determine the export potential for pork. We are also interested in possible beef export. However, we are currently on a net import basis with respect to beef and have no surplus to export. Should the beef economy shift to a net export position in the future this, of course, would change. Some pork from Saskatchewan currently moves into the American Pacific area. Some of our products bring a price premium in the United States market. Notably such special products as Canadian ham or back bacon. Our hogs are leaner and are marketed at lighter weights, therefore, we are looking at the market of a distinctive product. We shall have to consider different marketing strategies dependent on the specific product we desire to market and we shall have to examine the mechanics of exporting, namely, the inspection of meat upon entry into the United States, tariff charges on the transportation of products.

Experience thus far suggests that our ability to supply meat products to the American market has been sporadic. Our ability to penetrate the United States market will require continuity of supply to meet the requirements of many of our potential customers. If we cannot guarantee a reasonably continuous supply of product we may find limited acceptance of our product. We may have to examine alternative marketing structures for the Saskatchewan hog sector. We find the existing one incapable of supplying a potential export market for pork at a rate of return satisfactory to producers.

We hope that such market development work will contribute to the discovery of markets which will give producers the opportunity to devote additional resources to hog production at

a satisfactory rate of return.

In addition we wish to avoid possible future market gluts which sometimes accompany increase in production. New markets should contribute to this goal. We will establish a market development corporation to facilitate future exports of pork by making it easier for domestic packers to discover and fulfil market opportunities.

We will, in the future, look beyond the North American Continent for markets of our meat products. The increasingly more attractive Asian markets will not be ignored and the corporation and the industry will be aggressively seeking expanded markets for products. The Japanese market, I think, is the most obvious example.

An examination of the Saskatchewan livestock industry economy reveals that it does not exist in isolation from its provincial neighbors. Thus, in market development we expect to co-operate and assist in the efforts of Manitoba and Alberta which are currently engaged in similar efforts, in assuring continuity of supply, in overcoming transportation and inspection problems which may be much less difficult as a result of inter-provincial co-operation.

A recent report from the South Dakota State University indicated that three million hogs marketed in that State generated about 10,000 off farm jobs. We, in Saskatchewan, know that increased hog production will assist the non-farm economy especially if the increased exports of pork will be in a dressed or processed form. To develop additional markets for our pork products we must first identify potential markets, then we can alter the produce and adapt our market structures to those customers and markets. The red beef marketing mission is an important step in that direction.

Mr. Speaker, I believe that the funds to be spent on the livestock industry should be used where returns can be the greatest. The fund should be spent in ways that farmers as individuals could not explore in a satisfactory and profitable way by themselves. For these reasons I conclude that it would be better for the Government to provide funds for market development as but one example and to subsidize the inspection costs of markets.

So, Mr. Speaker, it is wise and appropriate that the amendment give the Minister the power to require fees for the inspection service. The actual methods to be used in collecting the fees will be determined in consultation with markets and producers. There does not now exist an organization representing auction markets. I think there would be definite advantages in having one because the auction markets play an important role in our livestock industry.

Mr. Speaker, the growth of the livestock industry is vital to our province. The success of our livestock industry depends upon improving quality and disease control is an important aspect of quality. This amendment to The Diseases of Animals Act will assist the entire livestock industry. It is, therefore, with great pleasure I move second reading of this Bill to amend this Act, An Act to amend The Diseases of Animals Act, 1966.

Mr. D.F. MacDonald (Moose Jaw North): — Mr. Speaker, I wonder if the Minister would answer a simple question? I wonder if there are Bills going to be brought in for the swine herd health program and for the veterinary clinic construction. Will those come in as Bills?

Mr. Speaker: — I would inform the Member that the Minister can take questions and answers later when he is closing the debate. So if you have questions just pose your questions and he can make a list of them and can answer them when he is closing the debate.

Mr. MacDonald: — Fine, Mr. Speaker. The Minister of Agriculture took some lengthy time to describe the Bill which could very easily have been described in possibly a minute.

This amendment does nothing except to add to the present Diseases of Animals Act. The Government will be charging for this service which is already available. At the present time this program is available to all auction marts and is paid at 50 per cent by the Provincial Government. The former Liberal Government brought in this Act. It was an Act, as many others, assisting the livestock industry and helped to pay some of the costs. This amendment merely gives the Government the authorization to levy a charge for this service.

I should like to disagree to a point with the Minister of Agriculture (Mr. Messer) on who is to benefit from this service. He maintains that the producers or the seller derives the greatest benefits from this program and I think that the public is the segment of our population that derives the benefits. We have other programs that are ongoing. We have one that the farmers have tried themselves, the preconditioning of calves program and I think that the producers found that under this program they do not receive higher or significantly higher amounts of money for their produce. That the producer or the seller, again, is the one who pays for this particular program.

I think that we will all acknowledge that the Federal Government pays the cost of inspecting meat for public consumption and this again could be argued that it is the seller that derives the benefit. I am sure that to a certain point that the industry does benefit from federal inspection but the public derives a greater benefit as will this stockyard or auction mart inspection.

The veterinary clinic construction and the swine herd health programs, I assume that Bills will be brought in. Until I find out, I should like to adjourn debate on this, Mr. Speaker.

Debate adjourned.

Hon. R. Romanow (Attorney General) moved second reading of Bill No. 43 – **An Act to amend The Court of Appeal Act.**

He said:

Mr. Speaker, this amendment to The Court of Appeal Act is designed to provide for the office of a supernumerary Judge of the Court of Appeal, for each of the five offices of judge of that court. The Federal Government recently passed amendments to the Judges' Act providing for supernumerary judges being appointed where the Legislature of a province provides for a supernumerary judge for each office of judge in its superior courts.

The Federal Judges' Act, in the new section 20(a) provides that where a judge of the Superior Court, which means the Court of Appeal and the Court of Queen's Bench, reaches the age of 70 years and has been in judicial office for at least 10 years, he can, where the province has provided for supernumerary judges with respect to the office of each of its superior judges, give up his regular judicial duties and hold office then in the position of supernumerary judge.

The judge would then be paid the salary for that office until he reaches the age of 75 years, resigns or is removed from or otherwise ceases to hold office. The supernumerary judge retires at age 75 which is the present normal age of retirement for the Supreme Court judges, namely Queen's Bench and the Court of Appeal.

The effect of providing the supernumerary judges will be this: superior court judges, namely the two categories only – Queen's Bench and Court of Appeal, can now go into what perhaps is not a fully appropriate word but I will use it to describe the state, into a form of semi-retirement at the age of 70. The purpose is to have the judges below the age of 70 composing the active court. The supernumerary judges will be available to look after special courts that may be assigned to them by the Chief and to take the place of judges who are absent due to illness and other causes.

A supernumerary judge must hold himself available to perform such special judicial duties as may be assigned to him by the Chief Justice of the Province of Saskatchewan.

In effect, Mr. Speaker, this is complementary legislation by the Provincial Government. As I have indicated to the Members of the House the Federal Judges' Act says that the provinces can enact complementary legislation to establish this position of supernumerary judge.

I repeat again the qualifications for a supernumerary judge are those which relate to one who has reached 70 years, who is in a superior court namely, the Queen's Bench or Court of Appeal, who has had at least 10 years of experience on the bench. He may then apply to be named a supernumerary judge to hold that position until 75, to be directed in his duties as the Chief may cause him to in either special court functions or those that will involve substitution for other judges who are ill.

We think the advantage will be to allow the active court to be those composed of 70 years of age and under. Other provinces are doing it. I think it is worthwhile legislation

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

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, I just want to make a few comments on this Bill and a few other Bills in relation to this Bill.

Sir, a couple of years ago we had a Legislative Committee which appointed a committee called The Non-Controversial Bills Committee. You know, Mr. Speaker, we don't object to Members of the Government to get up and make a political speech on Bills of this kind, which should certainly have been referred to the Non-Controversial Bills Committee.

The Government has yet to refer one Bill, where the Opposition would have the opportunity to sit down and assess this Bill. When they first read first reading they should stand up and recommend that this Bill go to the Non-Controversial Bills Committee. We have listened to Ministers getting up, making political speeches about Bills that are in order of housekeeping, but certainly have no major status in coming in here on a controversial debated issue. As yet we have received no Bills that have any guts to them, Sir.

We haven't received the Estate Tax Bill, we haven't received the Land Tax Bill, any bills that are of real interest to the people of Saskatchewan. So I should like to recommend to the Government, Mr. Speaker, that they take Bills of this kind, refer them to the Non-Controversial Bills Committee, the Opposition will then co-operate, examine the Bills as quickly as possible, and if they feel that there is a contentious issue – wants debate in the Legislature itself – we will be most happy to refer them back and cut out this nonsense of getting up and giving a political speech about a Bill that is not controversial and use the functions and the procedures that they should use in this House.

Mr. K.R. MacLeod (Regina Albert Park): — Mr. Speaker, I am in agreement with the sentiments expressed by the Hon. Member for Milestone (Mr. MacDonald).

I do have one or two quick comments which might well, of course, have been made in the committee stage, and that is simply this – that this generally is part of a trend to reduce the age of judges from 75 to 70.

It may be recalled about ten years ago judges of the Superior Court did not retire at all and then the retirement age, about 10 years ago, was set at age 75. There is now a trend to reduce the age from 75 to 70, and in line with that trend I should like it understood that as infrequently as possible, the supernumerary judges should be called upon for judicial functions. I believe that when a man reaches the age of 75 and he has spent 10 years and in some cases 20 or 30 years on the Bench, he should not be called to return to active duty on the Bench. And, in fact, I don't like to see judges beyond the age of 70 acting as judges at all. I think, in some cases, they have lot complete touch with reality. They should no longer be acting in a judicial function. I should like to have that recorded as part of the attitude of the Government, if possible.

Mr. Romanow: — Mr. Speaker, I, with a great deal of regret, have to say a few words in rebuttal to what the Member for Milestone (Mr. MacDonald) has said in his interjection on second reading.

I believe that he said that I had made a political speech with respect to the introduction of second reading of this The Court of Appeal Act. That is exactly what the Member for Milestone said.

If in fact, that is what the Member can interpret out of those words in the introduction of what I consider to be a very important Bill for the improvement and the advancement of the superior courts, I just wonder where the Member from Milestone has been sitting for the last hour or so. He tells us to refer this matter to the Non-Controversial Bills Committee. I should be pleased to refer as many of the Bills as possible to the Non-Controversial Bills Committee. The problem with the Opposition, Mr. Speaker, is that we have found in the last little while that it is very difficult to know what's controversial and what's non-controversial from one day to the next with them.

Some Hon. Members: Hear, hear!

Mr. Romanow: — Now all that I can say is simply this . . . Last year out of a total of something like 80 Bills, if my memory serves me correctly, the Liberal Government, last year, referred only eight or thereabouts, not any more than eight to the Non-Controversial Bills Committee. Now with respect to every Bill that we have introduced of a major nature, whether its an Ombudsman or otherwise, what does the Opposition do even after all of these days? It grabs the Bill and adjourns it and keeps it adjourned, presumably so they could have time to take a look at the Bill. Now, Mr. Speaker, let me withdraw before I get myself more wound up than I am, about what I think are the very unfair remarks by the Acting Leader of the Opposition, the Member for Milestone, Mr. MacDonald.

We are certainly going to make use of the Non-Controversial Bills Committee where the non-controversial Bill is such if we can get that measure of co-operation I think any Legislature is entitled to get from a responsible Opposition. With those few words I should like to again move second reading of this Bill.

Some Hon. Members: Hear, hear!

Motion agreed to and Bill read a second time.

Mr. Romanow (Attorney General) moved second reading of Bill No. 44 – **An Act to amend The Queen's Bench Act.**

He said:

Mr. Speaker, this amendment is a complementary amendment which relates to the Court of Queen's Bench. The Court of Queen's Bench has eight judges on it. This amendment does precisely the same as the amendment in respect to The Court of Appeal Act, namely to provide for the establishment of supernumerary judges on the same terms, on the same conditions in the Bill as implemented earlier under The Court of Appeal Act. I think this is a worthwhile amendment and, therefore, move second reading of An Act to amend The Queen's Bench Act.

Mr. MacDonald (Milestone): — Mr. Speaker, I should just like to make one additional comment. We have now had in the House 64 Bills on first reading. As yet we have had none referred to the Non-Controversial Bills Committee and I have the same point in relation to this other one. We will certainly support the Bill, we have no objection.

Mr. J.G. Lane (Lumsden): — Mr. Speaker, I think there is one thing that was overlooked in the remarks of the Attorney General in that he stated in the last session the Liberals only set, I believe, 8 Bills to the Non-Controversial Bills Committee.

Mr. Speaker: — The answer was I think in connection with the Member for Milestone on the last Bill, which, I think the comment was somewhat out of order and I think the reply was somewhat out of order. I wonder if we could drop that and stay to Bill 44 . . .

Mr. Lane: — Well, I just should like to make a comment on the principle of the non-controversial Bills. I think that as many as possible should be included if the Government will send them over we'll certainly co-operate on them because these could be handled much more easily.

Motion agreed to and Bill read a second time.

Hon. W.E. Smishek (Minister of Public Health) moved second reading of Bill NO. 36 – **An Act to amend The Tuberculosis Sanatoria Superannuation Act.**

He said:

Mr. Speaker, this Bill contains only two amendments to The Tuberculosis Sanatoria Superannuation Act. This is the Act that governs the superannuation plan for the employees of the Sask Anti-TB League. The two amendments increase the maximum annual salaries upon which both the employees' contribution and their superannuation allowances are to be based.

Mr. Speaker, prior to 1971 the maximum salaries upon which the employees' contribution was based was $10,000, in 1971 this maximum salary was increased to $11,500 per year. By this Bill the maximum salary for this purpose will increase to $14,000 per year commencing April 1, 1972.

Similarly, Mr. Speaker, the maximum salaries upon which the employees' superannuation allowances was based was $10,000 per year, prior to 71, in 1971 this maximum salary was increased to $11,500. By this Bill it is now being increased to $14,000 per year.

Mr. Speaker, this Bill was proposed by the Board of Directors of the Saskatchewan Anti-TB League based on their knowledge of their superannuation plan. Mr. Speaker, this is the extent of my explanation in respect of this Bill. Might I, with your permission, make reference to non-controversial Bills. I think this is a kind of a Bill that could have well been referred to that committee. It is my understanding that this Non-Controversial Bills Committee is one that is in the hands of the Opposition and perhaps with their indication that they would be willing to refer this kind of Bills to the Non-Controversial Bills Committee, I'm sure the Government would

be prepared to consider it, keeping I mind the Non-Controversial Bills Committee has a majority of representation from the Opposition, so the decision rests with them on whether they want the Committee to function.

Motion agreed to and Bill read a second time.

Hon. J.R. Messer (Minister of Agriculture) moved second reading of Bill No. 52 – **An Act respecting Stable Keepers.**

He said:

Mr. Speaker, in speaking to an Act respecting Stable Keepers, I assume many Members of this Assembly will know that for many years there was a statute entitled The Ajuster and Livery Stable Keepers Act. Presumably that Act was used quite extensively in former days when horse-drawn vehicles were for hire throughout the province. Boarding stables were numerous, especially in areas of heavier population. The word 'ajuster' was a cumbersome term seldom understood by any except those in the legal profession. In 1969 The Ajuster and Livery Stable Keepers Act, Chapter 30, was repealed. In as much as there has been little use made of this Act in its former wording it was considered unnecessary to amend it as a modified ongoing Act. However, a clause prescribing minimum standards of cleanliness and sanitation for livestock boarding stables seemed to be worth preserving. Consequently this clause was transferred to Chapter 212, section 1 of section 3 of The Livestock and Livestock Products Act.

In recent months it has become apparent that there is a need for legislation to give adequate protection to stable keepers who contract for stabling, feeding and boarding and caring for animals. Such legislation should make provision for the care, feeding and maintenance of pastured animals. This does not necessarily restrict it to only horses, though I think that is an area where it will be most widely used.

The protection considered necessary is contained in Bill No. 52, an Act respecting Stable Keepers to be cited as a Stable Keepers Lien Act, 1972. Without the protection of such legislation a person who stables, feeds, boards, grazes or cares for animals for a stipulated amount of money may be left without any or other recourse than to file a suit against the second party in the contract who fails to make payment as obligated. Such suit in civil court can cost nearly as much as the value for the goods and/or services provided. Therefore, the person is left unprotected against what may be called fairly small losses or he may seek a court case judgement where he may recover little more than enough to pay the costs.

This Act will enable a stable keeper to have a lien on the animals so that a reasonable measure of protection is guaranteed. Besides possession of any animal involved this Act allows for detaining vehicles, harness, furnishings or other gear related to the contracted operation as well as personal effects of the person indebted to him. The stable keeper taking possession of any animal or thing mentioned is responsible for proper care of same until release time. Following a month of detention such animal, or animals and things involved may be sold according to requirements set out in clause 4, section 2 of the Act. Surplus after recognized indebtedness are paid for is handed over to the Provincial Treasurer to be kept for one year in a special trust fund. If such is not claimed then it becomes part of the consolidated fund. It is essential that in order for a stable

keeper to receive benefits he must post a copy of this Act in his premises in a conspicuous place. A summary of this Act provides protection with lien provision to persons who are engaged in pasturing, caring for, boarding, feeding and maintaining animals in Saskatchewan.

Mr. E.F. Gardner (Moosomin): — Mr. Speaker, when I first looked at this Bill I wondered if it was really necessary but I'm aware, of course, that there are a great number of people in cities and towns today who are keeping horses, young people have horses which are probably boarded in adjacent rural areas and problems may arise and I'm not objecting to the Bill.

I do have one or two points I should like to bring up in regard to the Bill. 'Stable keeper', this is in clause 2, anyone who feeds, grazes or cares for animals. Perhaps the Minister might in his remarks closing the debate, might like to suggest what the position of feed lots would be in this regard, if they would be considered stable keepers for the purposes of this Act and also community pastures, or Government pastures? They are in the business of grazing animals and being paid for it and I'm wondering if these two enterprises would be considered under this Act?

If he doesn't have the answer now we shall ask these questions in Committee.

Mr. Messer: — Mr. Speaker, I would rather answer the questions in Committee if that would satisfy the Hon. Member for Moosomin. I would, therefore, again move second reading of the Bill.

Hon. G. MacMurchy (Minister of Education) moved second reading of Bill No. 46 – **An Act respecting the Education and Certification of Teachers.**

He said:

Mr. Speaker, Bill No. 46 is being introduced for two reasons. One reason is that we wish to restructure the present Board of Teacher Education, two, we wish to combine the work of the Advisory Committee on Certification with that of the new Teacher Education Board. The combined Board is to be known as The Board of Teacher Education and Certification. It will have nine to eleven members, a reduction from the 15 now on the old Board. The Department of Education will have three representatives as compared to six at present. The University will have two as compared to five. Both the Saskatchewan Teachers' Federation and the Saskatchewan School Trustees' Association will name two, for a total of nine.

Section 3, part 2 of Bill 46 provides that the Education Minister may appoint two members at large to the Board, bringing the total possible membership to eleven.

We have decided to reduce the representation from the Department and from the University to give the new Board a more manageable size. As well, we decided to reduce the representation to bring the size of the two groups, the Department and the University more into line with that of the trustees and the teachers. Two members at large may be added to give the Board

one or two public representatives. This is in accord with our view that education is important enough to warrant involvement of people other than educators alone. We believe the new Board can benefit by the presence of members who represent neither the administration nor the professional groups. The 'at large' membership could also be used to give voice to groups that do not normally have any input or to groups who deserve particular representation for a specific reason over a given period of time. Such groups, for example, might be the Indian and Metis group, who have a growing interest in education. Both the existing Board of Teacher Education and the Advisory Committee on Certification act in a consultative and an advisory capacity. They have no executive powers.

Because the matter of how a teacher is educated and how he is certified are very closely related it makes sense to provide for the best possible co-ordination of the work in those areas.

For these reasons, Mr. Speaker, I move that Bill No. 46 be now read a second time.

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, I just want to make one or two comments and we don't want to hold this Bill up but we should like the opportunity of consulting with the Saskatchewan Teachers' Federation and the Saskatchewan School Trustees' Association. We recognize what this Board has as its function. We see no objection to expanding the Board and we should like to hear back from both of those associations that we have contacted. So, for that reason, we'd like to adjourn the debate for a day or two.

Debate adjourned.

Hon. J.R. Messer (Minister of Agriculture) moved second reading of Bill No. 47 – **An Act to amend The Milk Control Act.**

He said:

Mr. Speaker, in speaking to An Act to amend The Milk Control Act, I simply want to state to the Members of the Assembly the sections that will be amended.

Section 7(a) will authorize the Milk Control Board to enter into a market sharing agreement with the Canadian Dairy Commission and/or the dairy farmers of Canada. The Milk Control Act now confers wide powers on the Board respecting the pricing, delivering and marketing of milk, including authority to assess fees on producers and requiring processors to keep records and accounts.

Section 7(b) will authorize the Milk Control Board to act in the Province on behalf of the Federal agency, the Canadian Dairy Commission.

Section 7(c) will authorize the conferring of Provincial powers on a Federal agency if that should be necessary. The reasons for this are that under a market sharing agreement it will be necessary to register all producers and keep records of their production. A fee of perhaps one-half a cent per pound butterfat would likely be necessary to offset the costs of doing so.

Under the proposed agreement it would be necessary to collect on behalf of the Canadian Dairy Commission what would be terms a holdback from producers to meet the cost of exporting surplus dairy products. The Agreement would also require, in the event of Saskatchewan exceeding its market share of industrial milk allotting producer quotas and levelling pen fees on those who exceed those quotas. In turn the proposed agreement would give Saskatchewan: (A) a market share of the industrial milk of 15.6 million pounds of butterfat, which would probably never be exceeded; (b) restore our provincial subsidy quota to April 1st, 1970 level, which means an increase of about one million pounds; (c) allow us to allocate subsidy quotas within the province without requiring transfer of dairy herds. Having made these brief remarks, Mr. Speaker, I move second reading of Bill No. 47.

Mr. E.F. Gardner (Moosomin): — Mr. Speaker, the Bill itself, the clauses that we see here are perhaps not that objectionable. There were several statements made by the Minister in his speech before second reading that rather concern us. In view of that I beg leave to adjourn the debate.

Debate adjourned.

Hon. G. MacMurchy (Minister of Education) moved second reading of Bill 50 – **An Act to amend The Teacher Tenure Act.**

He said:

Mr. Speaker, there are two amendments to The Teacher Tenure Act being proposed in Bill No. 50.

The major change involves placing a ceiling on teacher tenure at age 65. The other one is a technical change in wording to clear up any possible defects in the legal application of Form A. Saskatchewan has an effective teacher tenure law that provides a good degree of security to competent teachers. Its purpose is to prevent arbitrary dismissal and to present the essential right of teachers to teacher as they believe best in their best, professional judgment. In the occasional case, however, the tenure law as it presently stands can be a barrier to replacement of staff who are no longer performing well due to advanced age. I suppose such things as loss of hearing or sight, or physical weakness are difficult to account for under the present Act. Furthermore, many boards are hesitant to take action against older teachers who have put in years of good and satisfactory service. By putting a ceiling of 65 on tenure it will be up to the teacher and the board to work out an arrangement for continuing or terminating contracts. I believe that the principle in this change is quite common in other types of employment, it is used in the Public Service. Teachers have voiced no objection to this proposed change, the trustees support it strongly. I move that Bill No. 50 be now read a second time.

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, just a couple of comments on this Bill. First of all, I don’t think this side of the House has any objection to reducing the tenure age to 65 years, in fact, we think it is a good principle, whereby teachers when they reach normal retirement age that they should be able to be replaced and young teachers provided jobs, particularly with the surplus of teachers. There is one thing that does concern some of the teaching profession in Saskatchewan and that is the fact that 20 years is a basic requirement for pension. Many of these

teachers will now be 66 years of age or 67 and may need one year in order to reach retirement age and one more year teaching and, of course, some of the Boards might replace them and they may have devoted 18 or 19 years to the teaching profession and to a community and now they are dropped at this stage in the game. We have no objection to the principle of 65 years. I should like to have the Minister comment on those particular teachers, there are only, I understand from the Teachers Federation, about 20 or 30 in the entire province. If it would be possible to grant some kind of 'grandfather' clause in order that those teachers might be able to receive their pensionable benefits.

There is one other area of the Bill that I think we should give very serious consideration to in this House. That is that perhaps it is time now that we had an independent board to adjudicate teacher tenure and teacher dismissals. I think we have had an experience in the past six or seven months, more particularly in the case of Moosomin, where it began to look and appear to ratepayers around the province, it began to appear to other people in the province that perhaps this was a kangaroo court. In other words, that the Minister of Education (Mr. MacMurchy) selected people who perhaps might have been sympathetic to a politic viewpoint or a board's viewpoint, whatever it may be. Of course, this is an unfortunate situation and I am not suggesting the Minister did but certainly he leaves himself open to that kind of judgment by many ratepayers who are perhaps parents in this particular case that might have felt very strongly about that incident or situation. There is a strong feeling about the independence of that particular board about the fact that that board would be appointed by the Minister himself. I should think that perhaps if the Minister wanted to bring in a good amendment to this Bill, if he wants to bring in the kind of thing that would overcome that problem in the future, that perhaps then he should establish a permanent independent board or also have the board set up and appointed by the Chief Justice. I remember the accusations of the Opposition at that time towards the Lieutenant-Governor-in-Council appointing boards for labor union disputes, and so forth, they have now brought in the fact that the Chief Justice will appoint certain boards and certain members of boards when an issue of this kind comes up. I would think that this would be a very good recommendation and a very good amendment for this Bill and would remove that possible danger in the future. Other than that, Mr. Speaker, certain we will support this Bill in second reading.

Mr. MacMurchy: — Mr. Speaker, I have taken note of the suggestions made by the Member for Milestone with respect to some of the problems that are presently arising in tenure. I think the problems with respect to tenure go beyond some of the things that he suggested. The amendment we are bringing forward is a very minor amendment, it doesn't preclude, in our thinking, the need for some further changes as we look towards the future. I welcome his suggestions, I think that there is general agreement with this kind of an approach and we have had discussions this morning with the teachers who at that time didn't voice any objections. I shall be very pleased to move that Bill No. 50 be read a second time.

Motion agreed to and Bill read a second time.

Hon. J.R. Messer (Minister of Agriculture) moved second reading of Bill No. 54 – **An Act to amend The Agricultural Societies Act, 1966.**

He said:

Mr. Speaker, the amendments to the Agricultural Societies Act, 1966, are minor in nature but I think they do provide an extended service and an extended opportunity to many agricultural societies in the Province of Saskatchewan which they do not now have. The amendment is simply to add a new section following section 37 which will read, "that on the recommendation of the Minister and subject to such terms and conditions as may be prescribed by the Lieutenant-Governor-in-Council, the Provincial Treasurer may guarantee loans to a society by the Government of Canada". The explanation for this is that the Federal Government has issued a policy offering loans to agricultural societies or exhibition associations for the purpose of constructing multi-purpose community buildings in their areas. The loans can be for a maximum of 30 years at an interest rate of one-eighth of one per cent over the market yields of Canada bonds for a similar term. Loans can be up to 90 per cent of the total cost of building depending upon the estimated annual revenues. A condition that is attached by the Federal Government is that guarantees are required, acceptable to the Federal Minister either by the municipality or by the province. A request for a guarantee has been made by Lloydminster and we expect that one will be forthcoming from Regina. No doubt other communities in the province will follow suit in future years. Both, though, will want to use these loans and the construction can usually benefit from I think both work and wages as well as other incentive policies in that community. It is for this reason that the Department of Agriculture wishes to amend The Agricultural Societies Act so that we may in fact be in a position to guarantee these applications when they have been given approval by the Federal Government. This is, therefore, the reason that we insert section 37(a) immediately following section 37 of The Agricultural Societies Act. I, therefore, move second reading of this Bill.

Mr. T. Weatherald (Cannington): — We find no objection to this piece of legislation and accordingly the legislation put forward by the Minister has our support.

Motion agreed to and Bill read a second time.

Hon. R. Romanow (Attorney General) moved second reading of Bill No. 59 – **An Act to amend The Collection Agents Act, 1968.**

He said:

Mr. Speaker, this is an amendment to The Collection Agents Act. Collection agents generally are doing a good job in collecting accounts on behalf of their clients. Many of them have a code of ethics which is followed carefully in the carrying out of their collection activities. However, like any other occupation, trade or profession, there are from time to time a few collectors who fail to comply with the usual standards of good conduct. For this reason The Collection Agents Act is being amended to set out in more detail the rules that we feel should be followed by collection agents and their staff in the course of their various duties. My Department has received some complaints since assuming office and even before the changeover in government, which are now sought to be covered

by the proposed amendments. Most of the complaints which we have received are from debtors and concern harassment by telephone of, not only the debtor, but of members of his family. In some cases the collector calls or threatens to call the employer and thereby places the debtor's employment in serious jeopardy. If that situation occurs and the debtor loses his employment, then, of course, the consequences are manifest, the problem is only compounded. Complaints which have come to our attention sometimes involve debtors who are unemployed, and simply do not have the resources with which to pay the debt. In another case the debtor was not only unemployed but had been hospitalized and was at home recovering from a heart condition. Yet, he and his family were harassed by a collector who was inconsiderate of the circumstances, the said circumstances having been explained to the collector. Families which are unable to pay their debts suffer more from the threats and the nature of the phone calls than from the actual phone call itself. These amendments should be of some particular help to those debtors and their families who find themselves in the unfortunate position of being unable to pay their bills through unemployment, illness or other set-backs.

Another complaint has been that the debtor has often not been provided with sufficient information concerning the debt and also concerning the person who is calling to collect the debt. These amendments will insure that the debtor is given certain minimum information.

Specifically, with respect to the proposed Bill, Mr. Speaker, we are amending it by adding various clauses after clause (f) in Section 29(1) of The Collection Agents Act, 1968. Under this proposed Bill clause (g) would prohibit telephone calls or personal calls of such nature or with such frequency that would constitute harassment. We would outlaw them in effect or prohibit them by the provisions of this Bill. We would, under clause (h) restrict telephone calls or personal calls to between the hours of 8:00 o'clock in the morning and 9:00 o'clock in the afternoon. They would be prohibited on a Sunday and on a holiday. This Bill also says that it would prohibit the collection agent giving by implication, inference or statement, false information with respect to a debtor, or, to threaten the debtor with respect to his employment, as I have given examples to this House already. Or alternatively in (k) to make a demand by telephone call, for the payment of an account without indicating the name of the creditor for whom he is acting. In addition, sub-clause (1) prohibits telephone calls or personal calls of such nature or frequency as constituted harassment. Further, in (m) we would limit the commencement or the continuation of an action for a debt in the name of collection agent or collector as plaintiff unless such debt has been assigned to the collection agent and notice for valuable consideration, with notice of the assignments given to the debtor. This Act would come into force on the first day of July of 1972.

Mr. Speaker, I think that these amendments will substantially improve and strengthen the provisions of The Collection Agents Act of 1968. I think The Collection Agents Act of 1968 was a good Bill, except of course, with respect to regulating this particular business. As I say, the Government believes that the activities carried out by the vast majority of those in this business have been ethical and good. However, like in all businesses there have been abuses. We feel now the need for legislation to strength the provisions of the Bill and

this is what these amendments will do as outlined and for the reasons as I have described. It gives me a great deal of pleasure to move second reading of An Act to amend The Collection Agents Act, Bill 59.

Mr. J.G. Lane (Lumsden): — The Opposition certainly favors this proposed legislation. It is certainly in line with the principle of the Bill as passed in 1968 by the previous Liberal Government. It is the type of far-reaching consumer legislation that the previous Government deserves a great deal of credit for. The legislation as passed in 1968 is certainly not an example of legislation that the Attorney General said the other day which did nothing to protect the human rights of individuals in Saskatchewan. The principal in the legislation, and the principle being followed in the proposed amendment is a great protection for the citizens of this province. I think the unwarranted telephone calls and unnecessary telephone calls and calls of a personal nature as set out in the proposed Bill should be stopped. Harassment of debtors should be stopped, the legislation did do that. This is more specific as the Attorney General says and we welcome the move by the Attorney General to set out specifically matters of principle as passed by the previous Government.

Motion agreed to and Bill read a second time.

Mr. Romanow (Attorney General) moved second reading of Bill No. 60 – **An Act to amend The Saskatchewan Insurance Act.**

He said:

Mr. Speaker, under The Saskatchewan Insurance Act, insurance agents and insurance adjusters may carry on business anywhere in Saskatchewan without being subject to municipal licensing bylaws. For example, an insurance agent, to pick a constituency out of the air, an insurance agency at Milestone may be selling insurance in the neighboring municipalities and if so, he is subject to the payment of any licence fee to those neighboring municipalities. Similarly, an adjuster at Regina may adjust losses anywhere in Saskatchewan without being subject to the payment of any license fee to a municipality. This law is probably as old as the province or at least dates back to the very first Insurance Act of the Province of Saskatchewan.

In more recent years, however, the various Municipal Acts have been amended to provide the business taxes in respect of premise could be converted into licence fees. A question has arisen as to whether or not the exemption in The Saskatchewan Insurance Act might be held to apply also in those circumstances. Of course, it was never intended that such an insurance agent or an insurance adjuster be exempted from the payment of business taxes in respect of property occupied by him, whether or not such business taxes were converted into a licence fee. This amendment, therefore, is designed to clarify the legislation in those cases where business taxes are so converted by removing the exemption in so far as business taxes are concerned.

Mr. Speaker, I move second reading of Bill No. 60.

Mr. J.G. Lane (Lumsden): — Mr. Speaker, we certainly welcome this legislation

which allows the insurance agents and adjusters to conduct business anywhere in the province. It certainly should make business easier for them and give them a great deal more flexibility in their operations. And for that reason we certainly welcome the proposed amendment.

Mr. G.B. Grant (Regina Whitmore Park): — I should like to ask the Hon. Attorney General if that is what this Bill actually does. Does it give insurance agents and adjusters a free hand to operate any place in the province? I read it differently. I can see some merit in there being no exemption for insurance agents because they should be operating within their own confines, give or take a little bit. But insurance adjusters are operating throughout the province and do I read it rightly that just because they move into the Markinch area or the Rosetown area that those municipalities could assess the insurance adjuster a licence for doing business in that area? They are sent there at the request of either the Saskatchewan Government Insurance office or some other insurance office or the claimant.

Mr. Speaker, I'd like leave to adjourn the debate.

Debate adjourned.

Hon. G. MacMurchy (Minister of Education) moved second reading of Bill No. 57 – **An Act to amend The Larger School Units Act.**

He said:

Mr. Speaker, Bill No. 57 contains a number of relatively minor amendments to The Larger School Units Act. Section 38 is to be changed so that voters who live in rural areas can be sworn in to vote if their names do not appear on the voters' list for school trustee elections. Voters in all other areas have the right to be sworn in, rural residents do not. This is the result of gearing the 1971 amendments to section 38 to The Urban Municipal Elections Act and it is a result, we think, that is unnecessary and very undesirable.

The new section 52 provides that unit boards may pay a per diem allowance and mileage to certain members for up to 50 board meetings a year instead of the usual 30. The allowances and the mileage rate remain the same at $20 per diem and 11 cents a mile. The board members eligible for the payments on up to 50 meetings are those who have been designated as representatives on joint boards. As the Act now stands, representatives on both boards such as members of comprehensive boards are not paid for meetings in excess of 30 in the one calendar year. Often these people will attend an extra 15 or 20 or perhaps even more at their own expense. To correct this, the limit is being raised from 30 to 50 meetings a year.

The third change is to section 81 which deals with tenders for services. The amendment will remove the reference to tendering for school bus service, thereby permitting school boards to award bus contracts on criteria other than merely financial. What has happened here is that some small bus operators have been providing good service. They lost their contracts to larger operators who outbid them often by relatively small amounts. By deleting the requirement to re-tender boards will be permitted to award contracts according to their own standards. If they wish to enter they will be able to do so.

On the other hand, if a board has received good service from an operator who may have slightly higher costs and, therefore, a higher bid and they deem the service to be worth the money, it will be within their power to grant him the contract.

The fourth amendment simply increases the payment to deputy returning officers from $10 to $15 a day. Boards have been having a great deal of trouble getting people on a $10 a day per diem. This increase should help to find people to work in trustee elections.

Mr. Speaker, I move that this Bill, Bill No. 57 be now read a second time.

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, we have just received this Bill today. We beg leave to adjourn the debate.

Debate adjourned.

Mr. MacMurchy (Minister of Education) moved second reading of Bill No. 58 – **An Act to amend The Student Assistance and Student Aid Fund Act.**

He said:

Mr. Speaker, the amendments to this Act, Bill No. 58 deal with the methods of distributing grants, loans, scholarships and other awards provided for from public funds. Section 2 of Bill 58 covers awards made in the form of remission of tuition fees. The amendment will allow the funds to be paid directly to the institution rather than to the student on account of fees he has already paid. This clears up a bit of red tape. It simplifies the procedure for both the student and the educational institution.

The new section 5A permits awards made by organizations other than the Department of Education to be paid by those organizations out of block allotments from the student aid fund. For instance, the fund may turn over to, let us say, the Department of Public Health, a share of the funds to be awarded directly by Public Health. The section also provides that unspent funds in the block allotments shall be returned to the student aid fund. The retroactive clause is included so as to cover off for the bursaries awarded by the Department of Public Health since June 1971.

Mr. Speaker, these are by and large, housekeeping amendments. They are being introduced to simplify payment of awards to deserving students. I would move, Mr. Speaker, that this Bill NO. 58 be now read a second time.

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, my colleague from Wilkie (Mr. McIsaac) has some comments to make on this and I beg leave to adjourn the debate.

Debate adjourned.

Hon. A.E. Blakeney (Premier) moved second reading of Bill No. 37 – **An Act to amend The Members of the Legislative Assembly Superannuation Act.**

He said:

Mr. Speaker, I am speaking to Bill No. 6. What I am about to say would apply equally to Bill 7, 8, 9, 10 and 11.

Mr. Speaker: — I think those are items not the Bill numbers.

Mr. Blakeney: — I'm sorry, you're right. Items 6, 7, 8, 9, 10 and 11, Bills 37, 38, 39, 40, 41 and 42.

I speak now to Bill No. 37, item number 6, an Act to amend The Members of the Legislative Assembly Superannuation Act. Members will have observed that the purpose of this Bill is to vary the investment powers of the operators of this particular superannuation fund. What is being done, Mr. Speaker, is to standardize the investment powers in all of these particular Acts. In some cases we are extending the investment powers only slightly. In any case, we are expanding them and standardizing them so that once these Bills are passed the general powers will be to invest in all provincial government securities and in all provincial government guaranteed securities. In particular, the Power Corporation would be able to borrow to buy Sask Tel securities and vice versa if either of them issued securities which they are authorized by law to do but have not yet done.

Generally, all Federal guarantees will be authorized. All Saskatchewan municipals will be authorized. In this regard we have found that for historic reasons some of the funds did not have power to purchase securities issued under The Rural Telephone Act and The Union Hospital Act and The Wascana Centre Act and these powers will be added. All of those I think will be almost non-controversial. In general, another series of investment powers will be given which are given to all operators of funds where trust funds are invested. These include guaranteed income certificates of trust companies and securities issued by chartered banks.

A new category is being added which is perhaps a little bit unique in the sense that only some of the funds have it and that is the power to invest in securities under subsections 1, 2 and 6 of section 63 of the Canadian and British Insurance Companies Acts. This, in effect, permits this particular superannuation fund to invest in a category of securities which might be called industrial blue chip. Some of the funds now have this power and some do not. In particular, the MLAs' superannuation fund did not have that power, the teachers' superannuation fund did, as an example.

I think from my remarks, Mr. Speaker, it would be observed that the thrust of these amendments is to widen and standardize the investment powers in these several Acts, and dealing particularly with Bill 37, to widen those powers and make them conform with the powers in the other Acts. Since the provisions are rather excessively detailed, I think they will be better discussed in Committee. With that, Mr. Speaker, I move second reading of Bill No. 37.

Mr. K.R. MacLeod (Regina Albert Park): — Dealing with the same statutes as were referred to by the Hon. Provincial Treasurer (Mr. Blakeney) in presenting these bills before the House, I should like to point out that not only does this widen the powers of the Provincial Treasurer in most cases to make investments in substantially more securities, both in number and kind and quality – it represents a broadening of the number of dollars that he can command in these wider areas. And because of the substantially increased amounts that we are talking about, and the possibility that huge amounts may be brought into a particular area, it is important, I think, for us to look at the broadening of the powers, particularly having regard to the fact that the limitation that was contained in some cases in the other statutes (as to a 25 per cent maximum investment in a particular kind of security) is removed, I think it is worthwhile to be a little more specific in the kind of investment that is permitted to the Provincial Treasurer.

I refer only to one part of section 63 and that is subsection 1(a). This provides that the Provincial Treasurer may, invest in company bonds, debentures, stocks or other evidences of indebtedness of or guaranteed by the governments of Canada, Australia, Ceylon, India, Jamaica, New Zealand, The Republic of South Africa, Trinidad, Tobago and the United Kingdom, any province or state thereof, Southern Rhodesia, The Republic of Ireland, any colony of the United Kingdom, the United States or a state thereof, any country in which the company is carrying on business or province or state thereof, a colony, dependency and so on. Unless I misread the powers that are to be given to the Provincial Treasurer, that is a simple example of those provisions which are presently contained in subsection 1(a) of the Act.

I am very seriously considering whether or not I should oppose this bill and the Liberal Opposition may well oppose substantially or in its entirety these amendments. I cannot say at this time whether we will for sure but I do say that all these statutes will come in for some substantial scrutiny by the Liberal Opposition as it is our duty, not only to pension holders, but to the people of the province, and I beg leave to adjourn the debate on each and every one of the bills referred to by the Premier.

Debate adjourned.

Mr. Blakeney (Premier) moved second reading of Bill No. 38 – **An Act to amend The Liquor Board Superannuation Act.**

He said:

I think I need not detain the House very long with a further explanation. I think I can understand if Hon. Members have some concerns with respect to the investment powers particularly those which are taken from the Canadian and British Insurance Companies' Acts. If concerns are expressed, certainly the Government is more than willing to consider those concerns. We are not particularly wedded to this formulation of the investment powers; we have selected it because it is well established and regulated by the Federal Government for the purpose of life insurance companies in Canada. If Members on either side of the House have views which suggest that such a formulation would be unwise or ought to be further limited, I know the Government

would be more than pleased to consider representations and to consider them in Committee or elsewhere.

With that comment, Mr. Speaker, and with the comment that the purpose of this Bill is to extend and make uniform the powers of investment under The Liquor Board Superannuation Act, I move second reading of Bill No. 38.

Mr. K.R. MacLeod: — Mr. Speaker, the comments that I made with respect to the last Bill apply to this one. I thank the Premier for his opening remarks on Bill 38. I beg leave to adjourn debate on Bill No. 38.

Debate adjourned.

Mr. Blakeney (Premier) moved second reading of Bill No. 39 – **An Act to amend The Saskatchewan Telecommunications Superannuation Act.**

He said:

Mr. Speaker, I move second reading of Bill NO. 39 – An Act to amend The Saskatchewan Telecommunications Superannuation Act.

Mr. MacLeod: — I move, Mr. Speaker, that Bill No. 39, that debate on that Bill be adjourned.

Debate adjourned.

Mr. Blakeney (Premier) moved second reading of Bill No. 40 – **An Act to amend The Teachers' Superannuation Act, 1970.**

He said:

Mr. Speaker, I move that Bill No. 40 – An Act to amend The Teachers' Superannuation Act, 1970 be now read a second time.

Mr. MacLeod: — Mr. Speaker, I move that debate be adjourned.

Debate adjourned.

Mr. Blakeney (Premier) moved second reading of Bill No. 41 – **An Act to amend The Workmen's Compensation Board Superannuation Act.**

He said:

Mr. Speaker, I move that Bill No. 41 – An Act to amend The Workmen's Compensation Board Superannuation Act be now read a second time.

Mr. MacLeod: — Mr. Speaker, I move that debate on this Bill be adjourned.

Debate adjourned.

Mr. Blakeney (Premier) moved second reading of Bill No. 41 – **An Act to amend The Workmen's Compensation (Accident Fund) Act.**

He said: Mr. Speaker, I move that Bill No. 42 – An Act to amend

The Workmen's Compensation (Accident Fund) Act be now read a second time.

Mr. MacLeod: — Mr. Speaker, I move that debate on Bill No. 42 be adjourned.

Debate adjourned.

Mr. Blakeney (Premier) moved second reading of Bill No. 45 – **An Act to amend The Election Act, 1971.**

He said:

Mr. Speaker, this Bill provides for a minor amendment to The Election Act. The Election Act as it now stands does not authorize a person who is in a mental facility to vote or to be enumerated for that purpose. The purpose of this Bill is to bring The Election Act up to date in terms of the purposes now fulfilled by mental health facilities. Some of the persons in mental health facilities are persons who have not been certified to be mentally disordered but who are in the facility as voluntary patients and there is no presumption if a person is in a mental facility as a voluntary patient that he is unfit to vote. He may simply be there because he is suffering from mental strain or for a whole variety of reasons. The general idea of The Elections Act is that everyone should be permitted to vote unless there is a definable reason why he should not be able to vote. The reason for heretofore denying the vote to a person in a mental facility has been the assumption that anyone who is in a mental facility was a person who was found or certified to be mentally disordered. That assumption is no longer valid because of the number of persons who are voluntary patients. The other changes in the Act are purely technical and I think they can be best considered in Committee. Generally, I think this Bill will be found to be non-controversial in the sense that I think the principle will be agreed to by all Members. Accordingly, I move second reading of An Act to amend The Election Act, 1971.

Mr. A.R. Guy (Athabasca): — Mr. Speaker, I don't think that Members on this side have any objections to the amendment moved by the Hon. Premier. However, now that The Elections Act has been opened for amendment at this Session, I should like to bring several matters to the attention of the Government for their consideration. I might say that I don't expect any great amount of action taken at this time because the matters that I raise are matters which have been long standing as far as the Legislature trying to deal with them. But I think that before another general election that some of these matters should be considered again in the hope that a better way of resolving them can be found than we have up to the present time. Some of these matters resulted from last June's election in the Athabasca constituency but they are not confined to that constituency but are also applicable to Meadow Lake, Prince Albert East-Cumberland and Nipawin to a lesser extent. Also, as I mentioned, they are not new problems. The Legislature has faced and tried to remedy them over the years with little or not too much success. Often they become not readily apparent until questioned for one reason or another.

I think we shall all agree that it was the intent of the

Election Committee that sat from both sides of this House, prior to the last election, to enfranchise as many people as possible. Unfortunately, no matter how one word the Act, it is always open to one interpretation or another. There are three main areas that I should like to bring to the attention of this House today.

One concerns the citizens of the Republic of Ireland. And this is a problem that I suspect is not confined entirely to the constituency of Athabasca. I would imagine that it is a problem that might exist in some of the other constituencies of the province. However, because of the number who are concentrated in the Uranium City area the question seems to arise each election as to their eligibility to vote. I remember it first being raised in the 1960 election. In fact, at that time, one of the citizens of the Republic of Ireland wrote to the then Premier T.C. Douglas asking whether he was entitled to vote and the reply came back that as interpreted at least by the Premier and perhaps by the Cabinet that they were entitled to vote. Of course, we must acknowledge that this was a non-legal interpretation which may or may not have stood up in the courts if it had been challenged. The question was raised again in 1964, as I recall, again in 1967, and each time they voted as they believed they were entitled to. Of course, they were never challenged because the margin of the election during those years did not result in any action under The Controverted Elections Act. During the past election similar circumstances prevailed and they voted again. This time legal action has followed when the NDP candidate challenged their right to vote. I don't know whether they are entitled to vote or not until some action is taken within our own Election Act stating whether they are or whether they aren't.

The Canadian Elections Act has resolved the problem by stating very clearly that for the purpose of voting, citizens of the Republic of Ireland are to be considered British subjects. And I would suggest if it is the intention of this Legislature to give these people the right to vote that it should be stated plainly in The Election Act. If, of course, the Legislature in its wisdom decides not to include these people as eligible voters then it should be stated in the Act in the same manner, that they are not entitled to vote. I would hope that consideration would be given to including them as British subjects for the purpose of voting.

The second problem is one of residency. I know that all Members regardless of whether they are in northern or southern constituencies, find the question of ordinary residence sometimes rather difficult to interpret. I think it is even more so in the northern constituencies because of the location, the sparse population, the great distances, and the type of industry and business that is carried on. The interpretation of ordinary resident can be very wide or very narrow. Whichever view is followed the right to vote by a large number of people is affected. The three northern constituencies differ more than the others as I mentioned because of the sparse population, limited transportation and tremendous distances. In many cases the possibility of people working there, returning to their own constituency either for voting day or for the advanced poll is practically impossible so they either lose their vote or else arrangements have to be made for them to vote where they happen to reside at that time. So the real question I think is whether we can in some practical way adjust to this type of problem. There are three main groups that are involved. There are

students who go North to work three or four months during the summer between the university terms. The single ones, of course, when they go up there, really have no home, they are not dependent on their parents any longer. For all intents and purposes home is where they hang their hat. Married students are in a little different category because often their wives are unable to go with them during the summer because of the fact they are in remote mining or tourist camps where there are no facilities for wives or children so their either stay with their parents or board or locate somewhere else. So there is a problem with students. The other are civil servants and some working people. I think particularly of members from the DNR, DMR, Indian Affairs and so on who each summer find their work is located in these northern constituencies. They are there for perhaps five months, six months of the year. However, when summer activities close they have to reside somewhere else and they usually go back to headquarters. Whether it is Prince Albert or Regina or Saskatoon doesn't really matter but it means that they spend probably half the year on one location earning their living but again unable in most cases to take their families with them because of the lack of suitable living accommodation. So they are another group that get caught in the middle.

The third group are some of the businessmen who run tourist camps, fishing camps, cafes, stores and so on on a summer tourist season basis. However, during the time they are up there they make almost their total income from their camp or their business. And it is impossible to operate on a year round basis, again, because of climate, location, facilities, and the type of business which they operate. So they spend the winter in the city where the children go to school, where there is entertainment, where there is transportation and so on. But they have said to me, "We really want to consider where our interests lie. We have a $100,000 camp in a northern constituency and we have $150 or $200 a month suite or house that we rent for six or seven months during the winter". They are far more concerned about who is representing them in the Legislature on the basis of their $100,000 or $150,000 investment than they are concerned about the room or the house which they happen to live in during the few months during the winter. Surely, these people should not be disenfranchised due to the time of year that it happens to be. I think we must provide some way that they can declare residence on the day the writ is issued in the constituency in which they will be living on election day.

Another group are those who are people who are scattered so sparsely that it's impossible or not practical to have a polling place for them to attend and cast their vote. There may be one or two families together, there may be three or four, there may be five or six families within a radius of ten or fifteen miles but again, it is almost impossible to provide a central polling place for these people. One constituent wrote to me and suggested that a travelling ballot box with a returning officer and official agent for each candidate could cover some of these more remote areas where there would be at least a few families. Again, this is a suggestion that might be hard to enforce or to put into practice but I think it should be looked at.

So in conclusion I am the first to admit that these are difficult problems to solve. Many of the people falling in the categories that I have mentioned have been voting in past elections in good conscience believing fully that they were entitled to. And it is not until there is reason to challenge

their rite to vote in the courts that the significance of their problem becomes known. I believe that everyone in the Legislature will want to take a look at this problem and I would hope that a start could be made during the present Session, perhaps while The Election Act now is open before us.

Mr. D.W. Michayluk (Redberry): — Mr. Speaker, this is the first opportunity that I have had to speak in this Legislature since its opening. We may be about mid-way through the Session. As you may be aware, Mr. Speaker, I haven't been feeling too well and perhaps my voice at this time indicates to you that I am still not in the best of shape. However, I should like to say a few words in respect to this Bill on second reading.

The Hon. Member for Athabasca (Mr. Guy) who has just taken his seat, has given to the House his case probably as it affects him personally in his constituency. I am surprised that the Opposition has mellowed with respect to residence qualifications of electors. In the last election, I recall that from 1944 to 1964, Mr. Speaker, The Election Act had what was commonly known as the absentee ballot for voters away from their constituencies on polling day. This gave every resident in Saskatchewan, regardless of where he or she was on polling day, the privilege of voting for the constituency where he resided. The absentee ballot gave the elector the privilege to vote where he normally resided. Just because a cabin operation in Township 65 or 67 lives there for during June, July and August, this is not necessarily his home or residence under The Election Act. His financial and business interest is not in the area he resides.

Mr. Speaker, when Honorable Members opposite were on this side of the House changes in The Election Act disenfranchised hundreds of people in Saskatchewan, because voting by absentee ballot was discontinued. The changes made it necessary for people to travel, in some instances, up to 200 or 300 miles to vote at advanced polls. In my constituency some of the electors were transferred from the constituency to other parts of the province. Because the absentee provision was removed, in order to vote at advanced polls, they had to travel 250 miles or more to cast their vote. Now what is fair for someone living in the North and operating a tourist resort for three months, should be fair for the person who resides in a constituency and just prior to the election is moved to another area of the province and has to come back and vote at an advanced poll. Members opposite should be ready to admit that a mistake was made when the Members opposite removed the privilege for people to vote by absentee ballot. Mr. Speaker, I acted as a returning officer during two elections when the absentee ballot was in effect. I was not aware of any problems created whatsoever. It gave an opportunity to candidates to check these voters for eligibility as voters as the ballots were placed in envelopes with declarations. They were sent to the returning officer to be counted during the final count. This gave the candidate an opportunity of checking whether voters were eligible to vote. So in my estimation this was fair. The absentee ballot, Mr. Speaker, extended democracy to all the people of Saskatchewan regardless of where they were on polling day. This was negated when you gentlemen opposite were on this side of the House.

However, absentee ballots were left in the hospitals. Why? The people who were in hospitals had the privilege of voting regardless of what hospital they were in. This is a form of

absentee voting. But had you not tampered with The Election Act and left it as it was, Mr. Speaker, you would have left the democratic privilege of all residents having the vote. Just because somebody lives for a month in one place or another does not establish a place of residence. I don't think that because an operator operates a camp in the North or in any part of the province for several months and lives in Prince Albert or Saskatoon, that this necessarily gives him the right to establish his residence there. If these people had had the right to vote on an absentee ballot we should have had no problems in Athabasca, Redberry or any other constituency in Saskatchewan.

Mr. Speaker, as far as I am aware there were about 3,000 people, more or less, who exercised their franchise by absentee ballot. Surely for this somewhat large group of people I think that whenever changes are made absentee ballots should be reintroduced. We should have less problems after elections and I think that our democratic system would work much better.

Mr. D. Boldt (Rosthern): — Mr. Speaker, I should just like to say a few words regarding the former Election Act. I would give credit to the Member from Redberry (Mr. Michayluk) that he might have a point. I certainly want to give credit to the Member from Athabasca (Mr. Guy) that he has a point. But what really annoyed me in 1964, because there was the absentee ballot that Mr. Lloyd never knew when to resign. It was 18 days after the absentee ballots were counted. Because the election was close that time we didn't have a government for about a month. There was nobody more surprised on June 23rd, 1971 than the present Premier of this Province when the former Ross Thatcher told him that you can have the government tomorrow. Quite a difference, quite a difference. This was one of the reasons why I favour that on election day we should know who the government is regardless of whether there are two seats at stake, a majority of two or three, at least now you know who the government is on election day. You didn't know that in 1964, nor did Mr. Lloyd at the time. I hope and I think I did see the Premier rise, I hope that he will make some comment regarding the recommendations that were made by the Member from Athabasca.

Mr. Blakeney (Premier): — Mr. Speaker, I think this is yet another instance of the rather rapid transformation of Members opposite in their views. May I call to the attention of the House the fact that we are amending The Election Act, 1971. That means that the whole Bill was reviewed and passed in 1971. The Members, who sat in this House in 1971 who now sit to your left, Mr. Speaker, sat to your right. It was their Bill and they must take responsibility for it. Now I agree that there is no particular reason why reasoned proposals for change should not be considered and I compliment the Member for Athabasca (Mr. Guy) for putting forward reasoned proposals for change. I believe that he makes a worthwhile contribution to the House when he does this as does the Member for Redberry (Mr. Michayluk) and others. We shall certainly wish I know, as a Legislature, to consider proposed changes in The Election Act before the next election and hopefully quite a bit before the next election. I am not able to comment on the particular points he raised with respect to citizens of the Republic of Ireland or persons who have substantial investments in one constituency but spend more than half of their time in another constituency. Those obviously raise questions of principle which cannot easily be dealt with.

I want to assure the Member for Rosthern (Mr. Boldt) that if and when the Government I lead loses an election by 45 seats to 15 seats we will offer a prompt resignation. That situation was certainly not the situation in 1964 when as it turned out in the result the majority was three, as I recall it, and that result was by no means clear for some time. That was partly due to the matter of absentee ballots as the Member for Rosthern points out. I think, therefore, it is clear that if we are to consider all of these issues we will need to spend some time on it.

There are issues such as the rights of persons who were citizens of what was once a Commonwealth country and is now not a Commonwealth country, and we are getting a rather impressive list of those. I don't know where Pakistan is these days, I'm not sure where Bangladesh is, I'm not sure where Burma is, I'm not sure where the Irish Republic is, I'm sure that's no longer a Commonwealth country. Members will be aware that there are some not simple problems in respect of the citizenship of people who were born in India, when it was part of the British Commonwealth and who are now citizens of the Republic of India but had left India and were in a Commonwealth country at the time that the republican status of India was taken on. These are not only complex from a legal point of view but they are complex in principle as to what position we should take. I think from what I have said it will be clear that these questions are rather too complex to be dealt with at this time and under this Bill No. 45. This does not mean, however, that we should not give them early consideration. We may well need some early consideration of them when the Member for Athabasca next faces the electorate.

Motion agreed to and Bill read a second time.

Hon. N.E. Byers (Minister of Highways) moved second reading of Bill No. 55 – **An Act to amend The Highways Act.**

He said:

The Bill before the House, Mr. Speaker, is a straightforward and brief Bill, proposing a minor deletion and a minor addition. These are two amendments involved. The first deals with the operation of the Highways Advance Account. In 1966 the Provincial Auditor and the Select Standing Committee on Public Accounts advised the Department of Highways that there was no authority by legislation to operate the Highways Advance Account or to make regulations concerning how the Advance Account was to be operated. In 1970 a new section, the present 21(a) was drafted on a pattern of legislation similar to that of other Government departments that operate advance accounts. This new section received Royal Assent April 18, 1970, Bill No. 41. Later the Department of Highways officials proceeded to draft a complete and lengthy set of regulations which were checked out with solicitors in the Department of the Attorney General. Because the Department of Highways was apparently the first Government department to draft such a set of regulations it was found that while the original intent of the regulations was spelled out, the regulations required voluminous details such as how to determine depreciation, how to determine equipment rentals, how to determine surcharges on stock and surcharges on shop labor, etc. It was found that legally the Department of Highways had to specify the individual rental rates and their components actually charged for every unit of machinery. You can appreciate with over 2,500 units of equipment this method is entirely impractical. In addition copies of all business

forms were to be included in the regulations and the result was a very massive document of regulations. A revised wording will allow the original intent of providing in regulations how the various activities and records of the Highway Advance Account will be performed and maintained and not what the end result will be. The former subsection 1(f) is being repealed and this is to give authority for the Minister of Highways to give approval to rental rates charged other than by Order-in-Council.

The second part is a new section. This section was designed to provide motorists who travel on northern roads with some means of recovery of damages should accidents occur. The Highway Act provides that the Road Authority is responsible for reasonable maintenance on public highways. I believe it is section 79 that allows legal action to be taken against the Minister when there is a default in the maintenance of provincial highways. There are several roads in the northern part of the province where the Department of Highways is not responsible to motorists for accidents, such as DNR roads and others. Some highways like Highway No. 102 are not surveyed . . .

Mr. Romanow: I should be making a joke of this but the Minister appears to be chocked up about the Bill. I know it is good legislation. Could we have this matter stand and go to Item 32 and 33. We could deal with those and then come back.

Hon. R. Romanow (Attorney General) moved second reading of Bill No. 63 – **An Act to amend The Motor Dealers Act, 1966.**

He said:

Mr. Speaker, this is an Act to amend The Motor Dealers Act, 1966. One amendment changes the licence year end for dealers and salesmen from June 30th to December 31st so it more closely coincides with the motor vehicle dealer plate licence year end of April 30th. To obtain dealer plates a dealer must at the time of the application, therefore, be the holder of an existing licence under this Act. The Saskatchewan Motor Dealers' Association are concerned that dealer plates are being issued after February 15th for the next licence plate year to persons who do not renew their licence under the Act after expiry on June 30th. Under this amendment a dealer who obtains a renewal of dealer plates will be the holder of a licence until December 31st rather than June 30th thereby improving the present situation by six months.

A further amendment calls for a dealer to publish in any advertisement, his licence number and the address of his place of business. Also, a salesman who advertises a vehicle for sale will be required to disclose the name of the dealer for whom he is acting and the advertisement shall be subject to the same requirement as any dealer advertisement. This amendment should assist the public in knowing when they are dealing with a licensed and, therefore, bonded dealer. The Act presently prohibits a dealer or salesman from advertising in any other manner.

Mr. Speaker, I believe these are improvements to The Motor Dealers Act. We have introduced them really at the request of, and in consultation with the Saskatchewan Motor Dealers' Association when we met with them very early. I think that all Members of the House will support them. I, therefore, move second reading of this Bill.

Mr. K.R. MacLeod (Regina Albert Park): — Mr. Speaker, I ask leave to adjourn the debate and I should tell the Hon. the Attorney General that the purpose is not that we are trying to hold it up, it's just that we should like to spend a moment or two looking at it. It may well be that we will not have remarks to address to this particular Bill but at the moment we beg leave to adjourn it.

Debate adjourned.

Mr. R. Romanow (Attorney General) moved second reading of Bill No. 64 – **An Act to amend The Lunacy Act.**

He said:

Mr. Speaker, this Act amends The Lunacy Act. It amends the Act by substituting the words "mentally disordered person" and "mental disorder" for the words "lunatic" and "lunacy" respectively wherever they now appear in the Act.

This brings the Act in line with the terminology used in The Mental Health Act and The Administration of Estates of Mentally Disordered Persons Act.

We think it is an important amendment in the sense of the emphasis of the Act and on the clarification of the Bill as set out.

I, therefore, move second reading of this Bill.

Mr. MacLeod: — Mr. Speaker, I think we are in total sympathy with the intent of the Bill.

There is one particular section that I draw to the attention of the Hon. Attorney General, and that is the very last section of the Bill. One of the more difficult parts of this particular Act is the last section. That section deals specifically with people who can't possibly have been considered in the past as lunatics but were, in fact, people who perhaps by advancing age or perhaps advancing degrees of a particular illness were no longer able to handle their own affairs and as a result, not the persons – that is not their bodily persons – but their affairs were committed to the handling of some other person.

This was a particular section which was quite different from all the other parts of the Act. It was a great problem in discussing this with clients to persuade them that their father, or their mother, or grandfather or grandmother, was to be handled under The Lunacy Act because this section didn't deal with lunatics in any way.

I have often felt that this particular section actually should have been taken out of this particular Bill and put into an entirely separate Act dealing with people whose affairs are now going to be handled by someone else but who are at no time mentally disordered. They are just no longer able to deal with the ordinary problems of day to day.

I wonder if the Hon. Attorney General would in the next few days give some thought to that and at the moment I beg leave to

adjourn debate.

Debate adjourned.

The House recessed until 7:00 o'clock p.m.

Hon. N.E. Byers (Minister of Highways) moved second reading of Bill No. 55 – **An Act to amend The Highways Act.**

He said:

Mr. Speaker, I want to apologize for running into a roadblock last effort. There was only one other occasion when I saw politicians run out of wind and that was in the hockey game about a week ago. It was the first time that I ever saw a group of politicians become winded in less than five minutes.

An addition to The Highway Act, a new section, will provide that motorists who travel on northern roads with some means of recovery of damages should accidents occur. The Highway Act provides that the Road Authority is responsible for reasonable maintenance of public highways. I believe that it is section 79 which allows legal action to be taken against the Minister when there is a default in the maintenance of provincial highways. There are, however, several roads in the northern part of the province where the Department of Highways is not responsible to motorists for accidents.

One example might be DNR roads where although these roads were built originally by the DNR, the DNR does not claim financial responsibility to motorists for accidents that occur on their roads. Some highways such as Highway 102 are not surveyed and they do not meet the legal definition of a public highway. On such highways the Department of Highways is not responsible to motorists for accidents resulting from improper maintenance.

In recent years in the North there has been a considerable development of tote roads and ice roads, industrial roads and other trails in addition to highways that are open to use by the general public.

Existing legislation does not provide any means for a motorist experiencing an accident on such roads to recover any damages even though the Department of Highways may be at fault. Although the public may believe that they are protected against such accidents that is not so. It is not believed that the present section 79 which allows legal action to be taken against the Minister when there is a default in the maintenance of provincial highways, should be extended to these northern roads because it is not possible to extend all of our normal maintenance activities to these roads. However, it is felt that legislation of a permissive nature should be provided. And this new section provides that the Minister is authorized to make payment of compensation for accidents on northern roads constructed by the Government.

There is no legal liability on the Minister to make a settlement for compensation. That is, no action can be brought against the Minister for accidents on these roads. The party seeking compensation must apply for same within 12 months. Compensation may be awarded only on roads constructed by the Government not on company roads.

The new section would allow the Minister to pay damages

when accidents occur on roads or trails that are constructed for and by the Government and when such payments in the opinion of the Minister, would appear to be warranted. In other words, this section is permissive legislation only.

With those few comments, Mr. Speaker, and there may be other questions Members would like to raise during consideration of Committee of the Whole, I, therefore, move second reading of this Bill.

Mr. D. Boldt (Rosthern): — Mr. Speaker, I should just like to say a few words regarding this Bill.

Certainly I am not opposed to what the Minister has said regarding The Highways Act amendments. I am, however, a little concerned about 79(a) and I should like to direct my question more so to the Attorney General (Mr. Romanow).

I just wonder whether 30 days is long enough if a person is involved in an accident, if he should be hurt or hospitalized, whether this would give him enough time to register with the Minister? I should like the Minister to consider extending that to at least 90 days. And the second part of the Act or the clause that the decision of the Minister I believe is final, there is no appeal.

If the person involved in an accident does not agree with the settlement of the Minister, why not let him appeal? Why shouldn't the courts decide whether this is proper?

I just throw these comments out for consideration. The Members on the side of the House are not opposed in principle to the Bill and we are, therefore, not opposed to second reading.

Mr. Byers: — I think, Mr. Speaker, that we could consider the observations of the Hon. Member from Rosthern when the Bill is considered in Committee.

Motion agreed to and Bill read a second time.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Snyder that Bill No. 26 – **An Act to amend The Pension Benefits Act, 1967** be now read a second time.

Mr. J.G. Lane (Lumsden): — Mr. Speaker, I believe that I spoke on this matter the last time and there was a question of the explanatory notes. I am going to ask that this matter be adjourned further.

Mr. Speaker: The Hon. Member rose and asked the Bill to be adjourned the second time after speaking. If he had just risen and asked it to stand the House would consider it.

Mr. McPherson (Regina Lakeview): — Stand, Mr. Speaker.

Mr. Speaker: — Another Hon. Member must ask

leave to adjourn it because I think the Member for Lumsden has exercised his right and the other Members could ask to adjourn the debate.

Mr. W.A. Robbins (Saskatoon Nutana Centre): — Mr. Speaker, I would like to make a few remarks with respect to this particular Bill.

I want to say that I support the amendments in line with the information that the Minister supplied to us in relation to a particular instance where it was discovered that employees were being dismissed some six months prior to a bankruptcy case and in the end result the two main shareholders in that particular business ended up with $176,000 and $154,000 of pension funds respectively.

The amendments to the Aft are basically an attempt to prevent this sort of thing from happening. I feel that we need to take a very hard look at pensions generally. One of the major problems that we have in the pension field, and people are constantly trying to tell us that portability is something required in pensions, is related to the fact that we do not have early enough vesting and lock-in for pensions.

I took the trouble to go through the situations that might hold in relation to the two individuals who were mentioned in the instance cited by the Minister. In one instance where the individual had $176,000 which was utilized in the form of a deferred annuity, using current annuity rates, and, Mr. Speaker, I point out that these rates are related to mortality tables and also to interest rates that are prevalent at any given time. I am using current rates of March 6th, 1972.

This individual, if we assume he was 55 years of age, would have a pension of $1,400 a month guaranteed for ten years certain. If the individual went for a 15 year guaranteed annuity or pension he would have a $1,350 a month pension guaranteed for 15 years certain and payable for the rest of his life. If the individual was 60 years of age, the pension would have been $1,505 for the ten year guarantee attached and $1,400 a month with a 15 year guarantee attached. If he had actually reached normal retirement age of 65 – which is considered to be normal retirement age under current regulations – he would have a pension of $1,628 per month for 10 years certain, which means it must be paid for 10 years certain whether he lives that length of time or not and for his normal life span. If he had gone for a 15 year guarantee annuity he would have $1,491 per month.

Now perhaps these examples illustrate, Mr. Speaker, the situation which holds true when, in fact, the funds accumulated in the pension fund accumulate to very few people. I should like to say a bit about the vesting clause and the lock-in provisions related in pensions. Basically this is what The Pensions Act is all about.

What we really need in pensions is early vesting and lock-in for pensions. May I cite one or two examples to illustrate. If you took an individual at age 20 who terminated his employment say five years later after contributions to a pension plan, and we shall assume that his accumulation on the employee's side was about $1,000. We shall also assume that it was a matching plan and that he had $1,000 on the employer's side – 95 per cent

of the pension plans in Canada simply say to that individual, if you leave your accumulation of pension we will put it with ours and you will get a pension at the normal retirement age of 65.

In theory, this sounds reasonable, in practice it simply doesn't work. The basic result is that the individual in 99 cases out of a 100 withdraws his own portion, forfeits the employer's contributions and accrued earnings and ends up at 65 after this situation has arisen, maybe six or seven times in his working lifetime, with no pension at all. This is the basic fault in pensions. This is the basic reason why The Pension Benefits Act was initiated, first in Ontario in 1965, followed by Quebec in 1966, in Alberta in 1967 and in our Act of 1967.

The whole approach is an attempt to gain ownership for the employee of the contributions made on his behalf by his employer. Unless we get around to that situation where we vest early and lock it in for the purpose intended, we will simply never solve the problems related to private pensions. The only other solution, of course, will be to vastly increase something like the Canada Pension Plan which may, in the long term, meet the overall needs of the population as a whole.

Frankly, Mr. Speaker, the fact remains – and I don't say this unkindly – that in our society today the way pensions are administered, both public and private, amounts in the final analysis, to a form of "refined embezzlement". People are fooled into believing pension results will be attained, when in fact they will not. Again I will cite just two more examples to illustrate this point.

Let's go back to the individual at age 20 who terminates his employment at the age 25. Assume that he has accumulated $1,000 on each side because it is a matching plan. If that individual could, in fact, know that the employer's contributions and accrued earnings were vested to him he would have some pension result for his period of service. Mr. Speaker, may I point out that it is not a one-sided coin. The individual should accept the fact that his salary consists of his salary plus contributions made on his behalf by his employer and this should be acceptable on both sides in the negotiation process. The individual who terminates at 25, and we know because of the great mobility in our present society that many of these people will be terminating and moving, would be given the opportunity or the choice, of leaving his own contributions and accrued earnings, or of withdrawing them. He would be approached and given the information that the $1,000 (if we use that as an example) accumulated on his behalf in terms of contributions and accrued earnings could be left in the fund along with his employer's contributions and accrued earnings. He would still have the choice of taking it out. We would logically attempt, of course, to show him that it would be reasonable for him to retain it there. On the other hand it is not very reasonable to expect a fellow at 25 who is out of a job and who has no other source of funds, not to seize the opportunity of taking the employee contributions and accrued earnings. However, if you said to him irrespective of whether or not you take out the employee contributions and accrued earnings, the employer contributions and accrued earnings made on your behalf must be used for the purpose intended, the purchase of pension payable to you at normal retirement, we would be making some logical progress in relation to pensions. That individual would end up

with some pension for that period of service.

To cite how important this could be, the individual at 20 who terminates at 25 and withdraws the $1,000 employee contribution and accrued earnings on his own side, if the other portion (employer contributions and accrued earnings) were retained for pension for him at age 65 based on a 6 per cent compounding rate of return in terms of earnings would provide that person under current annuity rates with $144 a month at age 65 payable as long as he may live and guaranteed for 10 years certain in any event. I think it is not realistic to assume that the individual at 25 is going to really know what will happen in terms of that thousand dollars. However, that thousand dollars eventually becomes $1,728 a year payable as long as he may live and for 10 years certain in any event, which gives him a minimum return of $17,280. Therefore, it would be highly realistic in terms of all persons involved in pensions if we had early vesting and lock-in on the employer's side for pension. I am not arguing against some minimal threshold. Obviously you have to have some period of service.

I should like to cite one further example, Mr. Speaker, if I may in relation to unit benefit plans. Again I think most people fail to realize the implications of unit benefit plans. If you go back to the individual example I've used and I'm sure that most Members are reasonably familiar with the fact that a unit benefit plan pays that individual a certain percentage of his average pay times his total years of service or perhaps is computed on his final five years of pay or his five or six highest years of pay, these plans are usually computed on the basis of one and one-half, one and two-thirds, one and three-quarters or two per cent of those totals. If you go back to the example I cited of the individual at age 20 who terminates at age 25 and let us assume that he is a participant in a unit benefit plan. This individual if he accumulated $1,000 on the employee's side in terms of his contributions, we'll assume at five per cent of his regular pay, plus accrued earnings, would actually have no contributions made whatsoever on his employer's side in terms of meeting that need at the unit benefit end of the scale. My plea is that we attempt to educate, not only ourselves as Legislature Members, but the general public to the fact that, when an individual is hired and works on a job if his salary is $5,000 a year and if he has say $250 deducted from his pay and if it is a matching plan and his employer puts up $250, his employer should contend quite logically and the employee accept quite logically that his salary per year is not $5,000 but $5,250; $250 of which is deferred to meet his needs when he no longer can work. This is an eminently reasonable approach. Any other approach will not meet the needs of people in terms of pensions. Therefore, I suggest that this amendment makes eminent sense in preventing the kind of situation that might arise related to what the Minister divulged to the House the other day. I would also point out that in this particular Bill there is an appeal procedure so that if an employer felt himself hard done by in relation to the Bill he could always have an appeal procedure available to him. I repeat again, Mr. Speaker, that the real tragedy in pensions in our society today is that basically the vast majority of people that participate in them have little or no understanding of what is involved and, in fact, this often unwittingly on the part of the employer, leads to a form of "refined embezzlement" in relation to pensions. I support the Bill, Mr. Speaker.

Mr. McPherson: — Mr. Speaker, the Member from Wilkie (Mr. McIsaac) wanted to speak on this Bill, this resolution. He called this afternoon that he is sick and I would beg leave to adjourn the debate.

Debate adjourned.

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Smishek that Bill No. 31 – **An Act to amend The Health Services Act** be now read a second time.

Mr. H.H.P. Baker (Regina Wascana): — Mr. Speaker, at the outset I want to assure you I don't intend to have this Bill stand this evening. The sooner I can get it erased from the record the better it will be for this side of the House and this Legislature. I don't want to see my Party or Government contaminated with this type of a Bill. I said . . .

Some Hon. Members: Hear, hear!

Mr. Baker: — I said the other day that we were forcing something on to a very small percentage of the population, some probably 20 or 25 per cent who have fluoridated water. We are asking the other 75 to 80 per cent or more to subsidize those who want it. The freedom of choice has been denied to most people and I fail to see the reason why we should endorse a Bill that is going to put considerable sums of money into hands of those who want to poison the public. In the past 15 years I have had the occasions of fighting two civic elections in which we won them both defeating the fluoridation of water in this community. And there are many reasons I will point out tonight why I have opposed this over the years.

I recall when we got into it some 15 years ago many stories went around as to who were the sponsors of trying to poison our great and clean water out west, and across the country. Naturally we found out that it was the giant aluminium corporations of North America, in Canada and the United States that were trying to force an aluminium by-product, a poison onto the people because they couldn't dispose of it any other way. I think the story went something like this. They had it stock-piled so high they didn't dare dump it into the lake nearby for fear it would kill all the fish and kill all the people who got water from it and then they thought of a land fill. Well I think they had a board of directors meeting and someone decided that the people of North America could be sold practically anything, so "let's put on a real campaign and sell this fluoride because we do have natural fluorides in certain foods and water and we'll sell them this sodium fluoride". But this is a poison which when handed out by doctors, through prescriptions, doctors must be very careful with it.

Now I oppose anything that is going to promote something that is going to be harmful to people. I will not be a party to any project or program that might create the deformation of even one unborn child and I think you will find that information is trickling through more than ever now as to its ill effect. This may be as harmful as thalidomide that we had some years ago which put thousands of our children into hospitals for care because of deformation.

Now I mentioned freedom of choice for those who want to have it, they've got the privilege of purchasing tablets to use in their water. Not too many seem to avail themselves of this where it is even given out without charge. I say that we don't want to continue promoting something that is a real pollutant. Pollution today is really the by-word on the lips of everyone in this community and throughout this province. We hear so much about insecticides, pesticides which we use on the farms in destroying weeds. Many other chemicals have been used such as lannate and DDT was one that was used and all the scientists said you couldn't harm anything or anybody and it is now off the market. Lannate may be one that might have to come off the market too, and something substituted for it. I am not against advancement if it is good for crops or soils but I believe we are going to put ourselves out of existence where we are mining the land and destroying the soil with all these chemicals. I was one who was born and raised on a farm. We had to work hard to destroy the weeds with machines and other equipment. We did it. Perhaps we didn't have the yields that we have today but in another 25 to 30 years I am sure most of us will find that it will have harmful effects on our soil.

These are the pollutants that I am describing that are used today and approved by governments, by scientists and others. I must say that even under the former Government, under Premier Thatcher, he didn't bring this sort of a Bill in. I must say that in all my discussions with him, and as we were together hundreds of times over the past seven years, I felt that in the discussion with him on fluorides that he wasn't too keen about it. Now I don't know whether the former Minister of Health supported it, but he says he supports it now. Why didn't he bring it into the House during those seven years? I would say that someone else had the finger on the trigger and kept it down and didn't allow the former Minister to bring it in. Now I am part of the Government where the Minister on this side has brought it in. That's his right and I think everyone of us here have a right to express our views. This doesn't mean to say it's a non-confidence in our fine Government that I am part of. Nothing of the sort. But I do not agree with this one item that has been put into the Budget. We all know that the Budget was an excellent one that was brought in not too many days ago. However, this one part I think should be taken out and the money saved for other purposes.

While we were on the other side of the House we continually harassed the Government of the day with regard to the Athabasca Pulp Mill. There were several features that we objected to as leading to the pollution of waters and it was pollution that we fought against, Mr. Speaker. I know you are ready to stand up and say I am not sticking to the Bill. I want to show how the waters would have been polluted there by the Athabasca Mill and this is one of the main points that I have supported our Party of that day, because of the effects it would have had on the environment of the North, particularly the waterways, the fish in the sea and in the lakes and in the rivers. It would destroy our last real fresh water resource in this great province of ours. That was one of the main reasons that we as a Party fought it, because of pollution.

I am trying to point out, Mr. Speaker, that this fluoride is a pollutant and is real poison. We are asked to vote moneys to poison the populace who want to promote and expand this. Ten years ago it was the fad to fluoridate public water systems.

Everyone thought it was a marvellous cure-all for dental cavities until in the last five years enough documented evidence has proven that there are extreme dangers in fluoridation. Dangers to man, animal and plant life. This documented evidence, plus the costs of fluoridation, has led many American cities to vote down fluoridation or to cancel their existing programs outright. Yet Saskatchewan, being 16 years behind, is still in these matters, considering expanding this ridiculous program.

What are the facts? I am going to enumerate some, they may be repeated in other debates here. Sodium fluoride is a tricky element, too much causes mottling of soft teeth. The American Food and Drug Administration classifies sodium fluoride as a drug unsafe for self-medication. Fluorine, emitted from pollution stacks of oil refineries and steel mills, has been proven to kill cattle, to kill fish in nearby streams, to wither crops in the immediate area and to sicken people. Fluoride is a poison often found in pesticides. Death has already been caused by artificially fluoridated water in kidney machines. In the USA the sale of fluoride products has been banned to pregnant women. The Journal of the American Association reports that 15 per cent of the children in fluoridated water systems developed dental fluorosis, or what we call the mottling of teeth.

Fluoridation machines installed in city systems have been found to inject irregular dosages into the water, they have been known to clog up and then dispense huge overdoses. In the test carried out in January of 1970 by a Dutch scientist, gladioli leaf tips turned brown and died when watered with fluoridated water at one part per million concentration, which is supposed to be a safe level for human consumption. Fluoride has already entered the food chain in the North American Continent and is readily found in fish, vegetables and fruit, which we buy over the counter.

India has been spending millions of dollars annually to remove fluorides from their water supply. Fluoride, if taken in correct amounts, may be helpful to those children under 12 years of age when their teeth are in a formative stage. But let me show you, Mr. Speaker, that countries that have been in existence for centuries, and this is a report from an up-to-date physician in Europe. The information has been carefully checked with every Embassy in London and represents the position as of September 1970. Many countries are against the introduction of fluoride into their drinking water because it represents an unknown health hazard, a number of countries are taking active steps to halt fluoridation. What countries in the world haven't got fluoridation? Let me read the list. Austria – no fluoridation; Denmark – no fluoridation; France – no fluoridation; Italy – no fluoridation; Luxembourg – no fluoridation; Norway – no fluoridation; Spain – no fluoridation; Yugoslavia – no fluoridation; Belgium – they experimented in a community in 1965 and it is now removed; Finland – plant in a small town since 1959; Germany – the government is opposed to fluoridation and food laws do not permit the addition of fluorides in food or water; Holland – before fluoridation can be introduced permission has to be obtained from the Secretary of State for Social Affairs and Health who grants this, after he has been satisfied that the fluoridation equipment will function satisfactorily. Because of several appeals instituted against the granting of such permission the Government has recently decided that these permissions will, in future, have to contain the condition that

for those in the area who object to the use of fluoridated drinking water, the opportunity for obtaining unfluoridated water must be created. Can you see us bringing two water systems into this city and into the cities that have fluoridation? Since The Hague rejected fluoridation two years ago other methods of reducing dental decay have been tried with satisfactory results. The Commission for the Betterment of Food and Dental Care works very satisfactorily. This can be seen from a decreased trend to eating sweets in kindergarten and to cleaner teeth and less holes in them. Two other towns, it is reported, that had fluoridation, had it removed. Portugal – a small experimental station only.

Yes, now we come to good old Sweden, after whom we pattern our fine Government. Let me read what Sweden has done with fluoridation. They are real Social Democrats and so are we and I hope we throw this out and stand by them.

> Fluoridation halted pending investigation
>
> The Swedish National Health Board decided to postpone the fluoridation of drinking water until it is convinced of the absence of injurious side effects. It is felt that possible dangers could outweigh advantages in fighting tooth decay. The possibility of skeletal injury particularly to very young children and unborn babies is the main issue. The Board is also concerned with excess fluorides being consumed in soft drinks, teas, soups and in all cooked food using water. There has been an assumed consumption per head of one litre of water a day. It is now believed that this is probably exceeded. The Board also suspects that fluorides may be absorbed from the environment and research will attempt to measure this.

I have a clipping written in one of the papers in the United States where the Swedish fluoridation law in effect since November 1962 was repealed by the Swedish Parliament on November 18, 1971. Only one experiment has been carried out in Sweden in the town of Norcoping from February 1, 1952 to February 1, 1962. Mr. Makring (a member of the Swedish Parliament) looked upon fluoridation as constituting a serious encroachment on personal liberty. Mrs. Sunberg, who drew a parallel with the adding of chemicals to the drinking water, maintained that the principle was the same. She also pointed out that the World Health Organization which did now recommend fluoridation did also, at one time, recommend DDT and this has been banned in this country. She felt convinced that this organization would in the future change its stand on the issue. I could go on and read more about the Parliament of Sweden.

You look at the various records across Canada as to how people voted. We, in Regina, turned it down twice. Now we are asking to promote buying and looking after equipment in other areas, supplies, and promoting it for those of us who oppose it, to subsidize these other communities. Voting in the city of St. John, over two and a half to one against it. Edmundston, another city in New Brunswick, voted it down, Calgary last year turned it down, 45,000 yes, 56,000 no. North Vancouver, a vote of one and a half to one. I could go on down the list here showing how people have turned it down. And the thousands of communities in the United States which I will refer to later.

Why should we say No to fluoridation? Mr. Speaker, I want to answer a few questions here as to what great medical men have said with regard to artificial fluoridation. What is fluoridation? Fluoridation is the adding of a deadly, accumulative poison to drinking water for the scientifically unproved purpose of helping children's teeth resist cavities. When sodium fluoride is added to municipal water supplies this procedure becomes mass medication of the populace without regard to health, age, sensitivity or individual need of the citizens drinking this doctored water.

Question 2 – Is sodium fluoride a cumulative poison? Will it store up in your body? Definitely so. In the Utah State College bulletin there is an article entitled "Fluorosis". It states – "Fluorine is a cumulative poison and long, continued consumption of relatively small quantities causes fluorosis". Dr. Paula Phillips, a biochemist at the University of Wisconsin says, "It is an accumulative poison which accumulates in the skeletal structures including the teeth when the body is exposed to two small daily intakes of this element. In this respect it is like lead accumulation in the bones until saturation occurs and then lead poisoning sets in".

Third question – Are not naturally fluoridated and artificially fluoridated waters the same? Absolutely not. Fluorides found naturally are usually organic calcium fluorides which are in combination with other natural elements serving to inhibit and neutralize the toxic effects of fluoride which can be assimilated by the body. The artificially fluoridated water is obtained with sodium fluoride which is an inorganic cumulative poison 85 times more toxic than calcium fluoride and cannot be assimilated by the body and when added to water makes hydrofluoric acid, an extremely active and dangerous poison used chiefly for etching glass.

What effect does fluorine have on the teeth? And there is a long excerpt here. It dovetails into one of the other statements and I will follow through by reading an excerpt from the Milwaukee Journal.

> In recent months all hospitals, including Milwaukee County and Wisconsin General Hospital, are frantically removing fluoride in artificial kidney therapy. The reasons: Studies at the University of Rochester and Ottawa General Hospital have disclosed that 21 out of 21 patients were badly harmed or died from fluoride in the therapy. At Ottawa nine out of ten had dissolved and broken bones. We were taught not to worry about fluoride at a mere one part per million but we now learn that one part per million fluoride had accumulated in the shattered bones to an enormous 22,000 parts per million. No one has disputed the findings.

Let us quote from Dr. Paulson's report published in the Saturday Review, March 30, 1969:

> In nine out of ten cases the mineral substance of some bones became so depleted that they broke spontaneously.

These are some of the facts that we find on record in some of the reputable papers, and in Rochester at that fine hospital there, and also in Ottawa in the hospital in that community.

Now we hear a lot from our Department of Public Health. They claim that fluoridation will reduce teeth decay by 60 per cent, to me, it is untrue. Dental teams from the New York State Department of Education found the opposite. Here I have a chart which shows where they took an age group from 8 to 10 and from 8 to 14 and it slowed, I'll give you the final analysis – unfluoridated control areas in last year's report shows that it affect 5.2 as compared to fluoridated area 5.1. There was only a difference in tooth decay of one tenth of one per cent. And in those from eight to 14 – 5.2 as compared to 5.1. So the effect that it will have on teeth for youngsters is so small that we should be very careful and not use it as it might harm people in many other ways.

The Association of American Physicians and Surgeons passed this resolution some time in the late fifties.

> Whereas the right to determine what shall be done to one's body is fundamental and whereas water is necessary for life and whereas many people are dependent on public supplies through water, therefore be it resolved that the Association of American Physicians and Surgeons Incorporated assembled in San Francisco, California, this twelfth day of April, 1958, condemns the addition of any substance to public water supply for the purpose of affecting the bodies or mental functions of the consumers. And be it further resolved that copies of this resolution be transmitted to the President of the United States, the Members of Congress, the Governors of the several States, the Mayors of our principal cities, and released to the media for our public information.

And in line with that because there has been a lot of work done by those who oppose it, I have a list here of numerous cities and towns in the United States. I'll read one or two, perhaps. This is up to 1967. Three million people have been affected in the United States where they have taken fluoridation out of their water systems since they have had it. Three million people. They are now working at it the other way to get it out of water supplies. A bulletin published in San Diego, California says: "Every parent-teacher association should ask for information which is not only being suppressed from the public but from the dental profession itself".

I'll also quote from Chemical Week. "Fluoridation boom for chemical companies". These are some of the excerpts that have come out in trying to advise others of it. A city in Illinois:

> An urgent request to Father Sheen, pastor, who stated, 'I have been asked by a large group of outrages citizens to present the case. I am on dangerous ground, not because I may be wrong but rather because I am right and so many important people are wrong. Many good men were deceived, having this foisted on trusting Americans by political agencies'.

I could go on and read many more. There is a list of them. Some three million people living in communities have now done away with fluoridation which they have had for several years.

I'm sure you all saw the excerpts on this in the Ottawa Citizen and I am going to read parts of it, because I want it

on record in Hansard to show that some of us feel strongly about some of these proposals. I quote:

> A National Research Council study calls for concerted scientific investigation of the effects of fluoride on man. It suggests that man may be adding more fluoride to that already naturally occurring in his environment than he should, with possible negative effects to his health. A report released today says that modern day man is probably exposed to more environmental fluoride than was ever heretofore suspected. There is a large scientific gap as to what effect that could have. Another study showed that undesirable side effects were seen in one per cent of a group of children and pregnant women taking one and one point two milligrams of fluoride per day in tablet form. The same symptoms have since been observed in people who have adverse reactions from using toothpaste containing fluoride. Thus, persons with kidney problems are more likely to suffer its side effects because they can't discharge it as efficiently as normal persons.

The report continues:

> The more industrialized a country becomes, the more fluoride is likely to be dispersed into soil, water, air and consequently the food chain. Although fluorine is not essential for a healthy tooth it is so common in nature that trace amounts can be present. If any larger than trace amounts are present the tooth can become brittle. Fluorine is so common in our environment that in many areas every effort is being made to remove it as a pollutant. Millions of dollars are being spent in California to get rid of smog and particularly the fluorine which is given off by ceramic and aluminium plants as well as by gasoline combustion. Fluorine is 14th to 17th in abundance in the earth's crust. Very little food is free of it so fluoridation is not necessary to supply the amount for the teeth even if needed. Why then must people take fluoride through fluoridation all their lives, whether they want to or not, when the tooth does not even need it to be a healthy tooth? It is well known that proper attention to diet can produce far better results than this. The children in some areas where this has taken place, in proper diets their tooth decay has practically disappeared. It is also well known that the excessive consumption of sweets, refined carbohydrates and other things in diet is injurious not merely to teeth but to the general health as well. Hence to create the impression that fluoridation will deal with the problem of dental decay is both fallacious in that respect and encourages dietary habits which are injurious to the body in other ways.

I have a very fine sign here, Mr. Speaker. Before I come to it there is another little part that I have from another excerpt of a paper.

> Foods naturally high in fluorine include tea, fish, enriched flour and soup made from bones. Two grams of sodium fluoride, about one tenth of an ounce is a fatal dose for an adult. This amount will cause nausea, vomiting, diarrhoea, followed by collapse and death.

And I might say that I have figures here to show how much money has been spent in 1958 and then in 1963 by certain interests and health organizations in the United States. In Canada in 1958, $8,640 was spent. In 1963, $1,237,000. In the United Kingdom, it shows how they are trying to promote it in Europe. In the United Kingdom they spent $232,000 in 1958. What have they spent in 1963? $2,751,000. Sure, it's a product they want to sell. It certainly will bring up the price of shares for the aluminium companies and the shareholders will have a heyday. I don't know whether someone over there has shares in the company or not. Maybe that's why he's supporting it. I don't suppose you have, but I just thought I'd toss that one in.

Mr. Grant: — If the Hon. Member wishes me to answer he will have to repeat it because I didn't hear what he said.

Mr. Baker: — I referred to the aluminium companies and I thought perhaps the Member for Whitmore Park might have some shares in the aluminium companies in Canada and the United States. If he has that's fine because it's a very fine company.

Mr. Grant: — If I might ask the Hon. Member to take that back because I do not have any shares in that company.

Mr. Baker: — Then I can't accuse you of promoting poison for the people of Saskatchewan even though you do support it. I think you read the letter and the effects it had on chinchilla farms in Kelowna and other parts of B.C. I believe you all, in the House, got copies. I'll read one. It's so good I should read a little of it anyway. It will be for the edification of the Member for Rosthern (Mr. Boldt).

> I have been a chinchilla rancher in Kelowna since 1952. My herd was healthy and prolific until the introduction of sodium fluoride into Kelowna domestic water. The first year of fluoridation I noticed no ill effects. After the first year the animals began to die in increasing numbers and the offspring of such parents proved sterile.

So look out, fellows.

> As time went on more of the animals died soon after birth. By the year 1964 not only was the birth rate of my herd extremely low but 72 per cent of those born failed to survive. My herd was them completely bankrupt.

It goes on with a further letter from someone else who suffered in his investment.

The very first sign here I got today and I think the rest of you got it. It says, "$100,000 reward offered." One time it was $20,000, some 14 years ago and now it's increased to $100,000 to anyone who is able to prove that fluorides are a good thing. I hope the present Minister of Health (Mr. Smishek) is not trying to win this $100,000 award in bringing in this Bill. But it does show some very reputable people who are listed here, scientific and medical men, who oppose fluorides very, very strongly.

As a result of experiments with animals we learn that bones, teeth, kidneys, liver and spleens had accumulated up to 500 per cent more fluoride than controlled animals. Cripples were born to the third generation.

I have a little note here. It is a letter written in confidence to me that even the elected people in the city council in Saskatoon, there are several oppose it very strongly. And I must say for our own Regina city council, I know of several of the aldermen who are opposed to this issue. I give them credit for it. On this issue, don't be surprised if you might have another election in Saskatoon on fluoridation. You might have it thrown out the next time. I would suggest you take that into consideration.

In summing up, according to many prominent scientists, biochemists, medical doctors and dentists the answer is No. They have every evidence that fluoridation of public water supplies is wrong. In 1966 about 200 such persons in London signed a letter, one paragraph of which stated:

> It is our opinion that public research has shown clearly that the toxic effects of fluorides even in traced quantities are such that fluoridated drinking water may be harmful or even dangerous, to many people, particularly in its long term effects which have not been sufficiently investigated and it is, therefore, quite wrong to force anyone to consume artificially fluoridated water. Nobel Price Winner, Dr. Thorell, alone persuaded the Swedish Imperial diet to make fluoridation illegal.

This is probably the man who got Parliament to repeal it. And I could go on and read many more. Another great man who signed a document with 83 doctors and dentists petitioning and encouraging people not to use this cumulative poison, is Dr. George L. Wallbet. I'd like to read his biography – a graduate of the University of Heidelberg Medical School in 1921. Dr. George L. Wallbet emigrated to the United States in 1923 where he joined the staff of Henry Ford Hospital. In 1927 he carried out the first hay fever survey pioneering in the field of allergic diseases, Dr. Wallbet originated a method of treating asthma. In 1953 he was the first to describe a lung disease that leads to emphysema and to pinpoint smoking as its cause. And it goes on and one of the many things he has done in research and this man has come out strongly opposed to fluoridation of water supplies. It's men like this whom I think we have to have some confidence in though there are other medical men who give the other side of it. But I haven't yet heard too much of an argument that has convinced me that we are wrong.

That is why I say, Mr. Speaker, that in no way as an individual do I want to be part of any program or project that may destroy the lives and the health of people and the unborn.

That is why I have taken to liberty to speak some thirty or thirty-five minutes tonight, to ask this Legislature, as individuals, not as a Party, to give this serious thought and I would suggest to my own colleagues that this Bill be withdrawn, or that each of us have the right to vote freely. If it's going to be pushed to a vote, I want to be recorded in the negative, at all times for posterity, that I was not one to support something that is going to poison the people of this great Province. And I would ask everyone on this side and on

that side to give it their support to throw out the Bill.

I will vote against it.

Some Hon. Members: Hear, hear!

Mr. T. Hanson (Qu'Appelle-Wolseley): — Mr. Speaker, I also rise in opposition to this Bill which would assist municipal bodies to add fluorine to their water supplies.

I hope that in rising I speak for the many people of Saskatchewan and Canada who suffer from allergies. I speak with myself and my two children in mind, who have severe allergies and I oppose the addition of any foreign substances into the atmosphere, whether intentional or other wise.

A lot of people may say that we have the right to make the decision on this. You get a chance to vote in your civic elections whether you have fluoridation or not. I say, what if you vote with the minority and the by-law goes through? What are your chances of getting out of this unhurt?

I'd like to quote from some papers, especially the one which was given out to Members of the House from the group supporting this Bill and on Page 2 of this it says:

> Of a select group of 123 allergic patients tested, 5 developed a wide variety of symptoms and signs which developed 5 minutes to three hours after the test dose and lasted from 12 hours to 10 days. Of the 21 symptoms and signs reported only 6 occurred in more than one patient and these were mainly of a nondescript nature, such as headache, nausea, vomiting, stomach and bowel pains.

You name it. They just, you know, consider these things as nondescript. Then it goes on later to say that there has really not been much reaction from the many tea drinkers in our country and this is the main statement that prompted me to speak in this debate.

For many years I have been unable to drink tea, which is rich in fluorine. I always wondered why. With a name like 'Hanson' it's assumed that you would drink coffee all the time anyways, but I don't like coffee either. A lot of people have a problem with tea that it either comes out of their nose after they drink it or they vomit it up. And when you start talking to people with this problem and ask them to look at their water supply in their community, you'll find that on an alarming number of occasions they are using fluoridated water.

To go into something a little bit different I should like to make a few statements about a report issued in the Canadian Doctor, July 1969, in which they quote Dr. K.A. Beard. It says in this report that 8 drug companies warn that their tablets containing only one milligram of fluoride, can cause skin, stomach, bowel, nervous disorders, headache, vomiting, eczema, dermatitis and other diseases. Fourteen years of controlled study showed that one per cent of the cases had one or more of the above disorders. One per cent of the people on the pills have the disorder. Then it goes on to state that many people on a fluoridated water system average from two to five milligrams

of fluoride per day, not just one milligram which we are saying is the safe level. Then we go on to what the Member from Wascana (Mr. Baker) stated that the artificial kidney machines will not function and he didn't mention all of what was stated in this report. It said that:

> The Ottawa patients failed to respond to treatment as well as of elimination. The findings finally pinpointed the cause of trouble as being a high concentration of fluoride in the blood and bones of the patients, resulting in nobby growth on some bones.

So anybody who says it doesn't create some change within the body system, I think is misleading the people in general.

Then I'd like to bring to your attention the fact, Mr. Speaker, that the US Department of Public Health advocates that one tablet a day, containing one milligram is sufficient to do the job. The United States Department of Public Health isn't completely sold on the idea that it has to be in your water systems.

Another thing that I want to bring to your attention is that the principle has been well established in medicine that agents harmful to animals must be assumed to be harmful to men until definitely proven otherwise.

And with this I should like to turn to the study made in the Kelowna district on the chinchilla breeders. What Mr. Baker failed to mention was that after having come to the conclusion that fluoride was giving them the problem within their herds, they found out that the US Chinchilla Breeders' Association generally recognized that you could not grow chinchillas in any area that was supplied with fluoridated water. It says in here:

> That it is common knowledge, amongst US chinchilla breeders that chinchillas cannot tolerate fluoridated water. This is also true of hamsters, guinea pigs, mice, rats and rabbits. They all become sterile and die if they are fed sodium fluoride indefinitely at recommended concentrations.

Now I think if this Government truly believes in correcting the pollution problems within our Province we better take a serious look at this matter. Because I'm wondering what the Department of Natural Resources is going to do a few years from now when we've got a hundred million sterile rabbits running around and two years later we have no rabbits running around. Maybe we stumbled on to the best means of birth control known to man, or unknown to man for that matter.

I should just like to go to the matter of what it does to our crops. It was mentioned that the Dutch report stated that the gladioli turned brown, I believe it was, and died when watered with fluoridated water. Now we ask ourselves, you know, O.K. you're spraying it on the plants, that doesn't mean anything to me as a human being, but we've also been spraying our crops with 2-4-D to kill the dandelions, but what does this do to a person suffering from allergies? To the normal individual it doesn't matter if you go out and spray or mark the field for an aeroplane sprayer, you can do it for two to three days, stand under the 2-4-D coming down and it doesn't bother you at all,

but to a person suffering from a severe allergy being in the local district, within five miles of an aeroplane sprayer, it will make him sick from one to two weeks. It's pretty tough to carry on farming with all the chemicals that we are using today, let alone drinking the water and bathing in it every day.

Another point that I would like to make or emphasize, is the fact that in the United States of America the sale of fluoride products has been banned to pregnant women. Now this should say something to us all. If they don't consider it safe for pregnant women it must have some affect on us.

With this, I think I will conclude my remarks. I prefer the tablet form of preventive dental care. I think that if we make the tablets available through the Department of Health through our Public Health Nurses, free of charge to the people that want to use them, I think this is a better means of prevention. Or else, we could look at the idea of making milk available with fluorines added to it, a specialty market you might say, but if the need is that great I think it will be a saleable product. It might cost you one to two cents a quart more, but if the people really believe in it and really want it they will be willing to pay that price for their children.

I think that the most important thing that we all must remember in this debate is that it only helps those under twelve years of age. And at what expense, what cost to other people, are we going to continue or go ahead with a program like this, that may bring hardship to many people with allergies? I just don't think that we should take the step at this time and I hope that we would defeat this Bill or withdraw it.

Some Hon. Members: Hear, hear!

Mr. D. Boldt (Rosthern): — Mr. Speaker, it's clear to me that the Government certainly hasn't caucused on this Bill.

Some Hon. Members: Hear, hear!

Mr. Boldt: — I don't mind and I'm sure they don't mind and I'm sure that the public doesn't mind if the Opposition holds up some of the Government legislation, but if they want to bring in a Bill they should not be holding it up. They've held it up for a whole hour now, a measly little Bill and surely I don't want to hear any family quarrels. You can quarrel with yourselves in the caucus, you don't have to bring them over here. I suggest to the Government that from now on when they want to bring in this Bill that they go and see Mr. Baker. This is the first time in this Legislature that I can support the second last Member and the last Member who spoke. I can assure the House that the Opposition will oppose this Bill.

Mr. J.G. Lane (Lumsden): — Mr. Speaker, I am, as most Members are aware, originally from Saskatoon. I'm one of those who has been subject to this 'poison' and 'pollutant' for several years.

An Hon. Member: — Is that why your leg is broken?

Mr. Lane: — I can assure the Hon. Member

that I never had a broken leg until I moved to Regina. I think that that should be an example of some of the emotional arguments that have gone into this Bill, that you have stronger bones when you are taking fluoride. I note too, on the question of emotionalism, on looking around the House, that the Members from Saskatoon, or the ones that grew up in Saskatoon, seem to have more hair than some of the Members from Regina and I wonder if that's not something to do with fluoride in the water.

I feel very strongly, however, that the question of mass medicine is a very, very serious one and I don't like to emotionalism that goes into this debate. I don't like the lack of accurate scientific studies that have been cited in this debate. As I stated, I do feel that the question of mass medicine is a very serious one and must be discussed very seriously. I personally am against mass medicine unless every individual has so chosen to take the medicine prescribed and unless there is unequivocal proof that mass medicine will benefit everyone then I am opposed to it and for that reason I am opposed to the Bill before the House.

Mr. M. Kwasnica (Cut Knife): — This Bill, an Act to amend the Health Services Act, on the surface seems to be a routine Bill and may be not very controversial, but, Mr. Speaker, in effect it is quite far reaching because the problems of fluoridation are highly complex and controversial. We know very well that votes have been held in several cities in our Province, some approved, some have rejected it outright.

Mr. Speaker, the tone of this debate this evening rather bothers me. We have before us a very serious matter and the Members of the House seem to think that it is something of a joke. You have the Opposition there sitting and laughing because we've got Government Members opposing this particular Bill and they are figuring how to make political hay from this situation. You can see it on their faces.

An Hon. Member: What are you talking about – get the hair out of your eyes.

Mr. Kwasnica: — Now, Mr. Speaker, since the tone of this debate has somewhat degenerated from the serious nature that it should be, I beg leave to adjourn the debate.

Debate adjourned.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Messer on Bill No. 22 – **An Act to amend The Conservation and Development Act** be now read a second time.

Mr. T.M. Weatherald (Cannington): — Mr. Speaker, earlier on I indicated at least two points of concern that we have with this Act but not particularly the changes that the Minister has proposed. I asked him at that time and I will just sum up before I allow the Bill to come to a vote, Mr. Speaker, but to sum up our basic concern is based on the Act itself. The actual application of the Act and we hope and will suggest in Committee of the Whole the changes that I mention and I would just like to review at that moment what I did suggest that afternoon.

We feel that there is a substantial amount of tax money being spent on conservation and development projects, in the Province, that is being subsidized by the individual taxpayer on projects that he actually doesn't wish to participate in. I personally know of a number of projects being undertaken that really are for the benefit of the person who owns the land, drainage projects come to mind in this regard and the Province of Saskatchewan is contributing to the cost of the development of these projects to the extent of 75 per cent. I hope, and would suggest to the Government that they undertake changes that bring the law more into line so that those persons who will benefit from drainage of land and so forth also shoulder a more substantial part of the cost.

On the second aspect, Mr. Speaker, we have considerable concern under this Act of the methods in which votes are being undertaken. I mentioned at that particular time that I knew of one estate that had been expanded by several additional of land. Instead of the particular piece of land having one vote, the people inheriting the estate, numbering either four or five, actually had been able to vote four or five times on that particular piece of land, as against one vote which normally would have been the case.

So to sum up, Mr. Speaker, we have no particular objection to the changes that the Minister has put forward but we definitely would like to see some changes in the Act itself once it comes to Committee of the Whole.

Motion agreed to and Bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Messer that Bill No. 23 – **An Act to amend The Live Stock Loans Guarantee Act, 1970** be now read a second time.

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, the last time this Bill came before the House I indicated that this was one of the Bills that the Opposition not only supported but completely endorsed. It was the extension of a Liberal program, except that I expressed a reservation as to whether or not this would be window-dressing on behalf of the Government or were they really trying to make a contribution to the livestock industry. As you know Sir, when we first put in The Live Stock Guarantee Loans Act, it was back several years ago when the prime interest rate in Canada was something like 7 or 7.5 per cent and the farmer in order to borrow money was borrowing it at anywhere between 9 and 10 per cent. We, of course, brought in a Bill that we would subsidize anything over 7 per cent and the fact that we made a very substantial contribution in relation to any farmer who wished to diversify his operation and get into the livestock field. As you know Sir, in that first two or three year period that the Liberal Government loaned something in the neighbourhood of $30 million. That made a very substantial contribution to greatly expanding the livestock population in Saskatchewan as every farmer in Saskatchewan is aware. Not only did the livestock population expand it greatly increased and the price of livestock stayed up, particularly of cattle and that the cattle operator in Saskatchewan has been the one operator in Canada or in Saskatchewan in the past few years who has not felt the great pinch of the cost-price squeeze and his net income has not dropped very drastically and he is the one element in our farm population who has been able to withstand the quota system

and so forth. We are very concerned that this Bill be continued in operation. We notice in the Estimates – and the reason that we did not agree to pass second reading is that we were concerned as to whether or not the Government was really going to make a contribution to the farming community. If you will notice in 1971-72 in the Estimates Book there is $540,000 to be given out to subsidize payments under The Live Stock Guarantee Loan Act; in 1972-73 the Estimate Book indicates only $100,000.

I would suppose that during the past year because of the drop of interest rates, that in all probability the complete $540,000 was not handed out but I do know a farmer for example, who last year received a cheque back, something over $500 and now he went back to get his cheque and because of the very small subsidy to the interest rate, it's something in the neighborhood of $125.

One question of course is: Is the Government going to subsidize the prime interest rate, is the Government going to lower the rate in which the subsidy will be given to the farmers, are they going to make a real contribution or is this another one of their window-dressing measures in this particular Bill? Is it, in reality, going to do nothing for the agricultural community, is it going to do nothing for the livestock owner or are they going to be willing to amend that Bill and reduce the rate of interest by which the Government will subsidize it?

Certainly, Sir, we will move an amendment in third reading. We will support the Bill in principle in second reading. We hope that the Government will make a sincere effort to help the livestock operators.

Hon. J.R. Messer (Minister of Agriculture): — Mr. Speaker, I just want to make a few closing remarks on second reading. I want to remind the Members opposite that it is not the attitude of the present Government to simply continue the programs that were in effect in the Department of Agriculture prior to our taking office. Not only the programs that were implemented by the former Government, but the programs that may have been prepared by the former Government. There are a number of programs in the Department of Agriculture that I think have to be dropped and replaced with newer programs. When we continue this program, we are not simply saying that we are only continuing a program that was drafted by the former Government, which I think contributed to the expansion and stability of the livestock industry. We say we are willing to do that, but along with it introduce a number of other and new programs that will continue and help the livestock industry of Saskatchewan prosper, expand and grow. I think the Members to your left, Mr. Speaker, know full well that we have a number of those programs that we're introducing this Session. The Budget I think brought them forward. The kind of assistance that we have given Agribition in the past, the commitment that we are about to make to the expansion of Agribition, I think is another indication of the kind of involvement and interest that we will be taking in the livestock industry in Saskatchewan.

Our commitment to market development and promotion is another area where we shall be assisting livestock expansion and stability in this province.

Those are only to mention several of a number of programs

that will be instituted by the Government in the forthcoming year, actually stabilizing and giving incentives to livestock people in the province to expand their livestock industry. I also intend to have an amendment or two to this legislation, I'll be bring it forth in Committee of the Whole. With those few remarks, I move second reading of this Bill, Mr. Speaker.

Motion agreed to and Bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Romanow that Bill No. 20 – **An Act respecting Assignment of Wages** be now read a second time.

Mr. D.F. MacDonald (Moose Jaw North): — Mr. Speaker, in speaking on this before, it was indicated that one of the main reasons for introducing the Act was because assignments of wages are sometimes obtained under rather dubious circumstances. I admitted, I said before, and I am sure it is true that at times these assignments may be obtained in this manner.

Mr. Speaker, it is only the employee who is able to authorize the assignment of his own wages, no one can force the employee to authorize the assignments. It is true that methods of persuasion may be used to encourage the employee to sign but it is not possible for them to force the issue. The Minister implies that the employee at times assigns wages when in his own best interests he should not.

What are some of the reasons that an employee would assign his wages? It could possibly be because the man has no other collateral and he is presently in need. I am sure this is an important use of the privilege of assigning wages. However, I think that it is fair to say that the introduction of the Bill implies that some people are not capable of acting in their own best interests. This Bill in effect protects these few who are not wise enough to use good judgment on their own behalf. I will admit that at times there may be undue pressure and dubious tactics used to get assignments from these people who are not using good judgment on their own behalf. The right to assign one's own wages is indeed a right and privilege to employees. I wonder if it is proper to suspend the rights of the many to protect the very few from themselves.

As I said earlier in the debate, it is generally agreed that employers do not like the assignment of wages, it is an onerous task and they will certainly be glad to see this Act, I am sure of this. I am not sure that we have the right (for all the people who would want to take benefit of this) to suspend their rights for the benefit of the very few. The only other aspect of it is that for some people, the Government apparently realizes the value of being able to assign wages, but only if they belong to a credit union organized, directed and controlled by employees of the employer to whom the assignment is directed. So we have a privilege and a right to assignment of wages which is now being suspended for so many and will still be allowed (recognizing the need of such a thing) to those who are fortunate enough to belong to such a credit union. I would submit that most employees do not have this privilege of belonging to such a credit union.

I also assume that this Act will apply to tradesmen working on contracts, or subcontracts. Clause 2 says, wages mean, and it includes "any other compensation for labor", so I assume that this includes sub-tradesmen as well. I might say that the man trying to carry out a small business in effect, a sub-trade, to carry on he must be able to assign the proceeds of his contract or he is not going to be able to carry on in his very small business. I also like to repeat that I think that this Act will ensure us that there will be many more, it will almost force, many more garnishee actions and I don't think these actions are very desirable either. It is quite obvious from what I have said that I do not intend to support the Bill.

Hon. R. Romanow (Attorney General): — Mr. Speaker, I feel the Member for Moose Jaw raised some very valid points with respect to this Bill. The very difficult thing for the Government in this particular area is to make sure that the desired objective of the Bill is not thwarted in any way. If, for example, you agree with the objective of the Bill, which objective I state to be that we should outlaw assignment of wages because of what is more or less a widespread abuse, then the only way that I can see it can be really effectively carried out is to apply it straight across the board, in effect, to almost everyone. There are a couple of exemptions, the exemptions that are very obvious, pension plans, charitable organizations and the like. The Member says that here we have the Bill which may suspend the rights of many in order to protect a few. I don't think this is the case. I think, in fact, from the experience that we have been able to determine that this is a growing development, assignment of wages. It isn't only a Bill that affects very few people. It is more and more a technique of those who are collecting bills, more and more techniques of credit companies and the like, to go to the employee and say, "Look, how about signing an assignment of wages". This said for a variety of reasons, that I think are basically unfair to the employee. The Member says what is going to happen is likely more garnishees. That may very well be true but at least with a garnishee summons there are some very basic protections. For example, there are exemptions, certain monetary exemptions that are absolutely protected by the law that can't be taken by any creditor. Those exemptions don't exist now for a person who gives an assignment of wages. That's one of the reasons for going for an assignment of wages in order to save the route of going the ordinary way, mainly through a garnishee. Your colleagues from Lumsden and Albert Park, I am sure would tell you, and I am sure you know yourself, that with a garnishee summons there have to be some other legal steps taken, namely affidavits sworn, some form of documentary evidence establishing the nature of the indebtedness. This doesn't exist now with an assignment of wages. Basically it is a simple persuasion or technique to persuade a particular debtor to assign his wages. It may be exhibited by something in writing, it may not be exhibited by something in writing other than the authority to direct the payment over to a particular person. I say that that is a protection that exists with the garnishee summons and a protection that is worthwhile that doesn't exist for the assignment of wages.

I can only conclude by saying this that there has been one area brought to my attention since this Bill has been introduced in second reading, and that is the question of some employees who seek to finance the supply of their tools and equipment as a condition of their employment. The argument is that if we

don’t exempt them from this provision of the Bill, because this is a technique of financing the tools, that we may be doing the very thing that we seek to avoid, namely driving them into the hands of usurious finance companies or those who would take unfair advantage of them. It is my intention to introduce a House amendment once the Bill gets into the Committee of the Whole that in Section 4, in addition to the exemptions listed there, pension plans, charitable organizations, etc., would also exempt the question of assignment of wages by an employee in favor of a supplier of tools or equipment or supplies used by the employee in his employment. This will expand the basis somewhat and will take into account some of the objections that the Member from Moose Jaw raised.

In light of the proposed House amendment and in light of what I have said, I should ask the Member to reconsider his point and that we could have here a certain degree of unanimity with respect to this Bill, and I ask all Members to support second reading of The Assignment of Wages Act, 1972.

Motion agreed to and Bill read a second time.

The Assembly adjourned at 8:30 o’clock p.m.