

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Fifth Session — Seventeenth Legislature
39th Day

Tuesday, April 15, 1975.

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

QUESTIONS

TRADE SEMINAR ON LATIN AMERICA

Mr. K. Thorson (Minister of Industry and Commerce): — Mr. Speaker, before the Orders of the Day I wish to respond to the question raised on Friday last by the Hon. Member for Saskatoon University (Mr. Richards) on the subject of a trade seminar on Latin America, which was held yesterday, Monday, April 14, in Saskatoon.

The seminar was sponsored solely by the Federal Department of Industry, Trade and Commerce. All literature distributed to the business community, the public and the news media makes that clear. The Member may have left the impression that there was to be someone at the seminar representing the Government or business community of Chile. No such representatives were present or were ever expected to be present.

The seminar in Saskatoon was the third in a series of four one-day meetings in western Canada involving western Canadian businessmen and the Canadian Trade Commissioners from 11 Latin American countries. These Trade Commissioners are Canadian Federal Civil Servants employed by the Federal Department of Industry, Trade and Commerce. They are meeting in Calgary, Edmonton, Saskatoon and Winnipeg to discuss Latin American trade with interested Canadian businessmen.

The seminars have been organized and conceived and financed by the Federal Department of Industry, Trade and Commerce and their regional offices in Edmonton, Regina and Winnipeg. The Canadian Trade Commissioners from the following countries are to be present: Argentina, Brazil, Chile, Columbia, Costa Rica, Cuba, Guatemala, Mexico, Peru, Puerto Rico and Venezuela. Each of the Commissioners will be speaking on behalf of the Government of Canada.

The Saskatchewan Department of Industry and Commerce mailed nine letters to institutions in the province making them aware of the seminar by providing an agenda and brief description as provided by the Federal Department. These letters were sent to the University of Regina, University of Saskatchewan, Regina Chamber of Commerce, City of Regina — Planning Department of that city, Saskatoon Board of Trade, Saskatoon Industrial Development Office, North Battleford City Commissioner, the Prince Albert Chamber of Commerce and the Prince Albert City Commissioner.

Two members from the staff of the Department of Industry and Commerce attended the brief seminar as observers yesterday in Saskatoon.

Mr. J.G. Richards (Saskatoon University): — Mr. Speaker, is a reply in order?

The obvious comment is that although the department was not officially a sponsor, the department participated actively in the conference. I think it would have been an obviously appropriate time, symbolically at least, to have expressed our very deep opposition to the turn of events politically in countries such as Chile and have made public our unwillingness to participate in any trade conferences with the intent of increasing commercial links, of encouraging Canadian businessmen to invest and to trade with fascist military dictatorships such as Chile's.

REPLIES TO ESTIMATE QUESTIONS

Mr. T.M. Weatherald (Cannington): — Mr. Speaker, before the Orders of the Day I should like to direct a question to the Minister in charge of the Public Service Commission. This is regarding information that was promised last week during his Estimates. It was suggested at that time that he would possibly be able to provide by Monday the number of employees earning over \$15,000. I forget the exact criteria in the question, but the information might be provided by Monday. I am not saying that he necessarily could do it by Monday. We should like to have it as soon as possible.

The second question was information asked by the Member for Milestone (Mr. MacDonald) regarding nursing homes. Will you be able to have that and how soon?

Hon. A. Taylor (Minister of Social Services): — Mr. Speaker, I had indicated I would have it by the beginning of the week, I didn't mean Monday. I happened to be away yesterday. I am told the information is arriving, either later today or tomorrow, you'll have both sets of information.

TABLING ORDERS FOR RETURN

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, I should like to direct a question to the House Leader, if I might.

We are now drawing very close to the end of this Session, or least prospectively to the end of the Session. There are a great number of Orders for Return that have been on for weeks, and weeks and weeks. Some of them from December. There is just no excuse for the Government failing to provide that kind of information. As the Minister knows, if this House prorogues and there is an election called, that information will never be available. I should like to ask the House Leader if he could immediately do an assessment of his Ministers and have somebody find out just how long and when the information will be provided and whether or not it will be provided before the House is prorogued?

Hon. E.L. Tchorzewski (Minister of Culture and Youth): — Mr. Speaker, if I may, I will answer on behalf of the House Leader, because I think it is better directed at myself.

A question of similar nature was asked by the Member for Athabasca (Mr. Guy) the other day and I told him at that time I would be enquiring with the various departments and the Ministers about the status of their returns. I have done that. I once again want to indicate that many of the Orders for Return that have been requested are of the type that are going to take a great deal of research and a great deal of work to compile together. These that are coming in, we are tabling them as quickly as they are being prepared. I can assure the Member for Milestone of that.

Mr. MacDonald: — Mr. Speaker, just a supplementary comment. First of all I would agree that there is the odd . . .

Some Hon. Members: — Hear, hear!

Mr. MacDonald: — . . . As the Minister knows, there is the odd Order for Return that may take a little time, but there are all kinds of Orders for Return that don't take any time. These are not being returned. I do hope the Provincial Secretary will make every effort to get them provided before the House prorogues.

Mr. Tchorzewski: — Mr. Speaker, if I can reply to the comment from the Member for Milestone. There are numbers which are being tabled today . . .

Mr. Speaker: — I think too many questions are becoming debates which is against the rules. We should keep questions to be questions.

DISTRIBUTION OF POLL MAPS

Mr. A.R. Guy (Athabasca): — I should like to direct a question to the Attorney General. I raised this question before.

I understand that there are some poll maps that have been made available to candidates on a rather official basis. I am asking the Attorney General if the poll maps could be made available to all Members in the Legislature today or tomorrow?

Hon. R. Romanow (Attorney General): — Mr. Speaker, I should like to give the Member the answer which I think I gave last time around to him. In the absence of the Premier, I checked with the Chief Electoral Officer and my recollection of that conversation is that there has not been a distribution of poll maps to some and not to others.

Mr. Malone: — I've got mine.

Mr. Romanow: — All right, the Member for Lakeview has his. Maybe it is being distributed as they are being prepared. The substance of the question of the Member obviously is, look, let's get the poll maps and get them out. We agree 100 per cent. So does the Chief Electoral Officer. But it is a question of trying to make sure that the descriptions and boundaries are actually accurately drawn, land surveyors looking at them, and as they are ready, they are coming out. We'll take another check into that. We'll try and provide you with either a formal or

informal answer later this day or tomorrow.

PRESCRIPTION DRUG PLAN — FORMULARY DRUGS

Mr. J.G. Richards (Saskatoon University): — Mr. Speaker, I should like to address a question to the Minister of Health concerning the prescription drug program.

I have received correspondence from Dr. Hoffer about the inclusion of certain vitamins in the formulary of the Prescription Drug Plan. Has the Department (1) considered the subject, and (2) since the decision appears to have been negative, what were the reasons for that decision and would the Government be prepared to reconsider? Obviously there is a good deal of controversy about this form of treatment. In fact, it is a subject which divides them — my parents — I think there is a good case to be made, that this treatment, although controversial, should be recognized under the Prescription Drug Plan. Can the Minister respond to the questions and queries?

Hon. W.E. Smishek (Minister of Health): — Mr. Speaker, the matter of drugs which will be included in a formulary is in the hands of the formulary committee. This is a technical and scientific committee. I don't have the knowledge about particular drugs. I have seen one or two letters that a particular doctor has made representations, my information is that he has not been in contact with the formulary committee. The formulary committee is reviewing on an ongoing basis drugs that should be included in the formulary. The first edition of the formulary has been published, but that doesn't mean that is the end of the drugs that will be covered. I have referred his letter to our officials and I hope they will be discussing it with the drug formulary committee. That is the extent of the answer that I can give the Hon. Member now.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Wood that Bill No. 61 — **An Act to amend The Rural Municipality Act, 1972** — be now read a second time.

Hon. E.I. Wood (Minister of Municipal Affairs): — Mr. Speaker, in regard to this Bill, when the Hon. Member for Lumsden was speaking in this debate, he made some remarks in regard to conflict of interest legislation, which in this Bill is being extended to the rural municipalities to include district planning commissions, placing the same onus on rural municipalities as is in the urban Bill in regard to representatives from the urban section. He says he advised against this last year. He says if we had taken his advice last year we wouldn't have to get into any difficulty and had to bring in this legislation. I did go back and read the second reading on this last year. I am sorry, I wasn't here in Committee of the Whole. But as nearly as I can see, there is nothing said and I think that this is good legislation, as the planning commissions are people who are involved in dealing with land. If he thinks that the rules should be applied to the urban people and not to the rural people on the same kind of commission, I

just can't agree with him. I think this is good legislation and it is a going forward of what was done last year and not a retraction of any kind.

In regard to the legislation concerning the taxation of residences, the Hon. Member for Lumsden indicated that this would be helping the gentleman farmer. It will not to any great extent. If the gentleman farmer has 20 acres of land or five acres of land or ten acres of land that he is using for his own use and is not used for farming purposes, it won't help him one iota. It will make no change whatsoever. If he does have a half section of land that he is using for farming purposes he will be able to subtract the assessment of that land from the assessment of his house and to that extent it will help him, if the assessment is on land that is being used for farming purposes. If he is using it for golf links or whatever he may use it for and it is not for farming purposes it will not help one iota. But if it is being used for farming purposes to that extent it will be subtracted from the assessment of his house. I think this is only fair and it is a proposition that has not only been agreed to by the SARM but has been advanced by their chairman and secretary as what they consider the best solution of this problem.

With these few remarks, Mr. Speaker, I would like to move second reading of this Bill.

Motion agreed to and Bill read a second time.

SECOND READINGS

Hon. R. Romanow (Attorney General) moved second reading of Bill No. 60 — **An Act to amend The Saskatchewan Bill of Rights.**

He said: Mr. Speaker, the proposed amendment can be summarized as follows. Section 9 of the Bill of Rights prohibits all forms of discrimination respecting the renting of any premises. Sub-section (1) of the amendment will provide an exception to Section 9 by permitting a landlord to determine on the basis of race, creed, religion, color, sex, nationality or place of origin, respecting (a) the renting of premises which the landlord owns and in which he or his family reside where the tenant or tenants would have to share either a bathroom or kitchen facility with the landlord and his family; and (b) the renting of a single self-contained suite in a building which contains only two such suites and the landlord or his family occupy the other unit therein as a family residence.

Sub-section (1) of the amendment permits the landlord to advertise the premises described in sub-section (1) as being available to only a designated sex. That is, the landlord will be permitted with these amendments to put a rental notice in a newspaper which states that only a male or a female need apply. However, sub-section (2) prohibits a landlord from advertising availability of the premises described in sub-section (1) as being restricted to persons of a specific race, creed, religion, color, nationality, ancestry or place of origin. That is the landlord is not permitted to advertise the premises described in sub-section (1) as available, for examples, to whites only or to Protestants only.

Paragraphs (a) of sub-section (1) of Section 9A will bring Saskatchewan's legislation into line with legislation in other provinces. Most of the provinces with Human Rights legislation permit some form of discrimination where a landlord shares cooking and/or bathroom facilities with renters. In Manitoba and Ontario, for example, a landlord can discriminate on the basis of sex where the occupancy involves an entire building except for the landlord or his family and if that entire building is restricted to the tenants of one particular sex group.

Mr. Speaker, we look at paragraph (b) as a logical extension to paragraph (a). Most people who rent basement suites look upon them as part of their own home. It is the intention of the Government by this amendment to ensure the privacy within the home in allowing the people to choose the tenants they wish.

Now, Mr. Speaker, there has been some criticism in the past few days that we may be weakening our commitment as the Government to Human Rights legislation. I depart from my text to say that yesterday I met with 40 to 50 people, approximately, representing several groups in Saskatchewan who opposed these amendments. I simply record for the House and the public their opposition to the proposed amendment. Mr. Speaker, those who would argue that this is a weakening of our commitment to Human Rights, I say, are wrong. This is not the case. Since the election of the New Democratic Party Government in 1971 we have demonstrated our concern in this area by making very substantial improvements in the field of human rights. The appointment of the Human Rights Commission, I think, has been the most important step. In this way, we have given people a place to go when they feel they have suffered from discrimination. The Commission has the power to carry out investigation and to rectify abuses. In the short term of office here we have done much to enforce the rights given to our citizens by way of legislation. Also, the appointment of the Ombudsman has been an important step in the field of human rights. The people of Saskatchewan now have an official committed to ensuring that they have not been wrongly dealt with or discriminated against as a result of action by bureaucratic Government officials.

After a review of legislation in Canada and the provinces and a consideration of the actual operation of the Saskatchewan Bill of Rights to date, it was decided to proceed with the amendments which are before the House in Bill No. 60. Mr. Speaker, with this brief description of what Bill No. 60 will do, I therefore move second reading of this Bill.

Mr. J. Richards (Saskatoon University): — Mr. Speaker, if I might speak briefly to this Bill, containing my rage at having seen a Bill dropped because I stepped out of the House for two minutes, I would like to . . .

An Hon. Member: — That is out of order.

Mr. Richards: — I appreciate this is out of order. In fact the Hon. Member has been out of order for most of his four years in this House.

Mr. Speaker: — I think for the clarification of the House, I don't think most Members have read the rules. Under Order 9(2) "Orders not proceeded when called, (this is an Order, not a Motion) upon

request may be allowed to stand retaining their precedence; otherwise they shall be dropped and placed on the Order Paper for the next sitting day after those of the same class at a similar stage.” So what it does when it’s an Order is revert to the bottom of the paper. But if it is a Motion it is dropped altogether. And for the Member to comment that it is dropped is because he doesn’t understand Rule 9.

Mr. Richards: — Thank you for the clarification, does that mean that the Notice of Motion with respect to Bill 64 drops to the bottom of the Order Paper for Wednesday?

Mr. Speaker: — The sub-motion died but an Order, an Order of the House for second reading, that’s ordered by the House, that retains its place at the bottom of the list.

Mr. Richards: — Thank you very much, Mr. Speaker.

Mr. Speaker, I should like very briefly to make a comment with respect to Bill 60. Let me first preface my comment by stating that I have some sympathy with the problem of shared facilities accommodation, the right of the landlord to invite into such premises the person of the sex that he or she thinks appropriate. My understanding is that virtually all complaints received, certainly by myself and by other Members of the Legislature, by the Human Rights Commission, by the Attorney General in charge of the Human Rights Commission, have pertained to the problem of the sex of the tenant. The typical case which is alluded to is the landlady who wants the right to determine the sex of any boarder with whom she shares her dwelling. I think this is the typical case with which we are dealing. I think, however, that the Government has reacted in panic to criticism that has been received in respect to this legislation and has proceeded to weaken the Saskatchewan Human Rights as such that we certainly no longer can claim to be in the forefront in Canadian human rights legislation. The Minister made reference to legislation in Ontario, he didn’t make reference to legislation in British Columbia which, while recognizing the problem of sex, did not give to the landlord in the one self-contained unit category designated by 9A(i)(b) of this Bill the full right to discriminate with respect to sex, age, race, creed, etc. In fact the hypocrisy of the Government’s position on this legislation is revealed by the fact that the first clause of this Bill permits discrimination by race, creed, sex, age, etc. The Government is embarrassed in admitting that this is what it is doing and a person can only publicize, according to the second clause, discrimination in respect to sex. If the Government feels that it has a consistent position to argue, why is the Government not prepared to permit a landlord to advertise that he doesn’t want an Indian, a woman, an old person, a young person, a poor person, to rent from him or her? The Government is clearly embarrassed by this piece of legislation. I think that if blame were to be appropriately applied it is not the Minister responsible for the Commission who bears the brunt of the blame for this piece of legislation before us, this is clearly a case of the caucus of a Government which claims to be concerned about human rights, panicking before an election and desperately seeking to write off the Statutes a piece of legislation which has caused some embarrassment. And that is the basic motivation behind this Bill.

April 15, 1975

The Minister has to his credit resisted this piece of legislation. I understand that things went so far that some in the caucus would like to scrap the entire Human Rights Commission. I have heard that the Saskatoon MLAs have caucused to try and get rid of the present director of the Human Rights Commission.

Mr. Rolfes: — Where did you get those facts from?

Mr. Richards: — I have no knowledge of whether the Minister was involved in it, in that caucus. But I think that there is a lot of digging which the Press and the people of Saskatchewan should be doing into the attitudes of this Government. Once faced with a small amount of criticism of a piece of legislation they begin to amend it.

If the Human Rights legislation had resulted in no controversy, if the Human Rights legislation had been simply a motherhood piece of legislation then Members opposite would have risen and given emotional flowery speeches in favor of human rights. It is only when it begins to cut, when it begins actually to apply to some cases, when there are some actual cases of discrimination to which the Commission applies itself and finds in favor of the plaintiff, it is then that the howls start to rise. Is the Hon. Member for Saskatoon Nutana aware that this piece of legislation would have prevented 40 per cent of the complaints received by the Commission with respect to racial discrimination in housing being investigated in 1974. You aren't sufficiently interested in this legislation to have dug up anything. The Hon. Member for Saskatoon Nutana South says, where do I get my facts from? It is obviously my job to dig out information and to protect the sources from where I did it. It is not my intent to reveal these to you so you can axe whoever gave me this information. But I challenge the Member to deny that information.

Mr. Rolfes: — Well . . .

Mr. Richards: — Well, what!

Mr. Speaker: — Order, we are getting away from the Bill. We are getting a crossfire debate rather than debating the Bill. Let's get back to the Bill.

Mr. Richards: — Well, Mr. Speaker, I appreciate that you have silenced the Member from Nutana South. I trust the Member for Nutana South will take the occasion to actually do a bit of digging into the implications of this legislation into what legislation exists in other provinces.

Before I take my seat I trust that when we consider this piece of legislation clause by clause, the Government will be willing — if it insists that there be some amendments to the Human Rights legislation to take account of the problem with which I have some sympathy, the landlord's right to determine the sex of the tenant — that the Government will pull back from what I think can only be interpreted as a panic reaction which has removed far too many powers from the Human Rights Commission. In conclusion, Mr. Speaker, I shall obviously oppose the Bill.

Mr. E.C. Malone (Regina Lakeview): — Mr. Speaker, I think that some of the comments of the Hon. Member for Saskatoon University are well taken. The Government and the Attorney General are trying to get the best of both sides. They pose as the great proponents of human rights and Human Rights Commissions and so on and so forth and at the same time they bring in legislation of this nature which is against the basic thing they stand for.

The Attorney General was very careful to point out in his remarks that this Government had introduced an Ombudsman and a Human Rights Commission and so forth, but he very carefully did not say that I think every human rights organization in the province has indicated that there is absolute opposition to this Bill. I would be very interested to know what the Human Rights Commission itself thinks about this Bill but I suppose we shall never find out because they are an arm of the Government. But every other organization in the province that is privately operated or run has opposed this Bill.

Now, may I say, Mr. Speaker, that Section 9A(i), I feel, is a legitimate amendment. I think that we have been so concerned with ensuring civil rights for the people who have had discrimination against them in years past we have trampled over the civil rights of other people, and in this case the basic right of a person to decide who is going to come into his home. I think that is a right that is just as important as the right of other people to get proper lodging and room and board where required. However, the second part of 9A(b) is somewhat different. I can't quite see why that is required. If it is a dwelling house and it is a self-contained unit within a dwelling house, that is, the person who would be using that self-contained unit would be separate and apart from the owner and the residence of the dwelling house. It appears to me that that is not essential to protect the rights of the person who wants to have anybody in his house that he chooses.

Mr. Speaker, there are a number of other Members that I know, who want to consider the remarks of the Attorney General and the Member for Saskatoon University, so accordingly I beg leave to adjourn the debate at this time.

Debate adjourned.

MOTIONS

SITTING OF THE HOUSE

Hon. R. Romanow (Attorney General): — Mr. Speaker, I wonder if I might move, seconded by the Hon. Minister of Health (Mr. Smishek) by leave of the Assembly:

That on Wednesday, April 16, 1975 and on each Wednesday until the end of the Session Rule 3, sub 3 be suspended so that the sitting of the Assembly may be continued from 7 o'clock p.m. until 9:30 o'clock p.m.

Motion agreed to.

WELCOME TO STUDENTS

Hon. N.E. Byers (Kelvington): — On behalf of Mr. Speaker, it gives me a good deal of pleasure to introduce to the Members of this Assembly 25 Grade Ten students from Wishart high school seated in the Speaker's Gallery. Wishart, as all Hon. Members will know, is in the constituency presently represented by Mr. Speaker of the constituency of Wadena and at a future time will be legally a part of the Kelvington-Wadena riding.

I know that all Members will want to join with me in welcoming this group of students to the Legislature. Wishart is one of those schools that make a practice of visiting this Assembly annually, and I want to congratulate them for their effort in coming to the Chamber yearly. I invite all Members to join me in wishing them a hearty welcome and hope that their understanding and knowledge of the democratic process is furthered by their visit here today.

Hon. Members: — Hear, hear!

Mr. F. Meakes (Touchwood): — Mr. Speaker, I would like to introduce to the House through you a group of 15 Grade Nine students from Goodeve School. They are led here by their teacher, Mr. Fred Bohay and their driver, Ivan Zabinsky. They were in the building this morning and had some tours in the city.

I know all Members will wish them a very educational stay and an enjoyable trip home.

Mr. Speaker, while I am on my feet may I also add my words of welcome to the Wishart school, although it is not in my constituency I am sure that some of the pupils are from Touchwood constituency. I wish both groups a safe journey home and an enjoyable afternoon.

Hon. Members: — Hear, hear!

Hon. E.L. Tchorzewski (Humboldt): — Mr. Speaker, it is a pleasure for me to introduce to this House a group of 18 Grade Twelve students who are seated in the Speaker's Gallery from Leroy, Saskatchewan. Leroy is in the Humboldt constituency. The students are accompanied by their school principal, and I extend greetings to Mr. Schugmann because his wife was also a fellow teacher of mine at St. Augustus School in Humboldt for a number of years.

So on behalf of the Members here I extend a welcome to the students from Leroy and I wish them a pleasant stay in Regina and a safe trip home.

Hon. Members: — Hear, hear!

Hon. H.H. Rolfes (Saskatoon Nutana South): — Mr. Speaker, I would like on behalf of myself and the Hon. Wes Robbins, to introduce a group of students from Queen Elizabeth School in Saskatoon. We have 70 Grade Seven and Eight students located in the west gallery.

Queen Elizabeth School is one of the older schools in Saskatoon. Although it is located in my present constituency it will be in the Hon. Wes Robbins' constituency next time around and therefore I should like to welcome them here. I hope they have a pleasant afternoon and Mr. Robbins and myself will be meeting with them later on today.

They are accompanied by their teachers, Mr. Friesen, Mr. Kreutzweiser, Mr. Gray and Mr. Penasuik. I hope that is pronounced correctly. I hope you have a good stay this afternoon.

Hon. Members: — Hear, hear!

Mr. A. Matsalla (Canora): — Mr. Speaker, I should like to introduce to you and through you to the Members of the Legislature, 46 young men and women who are Grade Eight students from the Sturgis Composite High School. Sturgis is one of the progressive communities in the Canora constituency.

The students are accompanied by their teachers, Wayne Dahlgren and Mrs. Eileen Goulden and bus driver, Joe Pasichnek and care driver, Trent Prekaski.

I should like the Members to join with me in extending a warm welcome to the students. I hope that they will find the proceedings here informative and that they can take some lessons from the proceedings of the Legislature back home into their schools. I do hope that they have a safe trip home.

Hon. Members: — Hear, hear!

The Assembly adjourned at 9:34 o'clock p.m.