

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — Eighteenth Legislature
22nd Day

Monday, April 12, 1976

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

WELCOME TO STUDENTS

MR. D.M. HAM: (Swift Current) — Mr. Speaker, it gives me a great deal of pleasure to introduce to you and through you to the Legislature, 55 Grade Seven students from Central Public School in Swift Current. It gives me pleasure at any time to introduce students from Swift Current, but most particularly this school as I received my public school education there some years ago. They are accompanied today by Mr. Meyers, Mr. Yee and Mr. Carnrike and Mr. Mumford and their bus driver Mr. Gador. I will be very pleased to meet with them at 3:15 today and I hope they have a very pleasant day and a safe trip home.

HON. MEMBERS: Hear, hear!

MR. M.J. KOSKIE: (Quill Lakes) — Mr. Speaker, I should like to introduce to the House through you a group of Grade Ten students, 46 in number from the Muenster High School. They are seated in the Speaker's Gallery and are accompanied by their teachers, Margaret Vataman, Dorothy Czananota and bus driver Mr. Ralph Britz. I hope that each of you enjoy your visit here in Regina and that you will take back some impression of the functioning of government. I hope that you have a safe journey home and I plan on meeting with you a little later.

HON. MEMBERS: Hear, hear!

MR. J. WIEBE: (Morse) — Mr. Speaker, I should like to as well join with the MLA for Swift Current in welcoming the Grade Seven students from Central School in Swift Current. I do so because many of the students who attend that school are from the Morse constituency, the rural area which surrounds the city of Swift Current.

Members in the House may be interested to note that the students in arranging for this trip decided to finance the trip entirely on their own and they did so by raffling off Olympic coins, selling a newspaper and also putting on a drama night. The funds which they raised from this, enabled them to hire the bus, the driver, the gas and also pay for their lunch at noon today.

Not only do I wish to welcome them here but also to congratulate them on the extra effort which they put out to attend the Legislative Buildings and especially to see democracy in action. I, too, hope that they will have an excellent day and a good trip home.

HON. MEMBERS: Hear, hear!

QUESTIONS

CUTBACKS IN HEALTH SPENDING

MR. D.G. STEUART: (Leader of the Opposition) — Mr. Speaker, before the Orders of the Day I should like to direct a question to the Minister of Health in regard to the statement he made late last week in regard to certain health cuts in health spending that he intends to impose or the Government intends to impose on the people of Saskatchewan, this coming year.

I should like first to ask the Minister if he would not, to begin with, admit that the Government has very, very wrong priorities, the question of wasting millions of dollars on government buildings, government furnishings involved . . .

MR. SPEAKER: — Order, order! The Leader of the Opposition must get to the point of the question. He is now debating the Government's priorities with regard to office buildings versus health expenditures. The Leader of the Opposition must get directly to the question and debate the issue.

MR. STEUART: — Well I really, Mr. Speaker, with all deference, I am asking the question, I am at the point of the question. Surely I have the right to ask a question if . . .

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: — The record will clearly show that the Leader of the Opposition is debating the issue and that is the point that I was rising on.

MR. STEUART: — Mr. Speaker, you have one version about the record and I have another. I wish you would quit protecting the Government.

MR. SPEAKER: — I have the record here and as a matter of fact I went over the records. I have the record here from the last question period and as a matter of fact I went over it very carefully. And if the Leader of the Opposition says that I am protecting the Government then he should show me by the record, either today's or Friday's, how I was protecting the Government.

MR. STEUART: — I will be very happy to do that, Mr. Speaker. I am asking the Government, the Minister of Health a question. He is the man who said he has tried to get an extra \$30 million for health. I am asking this question: does he not admit that the Government's priorities are wrong when they can waste millions of dollars or spend millions of dollars, if you like that better, on new government buildings, new furnishings and at the same time cut back (a) \$30 million he couldn't get, and, (b) the unknown millions of dollars that he has had to cut back on the basic health delivery service in this problem, is specifically, I ask him: what number of beds will be closed as a result of this cut in the four larger cities, Regina, Saskatoon, Prince Albert and Moose Jaw?

HON. W.A. ROBBINS: (Minister of Health) — I don't know the exact number of beds at the moment but I will get that answer for you. But I should like to point out to the Leader of the Opposition, Mr. Speaker, that there is not a cutback in the total expenditure on health. It is up from \$292,188,000 actual last year to \$337,920,470 this year.

MR. STEUART: — A supplementary, Mr. Speaker. Yes, it is up that much, I would like to point out to the Minister of Finance, it is up 15 per cent, not 25 per cent he suggested. However, the Premier had said that he would give you notice, or we asked the Premier if he would pass on to you, evidently he hasn't had time. I am amazed that you don't know the results of your cut, and what is going to happen before you do it. However, specifically I should like to ask you then as a supplementary, are you prepared to admit that this cut will fall much more heavily on the cities where the waiting lists are the longest than it will in the rural hospitals?

MR. ROBBINS: — It may, I don't know. I will find that out, but I should like to point out again, Mr. Speaker, to the Leader of the Opposition, that the hon. Marc Lalonde, the Minister of National Health and Welfare, is the person who stated, and I am sure that you heard him, he was speaking to one of our meetings, that we have 8.5 beds per thousand in Saskatchewan, compared with 6.8 average across Canada. The national target is five beds per thousand. We had 1,900 to 16 patient days last year per thousand population. The average for Canada was 1,500 to 16 patient days. And the fact remains that we are getting too many admissions to hospitals and their stays are too long.

MR. STEUART: — A final supplementary, Mr. Speaker. Would the Minister state then in regard to this cut, which is most serious and most urgent, that he is satisfied with the distribution of the beds set up in the Province of Saskatchewan, that he is satisfied with the distribution of the beds and that this blanket reduction, if he is satisfied, fine it won't change anything, but if he is not satisfied with the distribution of beds in the Province of Saskatchewan, then will he not admit that a blanket reduction will just make the situation — if it is bad, and I say it is — even worse?

MR. ROBBINS: — It is obvious that we must control the escalating costs of health. The major costs occur in larger hospitals. The 78 small hospitals are not a big factor in terms of the rising costs, it is the hospitals with more than 50 beds where the costs really rise rapidly.

REMOVAL OF X-RAY FACILITIES FROM COMMUNITY CLINICS

MR. R.L. COLLVER: (Leader of the Progressive Conservatives) — Mr. Speaker, on Friday last the Premier took some questions on notice to the Minister of Health that were pertaining to this broad general area. To add to that question, it was announced in the announcement of the cutback that the Minister of Health stated that he would be removing, from private clinics and private doctors' offices, x-ray facilities or the payments

for x-ray facilities in private clinics and private doctors' offices. Does that include community clinics? Are you going to remove x-ray facilities from community clinics as well?

MR. ROBBINS: — The x-ray material that we are talking about consists of six locations I believe in the province; two of them are clinics, the other four are private doctors. I can name them if you wish.

MR. COLLVER: — A supplementary, Mr. Speaker. Would the Minister be prepared to name then? I do wish.

MR. ROBBINS: — Dr. Baltzan, Dr. Brook, Dr. Kunkel in Saskatoon. The Lloydminster Clinic at Lloydminster. Dr. Eaglesham in Weyburn and the clinic in Carlyle.

MR. COLLVER: — A supplementary question, Mr. Speaker. Is the Minister aware that the removal of x-ray facilities from private clinics will actually add to the cost of care in Saskatchewan because it will necessitate a subsequent visit for patients who sent out of the private office to the hospital to get their x-ray . . .

MR. SPEAKER: — Order! The Member is debating an issue now rather than asking a question. I wonder if the Member can get to the point of the question.

MR. COLLVER: — A supplementary question, Mr. Speaker. I am asking the Minister and I am asking you for your guidance on this question, whether the Minister is aware that it will be more expensive to cut back those x-ray facilities from private doctor's offices than what he is proposing, which is to send patients to the hospital to have their x-rays and then back to the private doctor's office again? And it is urgent, Mr. Speaker, because if the Minister does through with this announced intention to cut the x-ray facilities back from the private doctor's offices it will actually add to our cost of health care in Saskatchewan. That's an urgent matter.

MR. SPEAKER: — I didn't say it wasn't urgent. If the Member had listened to my comments I didn't say anything about urgency in my comments. I said the Member was debating the issue and right at the end of his comments just now he was in fact debating it again.

The Minister of Health.

MR. COLLVER: — A supplementary then, Mr. Speaker, if that's what you want me to do.

MR. SPEAKER: — Well, I was aware that the Member had just asked a question again and I thought the Minister of Health was going to answer.

MR. ROBBINS: — Mr. Speaker, the x-ray equipment that is covered in that particular item is x-ray equipment that came in in the medicare crisis in 1962 and a special arrangement was made with those organizations. That equipment is now fully depreciated. It creates some problem, obviously, because patients going to those particular places for medical treatment can get the x-rays there if they want to give them to them still but they won't get paid for them. They obviously would have to go to a hospital if they are going to get paid for them. It's solely based on the fact that that equipment is fully depreciated.

MR. COLLVER: — A supplementary question, Mr. Speaker. Would the Minister of Health explain then the added cost of the patient having to come back to that private doctor's office to have his x-rays reported on?

MR. ROBBINS: — I don't know that there would be added cost, but I will check it out and let you know.

CUTBACK ON ALCOHOL AND CANCER CLINICS

MR. C.P. MacDONALD: (Indian Head-Wolseley) — Mr. Speaker, I should like to direct a question to the Minister of Health. In view of the fact that the NDP have repeatedly stated that preventive medicine is the way to cut down future health care costs, why is the Minister of Health zeroing in on preventive services, particularly in the Alcohol Commission, in the Cancer Clinic, in order to make these cuts? By cutting down on preventive care in the future you are generating far greater health costs in the Province of Saskatchewan.

MR. ROBBINS: — Mr. Speaker, there is an increase of \$114,000 in the Alcoholism Commission budget for this year, not over the estimate of last year, but over the actual costs and there was a \$293,000 increase in the supplements. There is an increase, as I said, of \$114,000.

There is an increase in the Cancer Commission program. There is an increase in all those programs with one exception the Health Promotion program in terms of Aware has been reduced specifically for a reason related to advertisements in daily papers but it has been retained in weekly papers and also on TV and radio.

MR. MacDONALD: — A supplementary question. Of course, the Minister is doing nothing but trying to hide the facts . . .

MR. SPEAKER: — Order! The Member is debating that issue now. You are allowed a supplementary but the Member must not debate the issue because I have to give the Minister an opportunity to debate the issue as well.

MR. MacDONALD: — Would the Minister not admit that the \$114,000 isn't even enough to turn around and look after half of what the inflation

costs are, let alone increased costs, let alone increased salaries. That's just an excuse and would the Minister also like to reveal why is it the Liquor Committee a few years ago indicated that a large percentage of the liquor budget and the revenue should be directed toward the Alcohol Commission? Instead of that you are now reducing that percentage point rather than increasing it, is that a fact?

MR. ROBBINS: — As I said before there is an increase in the Alcoholism Commission budget. The FSI grant was taken out but there is a substantial increase if you look at the remainder of the results in relation to the Alcoholism Commission.

ADDITIONAL \$30 MILLION REQUESTED FOR HEALTH DEPARTMENT

MR. S.J. CAMERON: — Question to the Minister of Health. Is it a fact that in your prepared statement last week with regard to cutbacks in health services you had indicated that you had sought an additional \$30 million from the Government on behalf of your department which you didn't get?

MR. ROBBINS: — No, it is not.

MR. CAMERON: — The Minister has indicated, Mr. Speaker, that it was not a fact. May I ask the minister to indicate to the House what he did say about the additional funding he had requested that he didn't get in preparing his budget submission to the Government?

MR. ROBBINS: — Mr. Speaker, the original estimate that came in from Department of Health was for \$368 million, an increase of \$100 million over the preceding year. We simply said it was too high and that it had to be reduced. It was reduced within the department before it even got to the Treasury Board.

MR. CAMERON: — A supplementary, Mr. Speaker. Did the Minister not indicate to the press that he had sought an additional \$30 million that he didn't get or that the department . . .

MR. ROBBINS: — No, I did not.

MR. CAMERON: — A supplementary, Mr. Speaker. There was a substantial amount of money that the Minister would have liked to have had in his department which he didn't get. May I ask the Minister to indicate what programs was that additional amount of money allocated to?

MR. SPEAKER: — Order, the question is out of order. Next question.

MR. CAMERON: — Mr. Speaker, a supplementary.

MR. SPEAKER: — No, no. I am not going to allow the Member to redirect the question. I am going to take the next question. A supplementary.

MR. E.F.A. MERCHANT: (Regina Wascana) — I wonder if the Minister would indicate whether as a result of press reports, which appeared to indicate the \$30 million that you wanted had not been granted, as a result of reading those press reports did you take any steps to correct the misrepresentations that had been made of your comment?

MR. SPEAKER: — Order, the question is out of order. Next question. The Member for Nipawin.

CUTBACKS FOR COMMUNITY CLINICS

MR. COLLVER: — A question to the Minister of Health. The Minister has announced severe cutbacks in many of the hospitals in Saskatchewan. Most of the hospitals have announced cutbacks in medical clinics in several locations in the province. Have there been any cutbacks of any kind whatsoever in the amount allocated to the community clinics in Saskatchewan?

MR. ROBBINS: — Clinics operate on global budgets. Global budgets were set up three years ago for a large number of the hospitals and also for the community clinics. Those global budgets are up for review in the current year.

MR. COLLVER: — Supplementary question, Mr. Speaker. Is the Minister planning any reduction in the global budget for community clinics in the Province of Saskatchewan in the light of reduction in patient days in the hospitals which is a reduction of their global budget? Is there any planned reduction in the global budgeting for community clinics?

MR. ROBBINS: — I should point out to the Hon. Member, Mr. Speaker, that the budget for hospitalization last year was \$154 million, there was \$12,188,000 added in supplementaries, up to a total of \$166 million. The budget for this year is over \$193 million, that is an increase of \$27 million. In terms of medicare the budget's estimate a year ago was \$54 million, the supplementaries added in were \$3,840,000, that's \$57 million. The budget for this year is in excess of \$67 million. The total increase in the two is over \$37 million and the community clinics are in that figure.

SOME HON. MEMBERS: Hear, hear!

MR. COLLVER: — A supplementary question. Would the relationship between the increase in the hospital budget for the Province of Saskatchewan be the same as the relationship in the increase to the community clinics in the Province of Saskatchewan?

MR. ROBBINS: — I don't know for certain, but I will find out for you.

HOSPITAL BEDS

MR. G.H. PENNER: (Saskatoon Eastview) — A question to the Minister of Health, Mr. Speaker. In your response a moment ago you mentioned that the reason for the number of beds in Saskatchewan being so high was because, or you mentioned that the beds in relationship to the total population was very high, but isn't that a direct result of the fact that our population is widespread?

MR. ROBBINS: — No, I think not. I can give you examples of hospitals that have separations up to 271 per 1,000 of their service area. The average of Saskatchewan is 220. The average for Canada 156.

MR. PENNER: — Isn't it fair to say that the result of what you are doing is going to be to cut back at least five per cent on the amount of care last year and that there are going to be sick people who are not going to get the care this year?

SOME HON. MEMBERS: Hear, hear!

MR. ROBBINS: — Mr. Speaker, if the number of patient days are reduced by five per cent from the figure of last year we will be at 1821 beds or patient days per thousand which is still 305 above the average for Canada.

REGIONAL HOSPITAL COUNCILS

MR. HAM: — Mr. Speaker, this is Minister of Health day by the look of it. Another question to the Minister of Health. In view of the announcements made last week by yourself to the Saskatchewan Hospital Councils, is it your intention to phase out Regional Hospital Councils?

MR. ROBBINS: — Yes.

MR. HAM: — Could one conclude then, Mr. Minister, that it is your intention to phase out small rural hospitals?

MR. ROBBINS: — No.

MR. HAM: — Second supplementary then, Mr. Speaker. Did you not conclude a few moments ago, Mr. Minister, that small hospitals are not substantially affected by the rising costs and I understand that presently these hospital councils are responsible or are involved directly with the management and bookkeeping of these hospitals?

MR. ROBBINS: — Mr. Speaker, the hospital councils provide consultative services in terms of medical records, in terms of nursing, in terms of some pharmacist services. They started in 1955 and the previous administration and the present Leader of the Opposition when he was Minister of Health intended to phase them out in 1965-66, but he drew back. He was a bit afraid. Now we're not saying it was a pleasant thing to have to do but we

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have to face the reality of facts. Ottawa is telling us that we must spend less money in terms of health. There is going to be less money available in shared costs and we are proposing to transfer some of the capabilities of those regional councils into the regional hospitals to service hospitals in their area. All of those people will not be displaced and basic services will still be there.

SOME HON. MEMBERS: Hear, hear!

MR. HAM: — Supplementary. Could the Minister indicate how many persons would be out of work as a result of that cut back?

MR. ROBBINS: — There are currently 40 people employed by the hospital councils and we expect about half of them will be out of work.

MR. SPEAKER: — Supplementary from Regina Lakeview.

MR. E.C. MALONE: (Regina Lakeview) — Mr. Speaker, to the Minister of Health. Is it not a fact Mr. Minister that it's not Ottawa that's telling you to cut down on the cost of health care, they are telling you that they will not contribute over a certain percentage and it is certainly proper for you to spend whatever you want on health care and I would suggest you stop buying potash mines and start looking after the people of Saskatchewan?

MR. SPEAKER: — Order! The Member is clearly debating the issue when he puts his question. If the Members could strip the debate out of the question I wouldn't be on my feet raising the Point of Order.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: — I think that the Member should have raised that at the time the member was talking, if they thought the Member was out of order. Unfortunately not one Member there said a Point of Order.

AN HON. MEMBER: — . . . Point of Order . . .

MR. SPEAKER: — Order! Order! I'm raising a Point of Order on the Member for Regina Lakeview and the record will show that the Member was debating the issue. The record will show what it will show about the Member and it will also show that not one of you raised a Point of Order when he was speaking.

AN HON. MEMBER: — . . . when he was speaking . . .

MR. SPEAKER: — I have made an attempt earlier today to raise Points of Order when Members debate issues. I gather that I'm being too tight on raising Points of order with regard to debate.

MR. MacDONALD: — Just protecting them.

MR. SPEAKER: — I am not protecting them and you can't prove that. The Member for Regina Lakeview has a question which the Minister of Health may want to answer.

MR. ROBBINS: — I'm quite willing to answer, Sir. The spending of money on potash has nothing to do with hospitals. Ontario is cutting back to four beds per thousand and they aren't buying any potash mines.

MR. SPEAKER: — Supplementary.

MR. COLLVER: — Does the Minister have data to indicate that the centralization of the services away from these regional hospital boards will in fact produce a more efficient system and can he relate that data to us?

MR. ROBBINS: — We do know that the hospital councils were costing in the range of \$500,000 and the budget for this year was almost \$1 million.

MR. COLLVER: — A supplementary question, Mr. Speaker. What we're saying is that in fact the regional councils are going to, that the current suggestion is going to cost a million dollars and last year they cost half a million. Am I correct in that? Therefore the centralization is going to cost a million dollars and decentralized under hospital councils is \$500,000. Is that correct?

MR. ROBBINS: — I'm sorry but the Member for Nipawin is misinterpreting again. I said that the regional councils last year cost in the range of a half a million dollars and the budgets for the regional councils in the fiscal year just starting April 1st, were in the range of a million dollars. We expect to save a good sum of money in relation to the service that's coming out of the regional hospitals in each of those areas, rather than through the regional council.

MR. SPEAKER: — Supplementary. I might warn the Member for Nipawin that we are getting into a more or less detailed discussion of something that should be done in Estimates and I would encourage the Member to prepare himself for Estimates and not conduct this detailed cross-examination in the oral question period. If the Member can be brief and to the point with his question, go ahead.

Regina Wascana.

MR. MERCHANT: — Supplementary then. I wonder and this really goes back to the question as it was originally posed, how many workers throughout the province do you think that these drastic health cuts will cut off the employment rolls? How many people do you think will lose their employment as a result, in approximate terms, of these cutbacks?

MR. ROBBINS: — I do not know the answer to that question. I am simply

informing the Member that there are no cutbacks in the final analysis in terms of the dollars being spent. The dollars are a way up. The fact is we are attempting to slow the escalation of health costs the same as every other province in this country is attempting to do.

MR. MERCHANT: — Supplementary, Mr. Speaker. Then I'll inform the Minister that I had . . .

MR. SPEAKER: — Order! Order! Order! Order! Order! Next question.

DENTAL PROGRAM

MR. W.H. STODALKA: (Maple Creek) — Question, Mr. Speaker. Is the Dental Program which now covers the children between three years and 12 years of age, is the dental program going to be cut back or are we just going to have these three years that we have had this year?

MR. ROBBINS: — The expenditure money for the dental program is almost identical with what it was last year. I must point out that in the initial stages of setting up the dental program there was a lot of interviewing that had to be carried out with school principals, with teachers in schools and with parents, and the costs will be reduced to some degree and they now have some experience in this particular field and we expect we have more capability in terms of dental treatment than was previously delivered with the same amount of money.

MR. STODALKA: — Mr. Speaker, a supplementary. Could you be a little more specific. Three years were covered. Are we going to cover four years this year or five years or are we going to stay with the present three?

MR. ROBBINS: — There will be an increase in the number of years covered.

ADDITIONAL \$30 MILLION REQUESTED BY HEALTH DEPARTMENT

MR. CAMERON: — To come back to the question I was asking about originally. The press report of the Minister's announcement of Thursday or Friday last, said the decision was part of an overall \$30 million restraint on existing programs and a rejection of more than \$14 million in new program development originally planned by the Health Department, Mr. Robbins is quoted to have said. The question is, is that a fact and what new programs are cut back as a result of your not getting the additional money?

MR. SPEAKER: — Order! The rules clearly state it is improper for a Member to put a question to a Minister and ask him to comment on a press report. That is clearly what the Member was doing and the rules are quite clear about that situation.

MR. CAMERON: — Mr. Speaker, a supplementary. Did the Minister of Health indicate to the press that \$14 million in new health programs

were not going forward as a result of budget restraints and if so what were the programs?

MR. ROBBINS: — The original estimates for the Department of Health showed over \$14 million in new programs but we said because of the restraints they could not be carried forward in the present year.

MR. CAMERON: — A supplementary. What were the programs that were cut back as a result of you not getting the money you wanted?

MR. ROBBINS: — Yes, I haven't got the answers to that at the moment. I can give you some other statistical data.

MR. CAMERON: — A supplementary. Does the Minister consider it appropriate to publicly indicate to the press that he had a \$14 million cutback and then not indicate what programs are cut back?

SOME HON. MEMBERS: Hear, hear!

MR. ROBBINS: — The decisions must be made within Government. I said they came as original estimates from the Department of Health. Obviously in terms of restraints relating to escalating costs some restraints had to be put on. We were asked to put on similar restraints through the other departments, five per cent across the board.

MR. CAMERON: — Supplementary. Are you prepared to give the House details of the \$14 million expenditure that you didn't get, details of the programs?

MR. ROBBINS: — No, I'm not.

MR. CAMERON: — May I ask the Minister why he is not prepared to give us those . . .

MR. SPEAKER: — I don't think the matter rests with the Minister at this point because I don't intend to allow that kind of a question in the oral question period.

MR. CAMERON: — Why he is not prepared to give us . . .

MR. SPEAKER: — Yes, how he is going to spend money he didn't get. I think that is not a proper question for the oral question period and I won't allow it. The Member for Wilkie.

CUTBACK ON SASKATOON REHABILITATION CENTRE

MISS L.B. CLIFFORD: (Wilkie) — A question to the Minister of Health. Could you tell me that in your cutbacks, is part of your cutback to the Calder Rehabilitation Centre in Saskatoon St. Paul's Hospital some 20 to 25 beds, is this part of your decrease?

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MR. ROBBINS: — I have said before, Mr. Speaker, in this House that the local hospital boards make the decision with respect to cuts, and they do. Obviously the funding that is available is a factor in it the same as the funding that's available from the Federal Government to us in terms of health programs is a factor. That is crystal clear.

SOME HON. MEMBERS: Hear, hear!

MR. SPEAKER: — Order! Ministerial Statements.

STATEMENT

PASSENGER FARES AND BUS RATES

HON. G. MacMURCHY: (Minister of Municipal Affairs) — Mr. Speaker, I wish to make a statement to the House regarding passenger fares and bus rates for Saskatchewan Transportation Company and all of the bus companies operating within the province. It is a report from the Saskatchewan Public Sector Price and Compensation Board and it reads as follows:

The Saskatchewan Public Sector Price and Compensation Board has reviewed a proposed increase in bus fares of an overall average of approximately 15 per cent plus express rates expected to yield about 17 per cent. The last increase of bus fares was in 1971 and express rates were last increased in 1973. The increases referred to were approved by the Highway Traffic Board on March 1, 1976.

The application for increase was considered by the board under Section 18 of the federal Anti-inflation Regulations and all of the criteria of that Section. And indeed the request is substantially lower than could have been permitted by the guidelines. The additional revenue produced over the last eight months of the operating year is not anticipated to cover the increased costs of operation. However, any shortage is expected to be made up by a normal increase in passenger and express business. The board therefore approves the requested increases effective May 1, 1976.

MR. CAMERON: — I want, Mr. Speaker, to raise an objection in the strongest possible terms with the way in which this announcement was handled. Mr. Speaker will remember that on several occasions I asked questions in the House about the rates . . .

MR. SPEAKER: — Order! It is quite permitted to make a statement on the statement the Minister made. However, I don't think the Member should gear his remarks to some announcement other than this one or some other announcement he heard. I think his remarks should be pertinent to the comments the Minister made and not how they were made, because this doesn't allow the other Members on the other side of the House to get back into the debate. Each party is allowed to make a brief statement on the Minister's comments. I think that is quite in order. I think the Member was starting out on the wrong beam.

MR. MALONE: — On a Point of Order. Surely, Mr. Speaker, the Minister when he comes in and makes a statement about something that he has been questioned on on several occasions in this Legislature, several occasions where he has said there will be an announcement in due course here. The announcement was here, it was to the press earlier today, that the Member when he replies to the statement when it is finally made, makes some comment about the rather poor manner in which it was made, that is part and parcel of the statement.

MR. SPEAKER: — The Member is debating the issue of how the statement is made. If you are rising on a Point of Order, I would be prepared to listen to the Point of Order. As I gather, you are saying that the Minister is obligated to be in the House to make a statement. I have made two rulings on this, one in the past session and one in this Session which says clearly according to the rules of Beauchesne which we follow that the Member does not have to make a statement in the House, the Minister doesn't have to make a statement in the House.

MR. MALONE: — On the Point of Order. Surely the Member is entitled to comment on that, Mr. Speaker. Whether it is proper or improper.

MR. SPEAKER: — No, the Member has no right whatsoever to comment on how the Minister releases the information. He has a right to comment on the gist of what the Minister said. I suggest that he go ahead on that basis.

MR. CAMERON: — With respect on that Point of Order, Mr. Speaker, with deference to you, you may have been anticipating what I was going to say, but may I say with respect you anticipated it wrongly. I had no intention on commenting about the release made this morning, I was going to comment at length about the way in which the increase was handled from the very beginning which goes back to October last year and the way in which the House has been handled in connection with the announcement.

MR. SPEAKER: — Maybe I may have anticipated what the member was saying. I think the record will show that. If the Member wishes to proceed on the basis which he has just explained, fine, go ahead.

MR. CAMERON: — That is exactly what I want to do. When we were in the Crown Corporations Committee and STC was before us, I asked the Minister a number of questions about rate increases. The Minister was hiding at that stage behind the fact that there had been no increase up to the time year ended which was October 31, 1975. He indicated, however, again in response to questions that a recommendation had been made to the Board of Directors that rate increases take place. But since the year under review ended October 31, he wasn't prepared to indicate where the recommendation had gone after October 31. Then, as a result of further questions, he said that it had to be submitted to the Highway Traffic Board. He wouldn't indicate when it was submitted or the result of that. The reason I say that is that here is the history of these increases. A recommendation was made

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to the Board of Directors of the Saskatchewan Transportation Company prior to October 31, 1975 about rate increases. After that time the decision was made apparently to have rate increases of 15 per cent and 25 per cent respectively which were then submitted to the Highway Traffic Board. When and under what circumstances and what the Highway Traffic Board said, we don't know. Then at some point in time the rate increases were referred to the public sector, the Provincial Board. Again when and under what circumstances we don't know. Mr. Speaker, will recall that I asked question on at least three different occasions in this House about these rate increases. The first time I asked the Premier he said he would take it under advisement. I asked him 24 hours later about the rate increases and again he said he hadn't had a chance to discuss it with his colleagues but that in due course the matter would be brought before the House leaving the very clear implication that we would have some indication from the minister or the Premier in the House as to the route these rate increases took.

I then asked a question the third time of the Attorney General. You will recall his answer which was a waffle kind of answer, he didn't know this, he didn't know that about the policy. Then finally . . .

MR. ROMANOW: — On a Point of Order.

MR. SPEAKER: — Order! What is your Point of Order?

MR. ROMANOW: — Mr. Speaker, my Point of order is this. I have been listening very carefully for about two minutes for the Member to comment on the announcement, the substance of which is a rate increase by STC. That as I understand it is the prerogative of the Opposition to comment on a Ministerial Statement. What the Member is doing is commenting on the manner in which the Government has made the statement. It may be reprehensible, it may not be reprehensible. If it is, I do suggest there is another mechanism for him as a Member's privilege to raise the manner in which the statement was made either before Orders of the Day, on a Point of Order, Personal Privilege or whatever. But, please, Mr. Speaker, I ask you to have the Member come to order, which I say, with all due respect is to give the official Opposition's comment on this announcement. Is it good or is it bad?

MR. SPEAKER: — I have been in this House a long time. I think in the main the statements that are made in the Opposition with regard to Ministerial comments are to be of a factual nature and they can contain some opinion. They should not lead to further debate. I think that the Member has the right to state the position of that Member's party on the particular issue. But what the Member is doing here is getting into a bit of debate about how the matter was dealt with in the House. He is dealing in detail with the back history of this particular issue. I don't think that was raised with regard to the statement the Minister of Municipal Affairs made. I would ask the Member to confine his remarks to what the Minister of Municipal Affairs said. He can deal with that.

MR. CAMERON: — Let me say in conclusion that I condemn in the

strongest possible terms the contentious way in which this Government made this announcement and the secrecy and contempt it had for this House with respect to it.

SOME HON. MEMBERS: Hear, hear!

POTASH CORPORATION HEADQUARTERS — SASKATOON

HON. E.L. COWLEY: (Provincial Secretary) — Mr. Speaker, I have a brief announcement to make to this House. This morning in Saskatoon I had an opportunity to announce that the headquarters of the Potash Corporation of Saskatchewan will be located there, after a great deal of thought and discussion about the location of PCS headquarters. It was decided and agreed upon the location in Saskatoon, and as I said this morning, I made that announcement in Saskatoon where I thought it appropriate and headed back as quickly as I could, so that I could be here in the House, in the event that there were any questions or to make the announcement. I notice that one of the Members opposite from Saskatoon is ready to rise to his feet. I wish to say that we had a great many proposals from many communities in Saskatchewan. They were all considered. In the end many factors which had to be taken into consideration and our decision in what we believe and hope is in the best interests of PCS and Saskatchewan is Saskatoon.

MR. G.H. PENNER: (Saskatoon Eastview) — Mr. Speaker, if I could respond to the announcement which I heard on the radio this morning. I expect that the reason the Government has chosen Saskatoon is because Saskatoon in the first instance when the whole matter arose showed a bit of commonsense about the whole question of nationalizing the industry.

SOME HON. MEMBERS: Hear, hear!

MR. PENNER: — I would hope that the location of the head office there will provide the opportunity for some commonsense to continue to rub off. As much as I am personally opposed, Mr. Speaker, to what the Government intends to do with regard to the industry, I must say that in terms of the city, they have chosen wisely. I can't help but wonder, Mr. Speaker, what the Government intends to do with the lead lined board room that they had here and the office space that they had here to house the company. I expect at the rate at which they are adding staff that they will not have too much difficulty filling it as well.

TWO PROVINCIAL COURT JUDGES APPOINTED

HON. R. ROMANOW: (Attorney General) — Mr. Speaker, I do this with great fear, but I should like to make a Ministerial Statement, announcing the appointment of two judges of the Provincial Courts. I should like to announce the appointment of Miss Raynell Andreychuk of Moose Jaw, has been named to the Regina Court effective May 1. Judge Andreychuk was born in Saskatoon where she obtained a Bachelor of Arts degree in 1966 and a Bachelor of Law degree in 1967. She has practised latterly with the law firm of Gardner, Andreychuk and Johnson in Moose Jaw. She is widely known in

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civic and cultural matters, particularly and most latterly, the national president of the YMCA.

I also want to announce the appointment of Mr. Ray Blais of North Battleford, named to the North Battleford Court effective April 1. Mr. Blais obtained his Bachelor of Arts degree from the University of Saskatchewan and College of Law in 1967. He practised in 1968, moved to North Battleford in 1969. He is perfectly fluent in both English and French.

I believe these are two good appointments which will strengthen the functions of the Magistrates Court.

MR. CAMERON: — I want to really say two things, Mr. Speaker. One is that I want to commend the Attorney General for the way in which he handled the announcement. Secondly, I want to commend him for his choice.

SOME HON. MEMBERS: Hear, hear!

MR. CAMERON: — The Magistrates Courts have in my view, as I've indicated to the Attorney General on past occasions been understaffed this last while, so I am very pleased indeed to see two additional people added and I'm pleased as well to see two additional people of the calibre obviously of Miss Andreychuk and Mr. Blais. So I have nothing but commendation with respect to them.

SOME HON. MEMBERS: Hear, hear!

MR. COLLVER: — Mr. Speaker, I also would like to commend the Attorney General for his choice. I would however, like to make one comment that has not been made to this point in time. One would hope that the appointment of Miss Andreychuk to the position of Magistrate happened subsequent to her appointment as a member of the Hughes Commission or committee which is studying the role of MLAs and studying other matters pertaining to this Legislature. It does seem a little bit coincidental that her appointment would be to that would also be coincidental with her appointment as a Magistrate.

POINT OF ORDER

QUESTION PERIOD

MR. MALONE: — Mr. Speaker, before the orders of the Day I rise on, I was going to say a Point of Order, but perhaps it would be proper to say several Points of Order dealing with the question period earlier today.

Mr. Speaker, in our view the health of the people of Saskatchewan is a matter of urgent public importance. In our view as well, when we question Members opposite and in particular the Minister of Health it is entirely proper when we question him to talk about the priorities of this Government vis-a-vis the health care of the people of Saskatchewan. I suggest to you, Sir, that it is entirely proper within Beauchesne and within the rules of the question period for us to make references to the Government priorities. That is, is this in the minister's view more important to have the people of Saskatchewan get proper health

care or is it proper to build potash mines or buildings or whatever? And I suggest to you, Mr. Speaker, that while this may be a very, very hot political topic as health care in Saskatchewan has been for the past 15 years, but nevertheless it is of urgent public importance especially in view of the fact of the minister's recent announcement, an announcement which, I remind you, was made in the newspaper on Thursday. I remind you as well that the Minister was not in the House on Friday, that we asked the Premier to give notice to the Minister as to the various things raised on Friday and apparently that notice was not given. I respectfully submit, Mr. Speaker, that the questions were entirely proper although of a political nature, but this is a political topic and I do not see how the questions could be asked in any other manner than which they were asked. Indeed, I think the Members on this side would be remiss if they did not emphasize the priorities of government.

SOME HON. MEMBERS: Hear, hear!

MR. MALONE: — Furthermore, Mr. Speaker, you cut off both the Member for Regina South and the Member for Wascana saying that they were out of order with no reasons whatsoever being given and, mind you, they were both well within order when they were asking the questions. Furthermore, when I asked a question you cut me off and when I complained about that you indicated that I should have raised a Point of Order while the Minister of Health was making his statement. Now, frankly, Mr. Speaker, I don't see how I can possibly raise a Point of Order when the Minister was making his statement because we have agreed that Points of Order shall come at this time of the day and not during question period. Furthermore, I felt that what the Minister was saying was not true and that is why I raised the question that I did raise. That may very well be a debating point, but I asked him in my remarks, I prefaced my remarks in that would you not agree that in effect what he was saying was not correct. Now in reviewing with a question as political as health and we are continually cut off by you when we ask these questions, the only conclusion that we can come to properly is that you are indeed protecting the Government from these embarrassing questions.

SOME HON. MEMBERS: Hear, hear!

MR. MALONE: — And, Mr. Speaker, may I say as well that I don't think in any other topic since this question period started under the new system has such a matter arisen whereby we have had a controversial political issue where the Government has been, in our view, protected by the Chair from proper questioning and I ask you to, therefore, consider the questions that were asked today and asked on Friday and I believe you will find that we were properly in order when we asked those questions.

MR. MERCHANT: — Speaking to that Point of Order . . .

MR. SPEAKER: — I am just going to take one Point of Order at a time.

MR. MERCHANT: — I am speaking to that Point of Order.

MR. SPEAKER: — All right.

MR. MERCHANT: — And I thought, Mr. Speaker, and the House might be interested in knowing as you consider your own reaction in the House that you spoke on 15 occasions. I got interested and started timing them, 20 seconds, ten seconds, 27 seconds, eight seconds, 12 seconds, eight seconds, five seconds, ten seconds, three seconds, seven seconds, two seconds, 87 seconds, 21 seconds, nine seconds, 17 seconds and 23 seconds. And then in a Ministerial Statement when dealing with my colleague from Regina South you spoke on four occasions, 33 seconds, 20 seconds, 19 seconds and eight seconds. An umpire, Mr. Speaker, is there to watch what goes by and then make a judgement and not to participate in the matter as it proceeds. And I suggest to you that two, four, six, eight, ten, 12, 14, 15 occasions of interruptions, I don't like that word but that is the word towards which I was leaning . . .

MR. SPEAKER: — Order! The Member is merely challenging what I am doing. He is not speaking to the Point of Order. Now dealing with the Point of Order.

MR. ROMANOW: — May I be heard on that Point of Order.

MR. SPEAKER: — Yes.

MR. ROMANOW: — I would like to be heard on this. I think, Mr. Speaker, that you will agree and I think all Members of the House will agree that certainly myself and Members of the Government have not all spoken to these Points of Order, but I do believe that perhaps this is an appropriate time to speak to the remarks made by the Member for Regina Lakeview.

May I say, Mr. Speaker, that I see nothing wrong with respect for you to make the decision, often snap decisions, but I see nothing wrong about questions respecting government priorities assuming that those questions about priorities have a degree of public urgency that the rules require they have. So far as I can see, Mr. Speaker, you at all times have said that questions relating to priorities were in order. May I say, however, that I don't agree with the Member for Lakeview when he says that when you rule something of order that reasons should be given. It is contradictory to just what the Member for Wascana says. The Member for Lakeview says you don't give reasons. The Member for Wascana says you give reasons and gives the time limits that you've given on the reasons when he totalled them all up.

If the Committee recommendation is followed, as I believe it was, Mr. Speaker was not to give reasons. These reasons were to be given on Points of Order before orders of the Day and it was agreed by Committee members that Mr. Speaker in a hot spot, in a hot chair, would make a decision as quickly as he could and move on to the next questioner as in Ottawa procedures. And if the Member wants to raise it he could do so before the Orders of the Day. I want to say, Mr. Speaker, on this point that I agree with that practice and would urge you to follow it. May I conclude, Mr. Speaker, by saying this, I found today's questions, and I don't mean this in any offensive way, but today's questioning in many areas to be particularly out of order. For example, the Member for Wascana when he got up and said in a

supplementary question, "Well then I shall inform the Minister," referring to the Minister of Health or words to that effect and proceeded to inform and proceeded to make a statement. That is clearly contrary to the rules and I think you are clearly in order to say that the Member was out of order.

And the Member for Lakeview gets up and says, "Well then did you notify the press that you did not make those statements?" I agree with your ruling, Mr. Speaker, when you say, what urgency does that have with respect to the debate. And I think if the record is reviewed carefully there will be occasions where Mr. Speaker's rulings perhaps may be wrong, there would be occasions where I wouldn't have made some of those rulings if I were in the Chair and think Members opposite may have their own individual views on that. But on balance when one looks at the totality of the questions and keeps in mind what I think, with respect, are particularly wrong questions, wrongly worded and wrongly framed questions, Mr. Speaker is fully proper in the decisions that he had made on balance.

The concluding point I would like to make is this because this is the only time I think a Government Member has been into it and as far as I am concerned I am sitting down after this, if this question period is going to work, one of the things that was agreed by all parties was that it was to be experimental until this Session is to conclude, whenever the Session concludes, two weeks, three weeks, four weeks or five months from now. I suggest to all Members that if we get into this situation where they are challenging you, Mr. Speaker, from a sitting position during a question period, in effect forcing you to debate with them and to take up time, it would get into the situation where we spend 15 minutes every day as we have now on the question period and I think the experimental aspect of this is going to be very seriously handicapped. So I would urge, that we say to all Members, look, we've got another couple of weeks to go this Session, or how long it is, let's try and make it work. Let's correlate our beefs. Let's take a look at the record and let the Committee members when the Committee reconvenes, sit down with yourself, Mr. Speaker, who is chairman of that Committee, discuss where we agree or disagree. Otherwise, I think it just isn't going to work.

MR. MacDONALD: — May I just say a word . . .

MR. SPEAKER: — Order! No, I am going to cut off the debate right now and make a brief statement and hope that we can get on with the other business of the House.

I want to just refer to Beauchesne. I want to thank Members for their comments on this particular point because I realize this is probably the most controversial part of the Speaker's jurisdiction over the question period that could be called into question. Beauchesne says on page 60, this is the fourth edition in part:

Points of order are justified when there is some flagrant misuse of the rules but they are unfortunate necessities which should not be regarded as usual phases of procedure and ought not to develop into long arguments with the Speaker, who being in a quasi judicial position should not be drawn into controversial discussions.

I find that I, in a way, am getting drawn into controversial discussions and it is because of the methods that we have adopted with the question period. The question period in Ottawa is such that when the Speaker finds somebody out of order in a question, he just says, next question, and you don't get any reason why you are out of order and there are no words issued on the floor with regard to that.

Later on before the Orders of the Day they have an opportunity where Points of Order may be raised with regard to a ruling the Speaker has made. On Friday and I have the record for this, I don't have the record for today, but I would be prepared to stand or fall on the basis of the record in the House today when it is available. On the record, the Member for Indian Head-Wolseley rose on a Point of Order and I might say with regard to the Points of Order raised that day, I have a sheaf of material here that dealt with the Points of Order on the question period. When one reads that with a critical eye, one will find that a mechanism has been adopted, either by design or by accident, whereby the Opposition can get in further debate and the Government can't answer. I invite Members to read the record with a critical eye to that point.

Now the Member for Indian Head-Wolseley said, the majority of the Points of Order were on points of urgency. He said in effect that I was on my feet more than the Members were on their feet. I went over the questions and the interruptions that I made on Friday in the oral question period and I find there were nine of them, not six or seven as the Member for Indian Head-Wolseley said, but actually nine. Six of them because I felt the debate was out of order. In other words the issue that was being brought forward in the form of a question was actually debate. I would like the Members to check the record because it is right there. If they want to talk to me individually about whether it is debate or not, I would be glad to do it, but I don't intend to debate that here. So six out of the nine I considered the question to be out of order, in fact debate, and I said so. So that leaves us three. Two lacked urgency, and incidentally neither of them had to do with the Member for Indian Head-Wolseley or the official Opposition but both of them that lacked urgency were with the third party. Two of them were a combination of both, they lacked urgency and they were in fact debate and the record will show that.

Now the Member for Wascana raises a point in that I am on my feet too much and I speak too long. I think that has got nothing to do with the situation here. The question that arises is not how many times I am on my feet, but why am I on my feet. I refer the Members, if I may, briefly to the Interim Report again:

Questions must be stated without preamble or speech or being in the nature of debate.

That in fact is what I am trying to do, to adhere to that rule and I am running into some difficulty and the record shows that I am running into some difficulty. I appreciate there will be difficulty in this area because the question of whether it is debate or not is a difficult one to satisfactorily determine. I know the Members feel strongly on both sides of the House whether it is debate or not. I would only say that I believe that the rulings call it debate when it's debate and they call it a lack of urgency when it in fact is a lack of urgency. There will be times when that is drawn into question.

I might refer to one more point. This is on page 7 of the Interim Report:

Even though there may be differences of opinion Members must respect the decision of the Speaker in order to facilitate a quick exchange of questions. Mr. Speaker must be able to move on to the next question.

I think the Members acknowledge that I give a ruling sometimes when the question period is on. I say why the question is out of order, but this doesn't allow Members to come back under the guise of a Point of Order and debate the issue. This record, of Friday, will show that is what was happening, the issue was actually being debated in the Point of Order session following the question period.

I thank the Members for their comments. I intend to try and stick to the rules that are before us. Once I have made my decision that's it. If I'm wrong, I'm wrong, but I want to be shown when I am wrong specifically.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Romanow that Bill No. 6 — *An Act to amend The Magistrates' Courts Act* be now read a second time.

MR. S.J. CAMERON: (Regina South) — Mr. Speaker, last day when this matter arose I indicated I wanted some additional time to consider one particular clause of this Bill which we consider to be less than acceptable and it's Section 17(a) (iii) which gives to the Lieutenant-Governor-in-Council power to make regulations and it reads as follows:

the Lieutenant-Governor-in-Council may make regulations requiring a judge to prepare and file reports of such nature pertaining to the duties of his office as may be prescribed by the Lieutenant-Governor-in-Council.

We want to facilitate getting on with the Bill so will not hold it up in terms of principle, but we intend, when we get to clause by clause to raise this question with the Attorney General. Specifically why a power of this wide variety is needed and what are the plans of the Cabinet to do with it.

I raise the concerns particularly in view of and as a backdrop to it, the report by Mr. Justice Emmett Hall, which indicated that the Magistrates' Court in the province is more an arm of the civil service than as a proper component of the judicial system. That's a very serious suggestion by Mr. Justice Emmett Hall. Indeed, I indicated the other day that the public today is perhaps better aware of the need for complete independence between government and the judiciary. There are all sorts of examples in the past of communication between the Provincial Government and Magistrates which came to be accepted, despite the rigorous dividing line between the executive arm of government and the judicial arm.

I think it's long past the time when we should be getting away from that easy access between governments and judges in the Magistrates' Courts in Saskatchewan.

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I saw this particular Section giving Cabinet this wide power to require judges to prepare and file reports of any nature pertaining to the judges' duties, in that light to be very unacceptable.

But I don't, as I say, at this stage want to hold up the approval of the Bill in principle. When we come to clause by clause I intend to raise that matter with the Attorney General and I want to see some answers with respect to it. But in principle we generally support what the Act is aimed at and what the companion Acts are aimed at in terms of improving administration.

I have very serious reservations about this one.

HON. R. ROMANOW: (Attorney General) — Mr. Speaker, I note that the Member for Regina South wants to raise this particular matter in committee and I think that is the best place to have a discussion on this. Perhaps I'll be in a better position having been advised by my law officers as to whether or not there is perhaps an overstepping of the powers as suggested. But, quite frankly, the original reading of the Bill by both my officials and myself satisfied us and still does that it reads the power regulation making exclusively in respect of the reports, as opposed to the functions of a Magistrate. What the Member for Regina South is saying is you should not have regulations that can be passed by Cabinet which relate to the functions and the duties of the Magistrate. I think, in general terms, I have to agree with him on that proposition. But if you read Section 17, subject to his comments in Committee of the Whole, we're prepared to be flexible on this, seems to indicate that this is a different reading. Namely Section 17 says:

The Lieutenant-Governor-in-Council may make regulations:

(a) requiring a judge to prepare and file reports:

And then there are three little subheads under (a) of which one is:

(iii) of such nature pertaining to the duties of his office as may be prescribed by the Lieutenant-Governor-in-Council.

And this is getting to be strictly lawyerish, but I think if you read sub (iii) with (a) you'll see that the regulation power is pretty carefully circumscribed to the judge preparing and filing reports pertaining to the duties of his office. Namely, we have to have the regulations in order to get the reporting system, the Magistrates improvement form operation set out.

I could see how another interpretation is possible and it may very well be that we'll have to bring in some House amendments. I don't know, but perhaps the Member for Regina South can look at it in that light and if he's satisfied the objection could be overcome.

Mr. Speaker, with those few words I sit down on second reading.

Motion agreed to and Bill read a second time.

SECOND READINGS

HON. W.A. ROBBINS (Minister of Health) moved second reading of Bill No. 27 — *An Act to amend The Pharmacy Act, 1971*.

He said: Mr. Speaker, these are amendments to The Pharmacy Act, 1971. The Act now requires that almost all drugs and medicines be sold by retail only by a licensed pharmacist. One exception is proprietary drugs which are in the regulations of the Proprietary or Patent Medicine Act of Canada which may be sold by retail by anyone such as a storekeeper. Examples would be Carter's Little Liver Pills, Dodd's Kidney Pills, etc.

The Proprietary or Patent Medicine Act of Canada has been repealed effective April 1, 1977 and these medicines will then be subject to new regulations under the Food and Drugs Act of Canada.

The amendments to The Pharmacy Act, 1971 are required in order that these kinds of medicines may be sold outside of a pharmacy.

I know, Mr. Speaker, that some Members in the Opposition have expressed an interest in this in relation to retaining some availability of medicines in small country towns where pharmacies aren't available. I must point out that the proposed amendments reflect the change in the law being made by the Federal Government and those changes will not come into effect until April 1, 1977.

With those few remarks I move second reading of this Bill.

MR. MALONE: — Mr. Speaker, I'm quite sure that this Bill will receive the support of the Liberal Party in the House, however, one of our Members who wanted to speak to this Bill is not available at this time and so accordingly I beg leave to adjourn debate.

Debate adjourned.

HON. W.A. ROBBINS (Minister of Health) moved second reading of Bill No. 28 — *An Act to amend The Change of Name Act*.

He said: Mr. Speaker, these are amendments to The Change of Name Act and there are I think three basic amendments. Two of them particularly of interest perhaps to the women. The qualifications of persons who may apply for a change of name have been revised so that a married woman will now have the right to apply for a change of her surname and the surname of her husband and children. At the present time a married man is the only person who can apply for a change in the surname of all the members of the family.

The other change of interest to women is to give official recognition to a married woman deciding to retain the use of her maiden surname. The new provisions will not only make provision for the recognition of a woman deciding to retain her maiden surname after marriage, but where she has done so, to begin assuming the surname of her husband if she so wishes.

In addition a woman who has decided to assume the surname

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of her husband upon marriage may in the future decide to resume using her maiden surname. Official recognition for these changes will be made through the office of the Director of Vital Statistics.

When any such change or decision has been registered with him, he may thereafter issue a certified copy of the registration upon request. I should alter that, Mr. Speaker. The Director of Vital Statistics is a Mrs. Dawson, so it should be her.

Legislative recognition of the retention, by a married woman of the use of her maiden surname has been requested for several years by individual persons as well as various organizations interested in women's rights.

The other important change is that the requirement for a proposed change of name be published in a local newspaper and we are proposing that this be removed from the Act. It has been the experience of the Division of Vital Statistics that this publication requirement has never revealed any fraudulent intent and has never caused any objection to the proposed change of name to be expressed to that Division by the members of the public. The requirement for publication has tended to create some embarrassment on the part of the persons involved.

This has happened where the person intending to change his name has been using a name different from his legal name and most of his friends and acquaintances were not aware of that particular fact.

There are some businesses and agencies that should be in a position to know when persons legally change their names. Notices of change of names will, therefore, of course, be published in the Saskatchewan Gazette for the benefit of such businesses and agencies.

The complete revision of those provisions setting out the qualifications of person who may apply for a change of name will also extend the provisions of the Act to a variety of persons other than married women. For the most part these involve isolated kinds of cases where an unmarried person may have custody of a child with a surname other than his surname and where it is desired that the child's surname be changed to his surname.

Remaining changes authorize the signature of the Director of Vital Statistics to be reproduced on documents by mechanical means. This provision is similar to a provision which is already contained in The Vital Statistics Act.

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

MR. E.F.A. MERCHANT: (Regina Wascana) — Mr. Speaker, I want to deal relatively briefly with Bill 28 and I just say in passing that there are other Acts that are coming which I view to be of a housekeeping nature, including the next Act which is in the name of the same Minister and I'll have no comments to make about that.

My suggestions to the Minister and the Government are

concerned with the power which will now be contained in Sections 4 and 5, which was contained in old Section 4 regarding the change of name of children.

Mr. Speaker, a divorced man or woman having custody of the children, may under those sections apply to change the names of those children without the consent of his or her former spouse. Obviously, no man ever makes that application. The children are in the name that he was born with and grew up with and he's quite happy with that. So if he has the children, he's unlikely to make an application to have their names changed to something else.

Women however, do make that application from time to time, more frequently than Members of this House might guess. Frequently they make those applications even though support is being paid at the time. I've acted for many women, Mr. Speaker, who have made such applications and I've also acted for many men who have faced a fait accompli the fact that the application has been made and their children's name, perhaps at 14 or 13, has now been changed by their former spouse, though they go on paying support. I think as all the Members of the House other than my colleague from Wilkie might appreciate that is a bit of a shocking thing to a man who is at that very same time required to continue paying support and required to continue seeing the children.

I believe that those applications to change the name by the female are almost invariably made out of spite against her husband. Now it may well be that there are situations where they are not made out of spite, but almost invariably that is the reason.

It's viewed by women and successfully so as another means of hurting the husband. It's another means to draw a barrier between the husband and wife and frankly it has a curious effect on the children because it's viewed by the children as another sign of the division between their father, whom they still view to be their father and still love no doubt, and their mother.

The better thinking on the law in that regard and on the law in connection with the rights of former spouses, I suggest is found in the way that we deal with the adoption of children. The spouse having children from a former marriage who remarries and wants his or her new spouse to adopt the children cannot do so automatically.

The children under those circumstances may only be adopted if their natural parent agrees to the adoption or upon the order of the court. It's recognized that there is some continuing tie and that the feelings of the natural parent have to be protected. That principle of recognizing the tie to the natural parent is ignored by old Section 4 and new Sections 4 and 5 of The Change of Name Act.

I can't, Mr. Speaker, see any reason to maintain this further ability to hurt, to maintain for the wife a further ability to hurt and I can imagine no reason to maintain the tool in the hands of some women to turn yet another screw into the hide of their husband, particularly in situations where he continues to see the children and where he's paying support.

The right of the divorced woman to change her own name,

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ordinarily back to the maiden name is up to her, but it's a different matter with regard to changing the name of the children.

Not only does it hurt the father, but it again demonstrates to the children that their life has changed a great deal. Indeed it almost encourages them to reject their father from their lives, which I suggest and the courts believe is a bad thing for the children. Our courts say that the influence of the father, even though there is a separation, that the influence of the father is an important influence.

But children are faced, again, I suggest with a not inconsiderable amount of embarrassment. They had their names changed not through their consent or their wishes but because their mother wants to change their names, frequently out of spite or perhaps out of disgust with the name which she now wishes to reject. The children must go to school, go to their friends and try to explain why they have gone from Metachuck to Milinsky or whatever the name is or back to Smith. They have to go back to their friends and explain that the family has really broken up. It puts the children through the embarrassment of explaining to all that their mother and father have just recently got a divorce and that there is trouble in the home.

The problem with the Act as the Minister proposes it is that it allows the divorced wife to make the application with or without the consent of her husband. If she has custody she is entitled to deal with the children as she deems fit. I accept that and the Government will say that that is the reason that she should be able to change the name. And though the line of logic has some merit, I suggest that on balance it is better to restrict the right of the wife to apply for such a change of name, in exactly the same way that restricts the right of the spouse who gets the children, to have those children adopted by her new spouse or his new spouse.

Mr. Speaker, I will be moving an amendment to that effect and I hope that the Government will consider the matter before Committee of the Whole and I hope that the Minister might give some thought to the problem that I suggest is created for children and allow the amendment to go through.

Mr. Speaker, before returning to Section 15 and the repeal of Section 10 about which I want to make some comments, let me say something about Section 19(a).

I approve of Section 19(a), that is the Section which gives to married women the freedom to maintain their surname before marriage, which one would ordinarily expect will be their maiden name and I approve of Section 19(a)3, which gives further freedom to a married women to revert to her surname before marriage. It also, Mr. Speaker, makes easier the task of a divorced woman to revert to her surname before marriage whether that be the maiden name or not, and I approve of the principles of those changes.

I suggest to you that that is quite consistent with my concerns about the divorced woman changing the name of her children to spite the husband. It has always been possible for a divorced women to revert to her surname before marriage if done so without causing any hard feelings on the part of her husband, her spouse could probably care less about a change by

the wife, but on the other hand it is a rare husband who doesn't care about the change of surname of his children.

All Section 19(a)3 does in case of a divorced woman is make easier that which has always been possible and we certainly support that.

I wonder, however, before I leave 19(a), if the Government and particularly the lawyers within it, are aware of the difficulty that a married woman trying to maintain her own name faces when she deals with the Land Titles Office. I suppose I am making these suggestions to the Attorney General's Department.

They categorically refuse to register a transfer in the name of the married woman, who continues to use her own surname. And Ms. McTeer, for instance, would have a great deal of trouble having Stonehenge, or whatever they call it, in which she is going to be living no doubt for eight or ten years, she would have a great deal of trouble having Stonehenge registered in the name of Ms. McTeer and Joe Clark. I remember well, calling, what I viewed to be a political act, as an appointment in the Land Titles Office, a bright political act, and howling at them at the suggestion that a woman using her maiden name couldn't register in her maiden name. It just seemed so inconsistent with the claim by the NDP Government to being conscious of women's problems and women's rights. Just a little thing but it is something that I suggest should be changed.

I want, Mr. Speaker, to return to Section 15(a) and the repeal of Section 10. Why on earth, Mr. Minister, would you propose the valid amendment to stop the carrying of an advertisement in the newspaper in the area and maintain the waste of money in carrying an advertisement in an issue of the Saskatchewan Gazette. What possible purpose could there be for that advertisement, except that you wanted to put creditors on notice. And if you rightly decided that nobody reads the change of name notices in the Regina Leader-Post and that that advertisement was a waste of money, even fewer creditors, of course, read the Saskatchewan Gazette and that is a \$20 or \$25 waste of money, which frankly, I simply don't understand. I suggest to you that you might consider that and might make that as a government amendment to go the full route. There would be a great tendency, I suppose, of public servants to think that the Saskatchewan Gazette is of some consequence to the world in general, because they read it and Members of this House read it, but nobody else does. And if you are taking it out of the Leader-Post certainly take it out of the Saskatchewan Gazette and cut back the expense of change of name.

It is not a big matter, of course, but probably some thousands of dollars over the years, or over a year, and I hope the Government might consider that change.

Mr. Speaker, as I said, I propose with the one particular area which I consider to be bad legislation to move a House amendment and I hope that the Minister might consider it in that light. Other than that, Mr. Speaker, we accept that these are by and large technical amendments and we don't particularly intend to pose other amendments or create any problems for them other than to move the amendment that I have indicated.

MR. ROBBINS: — Mr. Speaker, I should like to make one or two brief comments. I certainly bow to the superior legal knowledge of the Hon. Member for Regina Wascana. I am not sure that I understand all the legal implications of the Bill by any means. I am certainly agreeable to taking up his objections with officials and checking them through and I hope that the House will have a good look at the proposed amendment that he may introduce.

Motion agreed to and Bill read a second time.

HON. MR. ROBBINS (Minister of Health) moved second reading of Bill No. 29 — *An Act to amend The Vital Statistics Act*.

He said: Mr. Speaker, this amendment deals with an amendment to The Vital Statistics Act and I think the most important amendment is concerned with a person who has been in the practice of spelling his or her name differently from the name that is spelled on the registration of birth or registration of marriage.

This problem has arisen in a variety of cases where a person may have decided at some point of time in their life to anglicize, if you want to use that term, or to simplify the spelling of their surname. I might use the example of MacDonald, where the individual was actually registered as MacDonald but changes and use the name, McDonald. The problem can also arise with a name such as the one I mentioned. If the Director of Vital Statistics is satisfied that the applicant has consistently through a period of ten or more years, spelled his surname differently to a surname contained in the registration of birth or of marriage, the Director will make an appropriate notation on the registration. Documents created from that registration by the Division of Vital Statistics will thereafter contain the surname, of the spelling used by the person affected.

Another amendment to this Act relates to a married woman who had consistently prior to marriage used a surname different from the surname contained on the registration of her birth. This can occur where a woman as a child has been raised by persons other than her parents. This may also happen in a variety of other ways where it was practical for the child to be given a surname other than the surname in her birth registration.

The amendment provides for the Director of Vital Statistics to make an appropriate notation on the registration of the woman's birth and for documents subsequently issued by the Department of Vital Statistics relating to her birth, to state the surname which she had in fact been using prior to her marriage.

This amendment will be of practical assistance to those women in this category in connection with official and business references to their surnames made prior to their marriage.

A third amendment provides for the registration of the death of a person where a coroner's inquest had been held into a death of a person but the body had not been found. Provision for the registration of death in these cases had previously been contained in the regulations. The death amendment is being made because it is believed to be preferable for a provision of this kind to be contained in the statute itself rather than in the regulations.

With those few remarks, Mr. Speaker, I move second reading of Bill No. 29.

MR. R. KATZMAN: (Rosthern) — I am looking at some notes that I had made by a legal person and he suggests to me that he wonders about the law after seven years where the body isn't found and you presume the person dead. He is sort of afraid that that doesn't protect them with the change. He also suggests that there is a case in history where the Federal Government had ruled the province doesn't have the authority to deal with that area.

So in Committee we can maybe hit that one clause, you can check with your legal people, Mr. Robbins.

Motion agreed to and Bill read a second time.

HON. MR. ROBBINS (Minister of Health) moved second reading of Bill No. 30 — *An Act to amend The Prescription Drugs Act, 1974*.

He said: Mr. Speaker, just a few remarks with regard to Bill No. 30.

It is proposed to amend and authorize regulations be made so as to provide more flexibility in the administration of the Provincial Drug Plan. As an example, cystic fibrosis and paraplegic cases are now exempted from payment of the prescription drug charge made by the pharmacist under the agreement which is made between the Minister of Health and each pharmacy. This exemption is a negotiated provision of these agreements. The Act does not authorize regulations to be made exempting those persons for the prescription charge. They can, therefore, presently be exempted from this charge only through negotiations with the pharmacist and not fully as a matter of government policy.

The proposed amendment will authorize regulations to be made exempting persons from the prescription charge in varying the terms and conditions upon which persons may receive drugs under the plan.

I wish to stress that this is related to people who currently get those drugs without the prescription drug charge, that is, people who suffer such things as cystic fibrosis or in some paraplegic cases.

The Act does not expressly authorize the exclusion of various classes of persons from the Provincial Drug Plan. The Act will be amended to authorize regulations to be made for this purpose. Similar provisions have been contained for years in The Saskatchewan Hospitalization Act and in The Saskatchewan Medicare Insurance Act.

Persons who have the responsibility of various federal or provincial government agencies have been excluded from the plan in operations under those two Acts. And this proposal is somewhat similar in that respect.

The amendment would authorize them to be excluded from the Provincial Drug Plan. The Act does not authorize the Minister of Health to act as an agent for any other department or agency of the Provincial Government in making payment for drugs. An

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agency arrangement for making payment is often desirable since the particular paying agency may well have more administrative capability and expertise in assessing accounts and making payments for certain services than some of the other government agencies that are legally required to make payment for such services.

I suppose one example here would be the Department of Social Services.

An amendment will authorize the agency relationship to be established.

I think, Mr. Speaker, with those few remarks I move second reading of Bill No. 30.

MR. MERCHANT: — Mr. Speaker, I gather from what you said that 9(a) subsection (b), will apply to people like Federal Government employees. I would appreciate if you would advise the House the kinds of groups that might potentially be excluded under this amendment.

MR. ROBBINS: — I would say Indians on reservations, who are currently excluded from certain provisions of provincial jurisdiction because of their connection with the federal agency. That would be one example. Plus, RCMP and others covered by other agencies.

MR. MERCHANT: — Mr. Speaker, I should like to adjourn the matter and I beg leave to adjourn the debate.

Debate adjourned.

HON. G. MacMURCHY (Minister of Municipal Affairs) moved second reading of Bill No. 35 — *An Act to repeal The Urban Advisory Commission Act, 1972.*

He said: Mr. Speaker, I had planned to move this Act following my remarks on The Department of Municipal Affairs Act. I don't think that that should be necessary as we will be dealing with that later.

In view of the fact that we are establishing an urban division as part of the Department of Municipal Affairs and that the Saskatchewan Urban Municipal Association welcomes this move as an alternative to the present Urban Advisory Commission Act, we are therefore repealing The Urban Advisory Commission.

And with those very brief remarks and I will have much more to say under Bill No. 52, I move second reading of Bill No. 35.

MR. MALONE: — Mr. Speaker, I beg leave to adjourn debate.

Debate adjourned.

MR. MacMURCHY (Minister of Municipal Affairs) moved second reading of Bill No. 52 — *An Act respecting the Department of Municipal Affairs*.

He said: — Mr. Speaker, I wish to move second reading of Bill No. 52. Since coming into office this Government has recognized the need to support the municipal governments and in particular to support the urban governments in the province. We have started a great many programs. We have done it through a number of programs of assistance.

Let me indicate to the Assembly some of the programs which are underway; Community Capital Fund, which provides \$75 per capita over a five year period as . . .

MR. COLLVER: — Mr. Speaker, on a Point of Order. I should like to know just how we got down there to item No. 14 from item No. 7, when we were told by the Attorney General we were going right through the blues.

MR. SPEAKER: — The usual procedure is that the House Leader calls the order of business and I believe that . . .

MR. COLLVER: — They are going down all the way through 14, Mr. Speaker. I just wonder how we got to item No. 14 by skipping over items 9, 10, 11, 12 and 13. He is not in the House now but . . .

MR. SPEAKER: — Order! I think it's understood that any projection of the business of the House is intended to be carried out if it is possible to carry it out or if it is convenient to carry it out. It's merely advanced as a courtesy to the House. The usual manner is that the House Leader calls the item and apparently it was desirable at this time to call that item next. And the projection is merely a projection and it isn't incumbent upon the House Leader to follow that order, it's done merely as a courtesy.

MR. MacMURCHY: — Mr. Speaker, if I could continue my remarks in talking about the Community Capital Fund, which provides \$75 per capita over a five year period. It's already committed \$28 million to our urban communities. The unconditional operating grants begun in 1974 provide operating assistance at \$20 per capita has already paid out \$6 million to cities, towns and villages in the first year of operation. Transportation grants to urban centres will amount to \$9 million this year. Equalization grants to urban municipalities, another new program in 1974-75 provided another \$4.5 million. It should be noted that none of these programs existed prior to 1971.

Police grants are up to \$2.5 million, municipal water assistance grants, a quarter of a million. Street improvement and snow removal grants provided \$3.5 million between 1971 and 1975.

Winter works has made it possible for a great deal of recreational construction in Saskatchewan communities, committed \$4 million in grants in 1974-75 and \$3.5 million this past winter.

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We are proud of our financial record in assisting urban municipalities. What has been lacking, however, Mr. Speaker, is a co-ordinated approach. Perhaps more important what has been lacking from the point of view of municipal governments is the difficulty of knowing whom to talk to about any particular program, while we, on the other side, have difficulty in establishing a consistent presence.

We are, therefore, proposing a new organization within the Department of Municipal Affairs.

The basic feature of the new department structure proposed, is the reorganization into a division of rural affairs and a division of urban affairs. Each division will have its own Deputy Minister, but each Deputy Minister will co-ordinate the activities of his own division.

We have two examples in the Federal Government for this type of organization. The Department of National Defence is administered by two Deputy Ministers, with department heads reporting to both Deputies. The Department of Health and Welfare has two Deputy Ministers as well, but in this instance each Deputy has his own separate department heads.

Our Department of Municipal Affairs will combine the best features of both these examples, with certain functions specifically separated, and overlapping functions the responsibility of both Deputies.

Each of the two divisions will have a very specific job. As you know, many of our urban municipalities are growing rapidly. And they are having difficulty managing new growth, assembling and developing land for residential and industrial purposes, ensuring adequate water supplies and sewage disposal capacities, producing enough housing to supply local markets and continuing to provide the same high level of services which urban municipalities have given their residents in the last several years. Often the advice and practical assistance is as important as the financial programs themselves, and an easily accessible branch of government which devotes its total attention to the problems and opportunities of urban growth and development in Saskatchewan will be much appreciated by our urban municipalities. By providing a separate urban affairs division within the Department of Municipal Affairs, we will be able to provide a much more concentrated, more co-ordinated approach to the problems faced by our local urban governments.

Our rural municipalities also are undergoing change. On the one hand, many rural municipalities are increasingly coming under the influence of our growing urban communities; and on the other hand, rural municipalities are working to maintain a high quality of life for Saskatchewan's rural residents. To assist rural municipalities in maintaining and enhancing the quality of rural life will be the responsibility of the rural affairs division in the Department of Municipal Affairs. And to do this, its mandate will also be enlarged beyond that of the current responsibilities of this department.

The urban affairs division will relate to cities, towns and villages, as defined in The Urban Municipalities Act. The rural affairs division will relate to the rural municipalities and local improvement districts. These divisions will be responsible for the delivery of the following services and programs, each to

its own set of municipalities:

- Assessment of property,
- Community planning,
- Development control, including subdivision and zoning by-law approvals,
- Technical, financial and related advisory services,
- Management training.

The rural affairs division will also be responsible for research and development of roads and transportation affecting rural municipalities and for the co-ordination of intergovernmental projects affecting rural life.

The urban affairs division will be responsible for certain additional developmental functions: housing, urban transportation, land assembly and development and urban development projects which are inter-governmentally sponsored or which are undertaken by the Government of Saskatchewan.

We have taken the approach of one department with two divisions rather than two separate departments because of the closely related nature of rural and urban development in Saskatchewan. Towns and villages will come in, yes, but there will be times when they come in with their local RM council to discuss items of concern with both the Deputy Minister of Urban Affairs and the Deputy Minister of Rural Affairs. Similarly, the rural councils will often come in with their local village and town council to work together with both divisions to solve a problem of the area.

It is important, Mr. Speaker, that the two divisions still be closely tied together because the economics of Saskatchewan are such that the roots and the resources of this province still lie in our rural areas. The bread and butter of urban communities is still providing services to rural residents, and that is not going to change for a long time. The fundamental provincial economy is based on agriculture. The health of the province is still directly dependent on the health of the rural areas, and we do not intend to lose sight of this fact in the new organization within the department.

We do not intend to lose sight of the fact that there is a quality of life in rural Saskatchewan which produces strong, commonsense, co-operative people, people who have a tradition of working together to achieve success over formidable obstacles. The towns and villages of our rural areas are an important part of this process and will continue to be. Together with the rural communities which surround them, they create a unique environment, an environment that calls on every individual to participate, and in doing so, often brings out human potential that would never be tapped in a larger urban setting.

We are committed to preserving and enhancing this environment. We intend to see that there continues to be opportunities that make rural Saskatchewan, including the towns and villages, attractive to young families. The family farm, secondary industry in processing will produce the jobs; hospitals, roads, education and cultural activities will provide the services which will make rural Saskatchewan an attractive place to live.

Mr. Speaker, in conjunction with the establishment of the division of rural affairs, I am pleased to announce the

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appointment of Dr. John Archer, formerly president of the University of Regina, formerly of the Broadview community, born and raised on a farm and a man with wide and deep experience in Saskatchewan affairs, to head a rural development advisory group.

The rural development group will investigate and make recommendations on ways and means of advancing the interests of our rural people and their community. Dr. Archer will be joined on the task force by Dr. Ray Harvey, the first Deputy Minister of the Department of Continuing Education, he too, a rural man, former rural school superintendent, former high school teacher and university professor, a sensitive and astute observer of provincial affairs.

The third member of the group will be Mr. Vic Hay who will contribute his background and experience as a member of the Matador Co-op Farm, a member of the Board of Governors of the University of Saskatchewan, the Board of Directors of Federated Co-ops and as a rural library trustee.

The rural development group will take a new approach to its work. In the last ten to 15 years we have seen many studies and reports examining and re-examining rural life. Most of these studies have been performed by technical experts, by sociologists and economists and their proposals reflect the technocratic backgrounds of the writers. They have been at best useless; at worst, disastrous. Perhaps the best example that comes to my mind immediately was the 1969 report of the Task Force on Agriculture, sponsored by the Liberal Government, that report advocated the elimination of two in every three farmers as a 'solution' to the problems of agriculture, of Canadian agriculture.

Elements of this study-by-technocrat are present even today in actions of the Federal Government and its western Minister, the Member for Saskatoon Humboldt.

The technocrats of the Task Force proposed taking land out of production and Ottawa gave us Operation LIFT. The proposed centralized grain handling and we are seeing the inland terminals appear on our scene in Saskatchewan.

Mr. Speaker, the people of this province are tired of being studied by consultants and by experts. The many interrelated factors that shape rural life have been examined long enough by professionals. It is time they were considered sympathetically by people with roots in and experience of this unique province of ours.

SOME HON. MEMBERS: Hear, hear!

MR. MacMURCHY: — It is time we had some advice on rural affairs from people whose connections and loyalties lie with the small towns and farm communities instead of the urban technological elite.

In short, Mr. Speaker, these three men will be asked to show how events can be molded to further the interests of rural life, rather than how rural people must change to meet the demands of outside events. This will include consideration of population shifts, farm management, small community planning, consumer needs and transportation and decentralization of

government and business. I can think of no three people better able to do the job than Dr. Archer and his associates. The division of rural affairs will await their proposals.

Mr. Speaker, with these few remarks I move that the Bill respecting the Department of Municipal Affairs be read a second time.

MR. G.H. PENNER: (Saskatoon Eastview) — Mr. Speaker, if I could direct a few remarks in connection with those made by the Minister in introducing the legislation.

Initially the Minister commented with regard to the Community Capital Fund and the amount of money that the province has made available to the municipalities. I think it's fair to say that that funding to the municipalities has been something that has been very helpful to municipal governments in Saskatchewan.

He made mention, also, Mr. Speaker, of the \$20 per capita operating grant which was made available last year, at least that was the first year that it was \$20. He didn't comment about the fact that there has been no increase in that in the coming fiscal year. And the fact that the \$20 per capita came as a result of certain municipalities in the province a year ago, setting their mill rates. The Government then discovered that the mill rates were going to be extremely high and since it was an election year, thinking that it might be a good idea if they shot a little bit more money into the urban municipal pie. I wasn't here in the House and I maybe am making some assumptions that are not correct, but certainly from a municipal point of view, I was sitting on a council at that time and we couldn't help but think that that must have had something to do with it.

I think it tends to show the need for greater communication between the province and the municipalities. And if the creation of two departments within the Department of Municipal Affairs, one dealing with rural concerns and problems and the other dealing with urban concerns and problems, then it may be that is the step in the right direction. It may be that through the establishment of a department such as that, that is described, that we might begin to get at, with some degree of seriousness, the question of funding for municipalities. Some suggestions that have been made in the House by some of my colleagues within the past few weeks may be very seriously considered. And that is the whole question of funding for municipalities on the basis of a sharing of the revenue that is available to the province. And some formula tied to that, rather than on a question of simply so many dollars per capita. One of the things, Mr. Speaker, that that would allow, of course, would be for municipalities to do a good deal more long range planning.

I note in the Act, speaking of planning, that one of the thrusts that the new division within the department is expected to take, has to do with planning, particularly around urban areas.

Members of the House, may be aware of the fact that in Saskatoon in the last year a study was released that had to do with the whole question of city growth. In that instance

particularly relating to Saskatoon, but I think it has some relationship to other centres like Regina and may later have a relationship with still other communities.

The question of whether we simply have cities grow on a organic sprawl basis or whether we look at some other alternatives. In the case of the report that came out of the city of Saskatoon the alternative that was suggested was the satellite city concept. It has some good ideas attached to it and yet it has a tremendous number of complications attached to it. Because what do we do with the question of transportation and what do we do with the costs of developing services? Clearly expertise in the area of community planning is very much needed. If this department is going to provide more expertise to cities and municipal governments wanting to plan then it can have some advantages.

The Minister spoke a moment ago about the question of bylaw approval. I'm still not clear, Mr. Speaker, of just what he means by that, whether there is going to be more opportunity for these kinds of things to be approved locally or whether they are still going to come through to the province and be rubber stamped as has been the case and then sit back. Clearly if we don't need rubber stamping, then let's get rid of it. Let's recognize the fact that at least in some municipalities in the province, I don't know whether the Member for Regina Victoria would agree with me, but certainly in Saskatoon there are people who know enough about it that to go the step of coming to Regina and back again, is really nothing more than a rubber stamping procedure.

I understand that the sub-department, if you like, within the total department of Municipal Affairs has already hired a Deputy Minister, I wish the Minister was in the House so that he could confirm that for me. I must say, Mr. Speaker, I find it a little strange that a Bill that hasn't even been passed by the House has been generated to the point that a Deputy Minister for a sub-department has already been hired.

If anything, Mr. Speaker, I think, maybe what it does show is continuing disdain for the House. I suppose those who are sitting in these benches ought not to be particularly surprised because we have been treated with that same attitude for many months, and time and again, when, with the House sitting it would be appropriate to do things in a certain way, if for no other reason than out of deference and that continually doesn't happen.

One of the points that the Minister raised, Mr. Speaker, had to do with the matter of rural Saskatchewan and a way of life for rural Saskatchewan. I don't think anybody would argue with the desirability of maintaining a very healthy and a very viable rural part of our province. It may be that one of the things that the division within the Department of Municipal Affairs may do, is help municipal governments, both rural and urban to take a look at the whole question of regional planning. If we are going to look very seriously at growth in places like Saskatoon and Regina and do it in isolation, then, I think we are missing the boat. I think it is clearly time when we are going to begin to need to take a look at a broader perspective, or take a broader perspective when we look at the question of planning. I will be interested later, Mr. Speaker, to find out where the Government now stands on the question of regional planning. Not only insofar as municipal governments are

concerned but with regard to education and other kinds of services as well.

The Minister spoke about health care. I was interested that he did not continue in his remarks along that line to help to explain something that the Minister of Health said earlier this afternoon, when he was concerned about the number of beds we have in Saskatchewan compared to the total population in Saskatchewan. Of course, we have a very widespread population. One of the goals of the Government appears to be to maintain a viable rural area, and one of the things that goes along with that is maintaining services at probably a different ratio than you would if you were simply going to allow the population to be compressed and placed in two or three large sprawled urban areas. That is one of the things we are going to have to live with in Saskatchewan. We do have a widespread population and our health costs accordingly are a little different than they might be in Manitoba where the majority of the people live right around the city of Winnipeg; or than they might be in Ontario where there is a very dense population concentration.

It would be interesting, Mr. Speaker, if we had an analysis of the number of telephone lines or the number of electrical lines per capita in Saskatchewan and compared that to other parts of Canada.

Mr. Speaker, there are other remarks that I will want to make with regard to this legislation. Accordingly, I beg leave to adjourn the debate.

Debate adjourned.

HON. N.E. BYERS: (Minister of the Environment) moved second reading of Bill No. 41 — *An Act to amend The Litter Control Act, 1973*.

He said: Mr. Speaker, the Members of this Assembly are aware of the problems caused by litter in Saskatchewan. We have seen the eyesores created by it. We are conscious of its potential hazard to animals, machinery and to our health. The Litter Control Act of 1971, was established as a primary step in controlling it. Although, unanimously supported, Members on both sides of this House realized that the Act was designed to attack only the beverage container aspect of the problem. We realized that further action would be required to attack other phases of it.

That further action began when the Department of the Environment was established in May of 1972. My officials were asked to develop a program that would come to grips with the entire province. One year later, a bill designed to be the cornerstone of the program to reduce litter, a bill to create The Litter Control Act, 1973, was given unanimous support by this Assembly. The new Act reinforced and added to the framework begun in 1971 to discourage beverage container litter. It also provides for substantial fines for those thoughtless members of our society who continue to litter.

We recognize, however, that legislation by itself would not cure the litter problem. Legislation had to be supported by programs designed to attack particular aspects of the problem. These programs need the co-operation of individuals, organizations and governments to be successful.

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Since proclamation of The Litter Control Act my officials have begun several programs aimed at litter control.

The most productive has been the program controlling the use of throw away beverage containers and encouraging the return of refillable containers. only refillable glass bottles have been approved as containers for the sale of carbonated soft drinks and beer, with the exception that in remote communities and where light unbreakable containers are needed for safety and transportation, non-refillable cans have been allowed.

This program has removed many non-refillable containers from the litter scene. The figures are quite astounding. In 1972, 34 per cent or about 34 million of the carbonated soft drink containers sold in this province were non-refillable bottles or cans. These were all replaced by refillable bottles by 1974. In 1975 about 120 million soft drinks were sold in refillable bottles in Saskatchewan.

Increased refunds for returned bottles have increased the incentive to return. Soon after passage of the 1973 Act, regulations were adopted which increased refund levels for soft drink and beer containers. The refund for beer containers was 20 cents and 30 cents per dozen for bottles returned to vendors and brewers warehouses respectively. These refunds have since been increased to 48 cents and 60 cents per dozen respectively. The refund for soft drink containers was set at five cents for each container of 16 ounce capacity or less and ten cents for each container over 16 ounces.

The increased refunds have helped beer bottle returns increase to 93 per cent of sales. Each beer bottle is now used 14 times. Soft drink bottle returns have increased to 86 per cent of sales, for a re-use rate of seven. of the total 290 million bottles of soft drink and beer sold in the province in 1975, 260 million were returned for re-use. This is a substantial improvement over the situation before this program started. However, we realize that there is room for still more improvement. My officials remain in close contact with leaders of the bottling and brewing industry, in an ongoing effort to further improve the return and re-use of containers. Return rates may also be attributed to other factors besides increased refunds.

The principle established by the Act, that a person may return refillable containers to the place of purchase and receive a cash refund is also partially responsible. Both of the factors are important. The cash refund increases the attractiveness of saving the bottle for return. The network of bottle return depots available through the use of all vendors, including liquor board stores, bottlers, and brewers warehouses as depots, gives the consumer flexibility and convenience for returning bottles. I believe that returning bottles through the place of sale creates the greatest convenience for the consumer and will continue to encourage bottle returns.

Another part of the litter control program has been the annual litter survey organized by my department officials. In 1972, three students spent the summer determining the major types and amounts of litter along our roadsides and in our communities. The results of this survey emphasized the need for the 1973 Litter Control Act. In 1973 the survey was redesigned to improve its statistical validity. Since then three students

have continued the survey each summer. In the three years, 1973 through 1975, the same roadside areas and community areas have been surveyed to determine changes in the litter profile. Analysis of the 1975 results is not yet completed, however, a comparison of the 1973 and 1974 results shows a decrease in the total amount of litter found.

Although total litter has decreased the litter profile has not changed substantially. Beverage litter is still the major component on the road systems as well as in the urban areas. The total amount of beverage litter, of course, has decreased, however, there is obviously still room for improvement. We must continue our efforts in this area.

Major efforts have also been undertaken in the areas of public information and education. During the later part of 1973 we conducted an extensive advertising campaign to inform the public about their rights and responsibilities under The Litter Control Act. It was supplemented this past summer by an advertising campaign to encourage bottle returns. The success of these campaigns is best measured by the high level of knowledge shown by individuals to communicate with the Department of the Environment regarding the beverage container regulations. It may also be measured by the fact that we have received only about one hundred complaints related to violation of the regulations since the inception of this program. My officials tell me that the number of complaints received this past summer is considerably lower than in 1974, evidence that the beverage vendors and consumers are co-operating effectively within the framework of the regulations.

In May of 1975, my department officials conducted a province-wide anti-litter week, in conjunction with Outdoors Unlittered a non-profit litter prevention organization active in western Canada. The campaign was designed to spotlight the litter problem, to initiate cleanup projects to obtain wide media coverage. It achieved these objectives through advertisements on all major forms of media in the province and through the distribution of free garbage bags and information kits. At the end of the campaign, all of the 800 communities in Saskatchewan were surveyed to determine their response toward the program. The results were encouraging indeed. Twenty-seven and one-half per cent of the communities responded to the survey, surpassing the response to similar surveys in both British Columbia and Alberta. Seventy-two of these communities declared anti-litter week. Eighty-one per cent of the communities that conducted an anti-litter week, reported a reduction of litter in their community and a significant amount of public participation. Eighty-five per cent of the communities stated that they would declare anti-litter week in 1976. Sixteen and one-half per cent of the communities are prepared to implement a long term litter reduction program.

My officials plan to capitalize on an excellent beginning by holding the anti-litter week again in 1976.

Finally, I want to draw to the attention of Members of this Assembly, that the use of the punitive measures provided in The Litter Control Act. We declared our intention when we introduced the Bill creating the Act in 1973, to apply the penalty stipulated in the Act throughout the province. In general, this has not been done to our satisfaction, although, in some places the measures available have been well used. As

I noted earlier we have received about 100 complaints about violations of the regulations, we have not yet had to prosecute any violator. This is gratifying to us. My officials have approached these complaints on the basis that the vendor may not be fully aware of his rights and responsibilities under the Act. They have taken the time to point out to the violators the requirements of the Act. The fact that no prosecutions have been necessary is evidence that when vendors are aware of their rights and responsibilities they will co-operate to the benefit of the province.

But while education and information have alerted vendors . . .

MR. PENNER: — What are we talking about?

MR. BYERS: — Obviously the Hon. Member has never read this very good piece of legislation.

But while education and information have alerted vendors, and have motivated many people to stop littering, there is still ample evidence around us that stronger measures are needed before some people become responsibly aware of their contribution to the litter program. Since curative measures are available you may well ask why they are not being used. There are several reasons. First, enforcement officers are not well enough acquainted with the regulations. This is not surprising, considering that the Act is relatively new and it takes some time for new measures to become well known. Secondly, the procedure to be followed in obtaining a conviction is cumbersome and time consuming. The enforcing officer must appear before a magistrate personally to obtain a summons which he must then serve personally before the violator is required to appear in court and be charged. Little wonder that few violators are brought to court.

My officials are now working with the Attorney General's department to simplify the procedure. They are aiming to make littering a ticketing offence. The enforcing officer would then only have to issue a ticket to a litter law violator, similar to a ticket he now issues to a traffic law violator. We believe that this will help enforcement officers to enforce the anti-littering laws more effectively and more extensively.

The procedural changes when approved by the House will be publicized to police forces throughout the province. This will serve these ends; (1) it will acquaint enforcement officers with the procedural simplifications and; (2) it will remind them of the litter control measures available for their use at the same time.

Now, third, there are too few enforcement officers and they are not well distributed for achieving litter control. Currently enforcement officers are limited to members of the Royal Canadian Mounted Police and to municipal police forces. These officers are not only concentrated in urban areas, but they have many other duties which limit the time they can spend on litter offence prosecutions. I believe that more enforcement officers are needed. Now the conservation officers employed by the Department of Northern Saskatchewan number about 20, and the Department of Tourism and Renewable Resources numbering about 70, are some examples. This Bill provides the ability to enlist these conservation officers in enforcing the anti-litter

regulations. The Bill also provides the new enforcement officers with authority equal to that of the police officers now enforcing litter control measures.

Finally, the time limit for initiating prosecution of an offence under the Act limits the usefulness of the litter control provisions, particularly in the remote areas of the province. The current time limit is six months from the date of the offence, but litter in remote areas may easily go unfound for a year and the limitation period therefore, defeats the power of the Act in such cases. This Bill provides for extension of the limitation period to two years. We believe that this will allow time for discovery of the violation and identification of the offender. Greater litter consciousness should result.

In closing, Mr. Speaker, let me reassure Hon. Members that this Government will continue to be intensely concerned with the litter problem. The Bill before you today strengthens the Act that is the cornerstone of any program to reduce this unnecessary blight upon our countryside, within our communities. Accordingly I move this Bill be now read a second time.

SOME HON. MEMBERS: Hear, hear!

MR. W.H. STODALKA: (Maple Creek) — Mr. Speaker, all of the Members on this side of the House are, of course, prepared to make their contribution in controlling the amount of litter that is on the streets and the ditches or wherever it is. I notice this legislation would almost seem to suggest and would create a private police force for the Minister of the Environment with 90 people in the conservation officers and the Tourism and Renewable Resources officers. If I understand the legislation correctly this would mean that these people would be enforcing the legislation throughout the entire province of Saskatchewan. The people working in the provincial parks would also be enforcing the legislation outside of the boundaries of the parks. I just began to wonder if this wasn't an extensive power to give these people. For instance the ability to enforce the legislation on a Sunday afternoon when somebody leaves a camp site. I suppose they should clean up afterwards. It would, if I read the legislation correctly, give them the power to lay charges or to issue a ticket or to arrest them. A little bit too much of a police force of its own and I hesitate because of this.

The other thing I should like to mention is that I noticed in your presentation your record of collecting the beer bottles is amazing. I think it was 93 per cent and these bottles are used 14 times. I would like to suggest that you possibly adopt the program that they have in the Province of Alberta where they also buy the spirit bottles. Each whisky bottle is returnable for a price of ten cents. The Government is in the business of selling these particular bottles. You have in the past made the local merchant buy his pop bottle back, you have made him buy any returnable bottle that he has used and yet you in your own particular program are not purchasing the bottles that you are distributing throughout the province. I can assure you that in the western portion of the province the odd one of these bottles is slipping back and being sold in the Province of Alberta for the ten cents a bottle. But I would like to suggest again that this is another area, seeing that you are in the business, that you are responsible for. You might look into some way of getting rid of the whisky bottles that also can be

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found throughout the highway ditches and the roads and also the woodsheds and the likes.

Finally, Mr. Speaker, again as I indicated earlier the one thing that seemed to bother me more than anything else is the extensive power that might be given to these people outside of their own boundaries. Because I would like to spend a little bit more time looking at this, I beg leave to adjourn the debate.

SOME HON. MEMBERS: Hear, hear!

Debate adjourned.

HON. W.E. SMISHEK (Minister of Finance) moved second reading of Bill No. 49 — *An Act to amend The Education and Health Tax Act*.

He said: Mr. Speaker, before moving second reading of this amendment to The Education and Health Tax Act, I want to make a few introductory remarks. Members who have read the Bill will have noticed these are primarily administrative amendments to the legislation. I want to make some general remarks about the Bill.

The education and health tax is one of our major sources of revenue in Saskatchewan. In the 1975-76 budget period the E & H tax will amount to \$148 million which is \$9 million more than originally estimated in the last fiscal year, 1975-76. For 1977 we expect revenue from this tax will yield to the province in the order of \$172 million without raising the rates for taxation. This is largely due to large capital investment that we anticipate this year in both the public and the private sector. Also a modest increase in the retail sales.

Among those provinces that levy sales tax, the Saskatchewan E & H tax is the lowest, Mr. Speaker. I think it might be interesting to just look at the tax base in other jurisdictions. In Ontario the tax is seven per cent; in Quebec, Nova Scotia and Prince Edward Island and New Brunswick, the rates are eight per cent. In Newfoundland the rate is ten per cent. In British Columbia the rate was increased to seven from five per cent during the last budget that they introduced. Manitoba's rate is five per cent and Saskatchewan rate, as we all know, is five per cent. As well we have more exemptions than other provinces.

In the Bill which is before you there are no real substantive matters. The amendments are basically administrative in nature. Mr. Speaker, for example, an amendment to the Act in 1968 made telecommunication services subject to the E & H tax. Technological changes in the communications industry has made it necessary to make the definition of telecommunication service more explicit. It is for this reason the amendment is introduced. Included in telecommunication services are such things as telephones, teletype, telegram, cable television services. The tax will continue to apply to installations and monthly service charges. Section 24 of the Act presently authorizes the Minister to serve a demand notice on a third party where a person is liable for payment of the tax. The amendment in clause (3) provides a time limit of 30 days on request for payment from the third party.

Mr. Speaker, The E & H Tax Act does not presently contain a provision to bond vendors. With the vast majority of vendors

carrying business in Saskatchewan this is not necessary because they have an established place of business. However, in recent years we have experienced considerable difficulty in enforcing the provisions of the Act with respect to itinerant vendors and door to door salesmen. In many instances they do not have a place of business, in fact in many cases they are non-residents of the province who operate out of a car or van while making sales in the province. These persons are operating in direct competition with resident vendors who are paying property and business taxes to municipalities in which they are located and who collect and remit the provincial taxes on their sales.

The amendment to clause (4) of this Bill is designed to protect provincial revenues by empowering the Minister to obtain a bond from an applicant when there is reasonable justification to suspect that the applicant will not fulfil the obligations under the Act. Certainly there is no intention of enforcing this provision on all the vendors, it is in these special circumstances a bond may be requested. I might advise the House that in all provinces where the E & H tax or the sales tax is applied these kind of provisions do apply requiring bonds where it is felt that it is necessary.

Mr. Speaker, the final amendment to the Act is the provision for the prosecution of what one might call some unscrupulous officers or directors of a corporation who have authorized or assented to the misappropriation of tax funds. Mr. Speaker, as I have already mentioned, these amendments are essentially administrative in nature and are designed to protect the provincial revenue.

I move second reading of this Bill.

SOME HON. MEMBERS: Hear, hear!

MR. E.C. MALONE: (Regina Lakeview) — Mr. Speaker, I would like to make a few remarks about this Bill before adjourning debate. I think the Bill is much more than an administrative Bill as the Member has indicated. While I may agree with some of the motives of the Bill I suggest to you that the Bill reads and has an effect much different than you are led to believe by the Minister of Finance and it is perhaps not his fault that the Bill reads this way, but I think he should be aware of some of its provisions and hopefully will look into the Bill in a little more detail before it goes through Committee of the Whole and into third reading.

The telecommunications part I have no comment on at this time. But the amendment to Section 3 in the Bill with its reference to the money being paid on demand within 30 days of service. I think the Minister should be aware that the way the Act presently reads. It says:

Where the Minister has knowledge or suspects that a person is or is about to become indebted or liable.

The key words are, “is about to become indebted or liable,” it would work a very great hardship on an innocent third party if he was served with a notice or a demand by the department to pay certain money to the department within a 30 day period. It is quite conceivable that the money would not be owed within that 30 day period, but faced with the demand from the department, the person would have to comply with it and send the money in. And

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I suggest that this could be easily amended and corrected in Committee or at a later stage. So that is one defect of the Bill as I see it, Mr. Speaker.

Secondly, the explanatory notes that I have in connection with the amendments to Section 25 refers to bonding of house to house salesmen. If that is all the amendments contained I suppose I could be in a position to support it, but upon reading the Act, it says:

Where, in the opinion of the Minister, there is reasonable justification to suspect that an applicant for a vendor's licence may not fulfil his obligation, etc . . .

The amendment does not restrict itself in any way whatsoever to door to door salesmen, for house to house salesmen. The amendment is completely wide open so that anybody who applies for a vendor's licence would be required to post a bond as required by the Act. There is no leash whatsoever on the Minister's discretion as I see it, other than a reasonable justification, and even then it's not a justification that the applicant is not going to pay, it is a justification to suspect that the applicant is not going to pay. So I submit, Mr. Speaker, that the Section is far too wide, gives the Minister far more power than is required. The only reason we want the amendment is to provide the situation as set out in the explanatory notes. And again this particular Section could easily be corrected and amended to cover the situation in the explanatory notes if indeed the Government wishes to do so. But as it reads now I would not support it because, as I say, the Minister would have very, very strong powers taken to himself and could easily prevent a legitimate vendor from obtaining a licence by making the bonding requirements too restrictive. So I ask the Minister to reconsider that particular Section.

MR. SMISHEK: — . . . bond.

MR. MALONE: — Well, it is not the bond so much, it is any vendor is what concerns me more than anything.

Furthermore, the final section, Mr. Speaker, Section 32, I do take great exception to. Because a reading of this Section would indicate that an employee of a company who assented to an offence, that is he didn't commit himself, but he just was aware that it was going on and didn't do anything about it could be fined and he could be fined when the company itself is neither prosecuted or convicted. And I suggest to you that this type of procedure is unheard of in English common law. Now I realize that taxing statutes have very, very severe provisions in them, but I am not aware of a taxing statute that has such a similar provision as to this one, where a person who is an employee is aware that an offence is being committed by the company could be charged and convicted with that offence whether he participated actively in it or not and, furthermore, such procedures could be taken against the employee whether the corporation is prosecuted or convicted. Now that is just from the employee's standpoint. I also bring to the attention of the Minister the one protection that incorporating a company gives the company and that is limited liability. One of the reasons people use this device to enter the business world is to avoid being hounded for debts that are run up by the company over the years after the company, unfortunately, may go bankrupt. Because of

this provision that limited liability is not available to the officers, directors, etc. of the company. Furthermore, a director of the company could be a passive director, that is a man who has some investment in the company really lets the company be operated by somebody else, he could find himself being caught by this particular Section, in the sense that he is part of the company that committed an offence and it could be brought out that he participated in that offence even if he had participated passively by doing nothing.

I think the Section is far too wide. I think that the Section also puts the Government in an even more preferred position with creditors than the Government already is. And that it allows the Government to go after employees, directors, officers of the company, that other creditors cannot get at and it lets them do so in such a way that I say is completely improper, when that company itself possibly was not even prosecuted or convicted.

So I would ask the minister to consider my remarks. I have further remarks that I wish to make at another time, Mr. Speaker, and accordingly I beg leave to adjourn the debate.

Debate adjourned.

The Assembly adjourned at 9:31 o'clock p.m.