

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — Eighteenth Legislature
38th Day

Wednesday, May 5, 1976.

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

QUESTIONS

Saskatchewan Inflation Approval Board

Mr. S. J. Cameron (Regina South): — Mr. Speaker, in view of the depleted state of the benches opposite, I'm not sure to whom I ought to direct my question. In the absence of the Premier and the absence of the Deputy Premier and in the absence of the Minister of Finance, frankly I'm at a bit of a loss as to know to whom to direct the question. I want to ask about . . .

An Hon. Member: — . . . eeny, meeny, miny, mo . . .

Mr. Cameron: — The fact of the matter is it isn't all that funny.

I want to ask someone and I leave it to you to decide who is going to answer it. The Saskatchewan Inflation Approval Board apparently approved the increases for employees of each of the Saskatchewan Housing Corporation, Saskatchewan Farmstart employees, SEDCO employees and one or two other groups of employees. I want to ask you the details of each of those settlements. What was the percentage that was agreed upon and secondly, I want to ask you whether or not the Board made a written report to the Minister responsible or whether or not you are prepared to table the report?

Hon. J. R. Messer (Minister of Industry and Commerce): — Mr. Speaker, in the absence of the Minister of Finance (Mr. Smishek) who would be the Minister receiving any reports in regard to the decisions of the Board, I think I will have to take the question as notice and undertake to convey it to the Minister of Finance to see what information was conveyed to him and he in turn will have to give consideration to that as to whether or not he can provide that to the Member for Regina South. But I can't at this particular point in time.

Mr. Cameron: — Supplementary. What settlement was approved for the employees of Sask Housing Corporation, Farmstart, SEDCO and the Saskatchewan Medical Care Insurance Commission?

Mr. Messer: — As I indicated to the Member earlier, I'm not the Minister responsible. I take his word for it that in fact the Board has approved those particular contracts. I think he's right in that assumption. I'm not at this time informed as to what the exactness of that contract was and I think that only the Minister of Finance would be in a position to answer that question.

Mr. Cameron: — Further supplementary. It's also reported that the Inflation Approval Board rolled back a settlement for the hospital workers, 6,100 of them, and ordered a four per cent rollback which leaves, I think, the options open to the Cabinet, for the Cabinet to endorse the rollback or alternatively to bring in legislation. In view of the fact that we're going to be adjourning on Friday, is it the Government's intention to bring in legislation to effect that rollback?

Mr. Messer: — I think that that is a bit premature to give consideration to at this particular time. The only information I have is information that I have picked up through the news media in regard to what the hospital workers' position may be in regard to the Board's suggested rollback. I know that they have at least publicly stated that they have a contract and that they intend on abiding by the terms and conditions or settlements of that contract. There has been no official conveyance to the Government in any way as to whether or not they choose to give some consideration to the Board's proposal or some other negotiations. The Board, I think, will be available to discuss with them the reasons for the rollback. The Board has not, on the other hand, conveyed, at least to my knowledge, any recommendations to the Government as to whether the Cabinet should be giving consideration in undertaking action to, in fact, endorse the settlement.

So again, I think, it's somewhat premature and hypothetical to ask the Government what it may have to do in that particular situation. The Board has made its decision. I think we have to wait for some more positive response from the nurses.

Mr. Speaker: — Final.

Mr. Cameron: — Further supplementary. With respect, I wasn't talking about a settlement with respect to the nurses. I was talking about a settlement with 6,100 hospital employees, non-nurses. Secondly, it isn't a course for the Board to make a recommendation to Cabinet as to what to do. The Board, as I understand it, ordered a rollback of four per cent. That now leaves the Government to decide how it's going to enforce the rollback, because the union is apparently in opposition to the rollback. Now it becomes urgent because we're going to be adjourning in the next couple of days. What does the Government intend to do with respect to the rollback which isn't yet being accepted by the union?

Mr. Messer: — Well I think it's premature to assume that the union is not going to accept the application or reject it, they have initially rejected. Surely there will be some continuing discussions with the Board. I know Mr. Boychuk has said that in such situations he will make himself and the Board available to discuss with the unions their reasons for their final decisions. To my knowledge that action or such meetings have not yet taken place, so that I think that it is presumptuous to assume that they will not abide by the proposal. Until we received, in some official capacity, information that they are not going to abide by the decisions of the Board, I don't think that this Legislature or the Cabinet should be undertaking to give indication as to what its actions may be.

Approved Reading List in High Schools

Mr. R. H. Bailey (Rosetown-Elrose): — Mr. Speaker, in the absence of a number of the Ministers opposite, and certainly the Minister to whom I want to direct this question, perhaps the former Minister of Education would like to deal with it. Yesterday in committee I mentioned about a problem about the type of material coming into our provincial libraries. Last night I received a phone call and I understand that currently in Saskatchewan, at the present time, there is a petition being taken dealing with the type of material that is now being approved in the high schools, on the approved reading list. Who is responsible, and I would ask the former Minister, who is responsible for the approved list of reading material that accompanies the English program in the high schools?

Hon. G. MacMurchy (Minister of Municipal Affairs): — Mr. Speaker, I think I should, to be safe, take notice of the question and ask the Minister of Education to respond to the Hon. Member.

Mr. Bailey: — Supplementary question, Mr. Speaker. I think that to say that the former Minister was aware, as a former Minister of Education, were you not aware that certain novels contained some objectionable language in the opinion of many Saskatchewan ratepayers and the parents of students at . . .

Mr. Speaker: — Order! Next question.

Government Pension Fund

Mr. E. F. A. Merchant (Regina Wascana): — Mr. Speaker, in starting I can't help but notice that the Government benches look like bomb craters have hit them, but by chance the Minister to whom I wanted to direct a question is in the House today, the Minister in charge of pensions. I wonder if the Minister of Health would indicate, in light of his comments that there is a potential shortfall of \$500 million in the Government pension fund, whether the Government doesn't have a duty to alert government employees, indeed a duty to alert government employees of the city of Regina and the city of Saskatoon that there is a very real danger that their pension commitments can't be kept and that they are being duped into believing that they will receive pensions which the Government may not be able to meet and the cities of Saskatoon and Regina may not be able to meet?

Hon. W. A. Robbins (Minister of Health): — Mr. Speaker, I think it's common knowledge that all pension plans are in grave difficulties in relation to the inflationary trend. The figure of \$500 million does not just relate to the Government pension plan, it includes the teachers' pension plan which has some \$280 million unfunded liability in it, plus Crown corporations, plus municipal employees' pension funds, etc. There is no doubt that when you use unit benefit plans, you are going to have very large unfunded liabilities when wage levels are rising rapidly and inflation rates are high.

Now, whether or not the Government can meet those commitments is something that's a hypothetical question because you are looking a long way into the future. Some of those unfunded liabilities disappear as people terminate and move out of the plan.

Mr. Merchant: — Supplementary, Mr. Speaker. Why did the Government not move, either at the last session or at this Session to solve the problem which is clearly perceived by the Minister and others of this House? Why has the Government not moved to correct the situation which really is taking from one pocket to pay employees who haven't earned that money and in the strict sense of the word, is not their money? I'm not saying that they shouldn't receive a pension, but it's not their money in the strict sense of the word. Why has the Government not moved in this Session or the last session?

Mr. Robbins: — I can't give you a definitive answer on that, except that it's something that certainly concerns the Government a great deal and a lot of consultation has been carried out with a lot of employee groups, in Crown corporations, in the public service and others as well. We have a study going on at the present time in relation to pensions. I would like us to have moved long ago, but the fact of the matter is, it takes time.

Mr. Merchant: — Final supplementary, Mr. Speaker. Would the Minister not agree that where Saskatoon's pension fund may be in some difficulty, the Regina Employees' Pension Fund is in grave difficulty and that the Government, on behalf of the employees of the Regina Pension Fund, should step in or else one of two options are available. One, Regina or Saskatoon may not be able to meet their pension fund or the second possibility that Regina and Saskatoon will go in the direction that New York has gone and be drawn under as a result of their inability to meet the pension fund.

Mr. Robbins: — Mr. Speaker, that, of course, is the danger in all pension funds including the Canada Pension Plan. I have had long discussions with the Hon. Marc Lalonde, the Minister in charge of the Canada Pension Plan who made a statement to me that if the present inflation rate continued until the year 2000 we would be paying 30 per cent of all our pay scales into the Canada Pension Plan in order to maintain it.

Rural Areas Require Better Transportation Service

Mr. L. W. Birkbeck (Moosomin): — A question for the Minister responsible for transportation. As you would be aware there are a number of smaller areas in the Province of Saskatchewan that are not adequately served inasmuch as transportation needs are concerned. These smaller centres actually house elderly people and it is the elderly people that need transportation. Is STC going to be taking any steps to provide a service to these outlying smaller rural areas?

Hon. G. MacMurchy (Minister of Municipal Affairs): — Mr. Speaker, with respect to

STC they have started what they call a community transportation service program. There are now two routes operating in the Weyburn and Estevan area and in the Swift Current area and two about to start in the very near future in the sort of Ituna to Regina, Ituna to Yorkton area and in the Humboldt and Melfort areas. So there is some progress with respect to this particular kind of approach. I think that the plan for STC is to strengthen this particular aspect as their operation makes it possible.

Mr. Birkbeck: — A supplementary, Mr. Speaker. I wonder would there be any results back from your mini-bus studies that you have put into effect? Is there any result of those studies yet, or are you going to be employing any mini-bus services?

Mr. MacMurchy: — I think this is a sort of a mini-bus idea that community transportation service is all about. If the Hon. Member is asking, do we have a sort of an analysis of our experience that I can provide for him, we do not. I think out of the experience that we have had with the two that I have mentioned, we have been able to establish a set of criteria upon which we can look at new proposals that I would be glad to forward to the Hon. Member.

Mr. D. M. Ham (Swift Current): — A supplementary. With regard to old age pensioners and senior citizens' bus services, Mr. Speaker, is it not a fact, or is it true now, that the old age pensioners of Saskatchewan receive a reduced pass to ride the STC buses?

Mr. MacMurchy: — Yes.

Mr. Ham: — A second supplementary, Mr. Speaker. Then is it not true also, Mr. Minister, that last year during the provincial election your Government promised free passes to these same senior citizens?

Mr. MacMurchy: — No, I don't recall that promise.

Regional Hospital Councils

Mr. W. H. Stodalka (Maple Creek): — A question to the Minister of Health. The regional hospital councils claim that there will be no saving by their elimination and you, on the other hand, claim there will be a saving in the approximate of \$663,000 that are budgeted for their operation. On the other hand you claim that you will supply additional funding to hospitals to absorb some of the functions that were formerly provided by the councils. My question, Mr. Minister, is then: what will be the actual saving if you are going to supply these additional funds?

Mr. Robbins: — Mr. Speaker, the Member will realize that of course these are estimates, but the budget for the regional hospital councils for the year just ended, to March 31st, was \$785,000 in round figures, the proposed budget for the current year was \$978,000 in round figures and we expect to be able to supply the necessary services through regional hospitals at a cost of \$430,000.

Mr. Stodalka: — In other words, Mr. Minister, you are saying the saving will be approximately \$500,000?

Mr. Robbins: — Approximately, yes.

Mr. Stodalka: — A supplementary, Mr. Minister. The people that are operating the regional councils feel that this is a threat to hospitals in rural Saskatchewan. For instance, some of them that have been using particularly administrative services and the like that is supplied by the council will no longer have these. Is this, indeed, a case where the very existence of these hospitals in rural Saskatchewan may be threatened?

Mr. Robbins: — Obviously we don't think so.

Mr. Stodalka: — A final supplementary. They also have requested that the Minister meet with them so they can present their case to the Minister. Is the Minister prepared to meet these people?

Mr. Robbins: — Yes.

Mr. Stodalka: — When, Mr. Minister?

Mr. Robbins: — I had 24 meetings in April. I'll try to get as many in in May as I can.

Mr. Ham: — A supplementary, Mr. Speaker, to the Minister of Health. I understood that in a letter which you sent out to the hospital councils and administrators early this week, that you had intentions in fact of allowing some of these hospital councils to remain in existence. Is this true?

Mr. Robbins: — No, the approach was to take some of the selective services that were supplied by the council and have it available through a regional hospital in each of those areas.

Approved Reading List in High Schools

Mr. Bailey: — Mr. Speaker, I want to ask one question of the Minister of Education, now that he is in his seat. Would the Minister consider at this particular time forming a committee to review the current materials that are listed in the curriculum, from all sections of society to give a general overview, rather than in order to prevent a mass of people in the public against the current reading list?

Hon. E. L. Tchorzewski (Minister of Education): — Mr. Speaker, there are curriculum committees and committees that deal with the selection of school material as well as a great deal of flexibility at the local level and within the school on the selection of material used by the teacher in the school. I hope that the school boards would have some input into that as well. In reply to the question

directly, would I be prepared to establish a committee, I am not prepared to say off the cuff at this time that I would be prepared to establish an overall committee until we have fully re-organized the department in which there is an intention to see that there is better co-ordination of each of the separate curriculum development functions that are going on so that they are plugging into an overall education program approach. I am hopeful that through that we can achieve a great deal of what the Member has in mind.

Federal Bankruptcy Legislation

Mr. Merchant: — Mr. Speaker, I wonder if I might ask a question of the Minister of Consumer Affairs. It deals with the bankruptcy legislation which will be coming before the Canadian Government and as Members may know, Mr. Speaker, the legislation will wipe out the right to the exemption which protects farmers from having their home quarter taken from them. I think that is bad legislation and I wonder if the Minister agrees with that position? Would the Minister, and perhaps be prepared in the strongest of terms, to say to the Federal Government that this is an improper way to deal with debtors who have fallen upon hard times, that the rook of taking from them their last quarter, or taking from them the home in which they reside, is an improper way to deal with them and is too harsh a form of dealings with debtors?

Hon. N. Shillington (Minister of Consumer Affairs): — The Bankruptcy Act is not the responsibility of the Minister of Consumer Affairs, but rather the Attorney General's Department in this province. However, I can tell you that we have been involved in a peripheral way and the issue raised by the Member is one of the matters that is of some concern to them. It doesn't seem to be understood that a homestead is the farmer's equivalent of the urban dweller's home. I understand that they are reviewing it and the representations will be made to Ottawa. I can't be more specific than that.

Mr. Merchant: — Supplementary. Would the Minister agree that if this kind of a change were made and there was a turnaround in the economy, perhaps along the lines of '69, '70 and certainly in a depression, that thousands of farmers would in fact have found themselves off the land and dispossessed of their home and the only place they had to live and reside?

Mr. Shillington: — I don't know if the results would be that devastating. But, I do agree that this kind of change does have great implications for rural Saskatchewan.

Pioneer Village Rates Increased

Mr. E. C. Malone (Regina Lakeview): — Mr. Speaker, I'd like to direct a question to the Minister of Social Services, but I see that he is not here and I was going to direct a question to the Minister of Finance, and he is not here; and to the Minister in charge of Mineral Resources, and he is not here either. It is a question dealing with nursing homes and I am not quite sure whom to direct it to.

Perhaps the Minister of Municipal Affairs has some knowledge on nursing homes.

The Government I am sure is aware by now that Pioneer Village has increased its rental rates rather drastically, very recently. In fact, Level I care has gone up by as much as \$180 per month. Just bear with me Mr. Speaker for a second. Pioneer Village usually triggers increases in all nursing homes. They are sort of a leader in the field. That is, they put their increases in and others usually follow through.

My question to the Government, if they can answer it is: have you any policy in connection with these drastic increases, do you intend on further subsidizing homes? Do you intend to assist people who are in those homes who are not already on social assistance?

Hon. G. Snyder (Minister of Labour): — Mr. Speaker, I don't know who it is the Member is directing his question to. I believe it relates pretty generally to the rates being charged in Pioneer Village and the fact of some rather large increases that concern us too as a Provincial Government. It will also be known, Mr. Speaker, that there was a study set in motion only a short while ago which was purporting to look into operating as well as capital costs for nursing homes. I am assuming at this point in time that that committee has not yet reported because I haven't heard that it has. Some of these matters will obviously be brought to light and the benefit of their thinking and their study will be brought to bear on any increased costs that will be, I am sure, part of the scene over the next while because there has been a rapid escalation, particularly in Level III and Level II care.

Mr. Malone: — A supplementary, Mr. Speaker. I think the Minister agrees with what I said about these drastic increases, but by way of supplementary, he very specifically exempted nursing homes from the provisions of rent control which were passed only a few months ago. Can I ask the Minister: is the Government considering putting nursing homes and similar institutions under the rent control legislation?

Mr. Snyder: — I think they were exempt for a very particular reason. The nursing home institutions, as you know, are already controlled in certain fashions. The commercial nursing homes are allowed to charge an average of the costs that is provided in the non-profit nursing homes throughout the province. I think in that way they are restricted to a degree. The other nursing homes, the public nursing homes, the non-profit ones are governed by the level of expenditures and they set their rates accordingly. I am not at all convinced that I think the Government is of the mind that perhaps efficiencies are not always observed to the degree that they might be and that is why the current study is in motion at the present time.

Miss L. B. Clifford (Wilkie): — A supplementary, Mr. Speaker. The Minister in charge of Social Services is not here today, but he has commented on the inquiry that you have indeed mentioned. He has said however,

that although he is concerned about the increases, he does not think that anything can be done at this stage despite your inquiry about the increases that have occurred. For months now I have been bringing up such increases that the Member for Lakeview has mentioned. I ask you, in the light of what your Minister has stated, would your Government, perhaps the Minister for the office of the rentalsman would like to comment, would you consider, despite what you said, consider putting nursing homes under the office of the rentalsman, or whether you consider securing additional funds so that they could relieve these old-age pensioners and give them a subsidy?

Mr. Shillington: — Perhaps I could respond. Indeed I have been burning to respond to this question.

The rates charged by nursing homes comes under the Anti-inflation Board. Those rents that are not in nursing homes come under the rent control legislation. So one way or the other they are both covered. Now if I may just stray afield just for a moment, the press release which was issued by the Pioneer Village didn't make it clear that that in fact was the case. What seemed to have happened was they seemed to have announced the increases in both the nursing homes and in the cottages without the qualification that they had to be approved. The truth is that the cottages come under the rent control, the nursing comes under the Anti-inflation program so both increases will be reviewed by the public board.

Miss Clifford: — Final supplementary. Did I understand you to say that all these cases, and I am not naming them by district, but which I have been bringing up for a number of months, can now take their \$190 increases that they have had, take them to the Anti-inflation Board, is this correct?

Mr. Shillington: — That is correct.

Mr. Merchant: — If I may go back to the Minister of Labour and croak out a supplementary to him. He in fact, Mr. Speaker, was in charge of the Department which negotiated the overall wage package which ended up in the drastically increased costs. Would the Cabinet now say that there won't be the difference in rates charged depending upon who is fortunate enough to get into this particular or that particular nursing home? Would the Cabinet accept the policy of the British Columbia and Alberta Governments where everyone pays a uniform amount of money and the Government picks up the other end? In short, would your Government do, I believe Alberta's is about \$115 at Level III, the patient pays \$115 and the Government pays all the rest in the same way that you pay all the different costs in the hospitals though some hospitals operate more cheaply than others. Thus the inequality and unfairness operating as a result will end in Saskatchewan.

Mr. Snyder: — I can't speak for the Government in this connection but what I will say is this. That kind of an open-ended arrangement would make me very, very uneasy. In the event that the Government were to pick up everything over and above a certain amount, I think that just places any institution or any administration of a private institution in a position of not

really paying very much attention to economies that can be effected. I think that is the worst of all worlds. I think we should really have a look at it — it is to some degree applied to hospitals — but there are other governing features there. But I think what you are suggesting there is probably the worst of all worlds.

Saskatoon Sanitorium Converted to Level IV Facility

Mr. R. Katzman (Rosthern): — A question to the Minister of Health. In light of the Saskatoon Sanitorium being the only sanitorium left in the Province of Saskatchewan and their request to move the TB patients into the University Hospital requiring only 12 beds and then freeing the rest of the sanitorium for Level IV, which the second floor is now full of and, therefore, removing these people from the hospitals. Is the Government considering that?

Mr. Robbins: — It is a fact that the tuberculosis patients in the province are declining rather rapidly and that that facility is not required for that purpose. What the Government will do with respect to that facility in the future I am not sure yet.

Mr. Katzman: — Is there any truth in the story that it may be a penal institution?

Mr. Robbins: — Not to my knowledge.

Second TV Service for Swift Current

Mr. D. Ham (Swift Current): — Mr. Speaker, a question to the Minister of Consumer Affairs. On what recommendation are you intervening or opposing the CBC intervention into the CKCK application for a second TV service for Swift Current? I don't think he was listening. You were burning the last one, but not listening for this one.

On whose recommendation are you opposing the CBC intervention to the CKCK application for TV service for Swift Current?

Mr. Shillington: — On no one's recommendation. On their own good judgment.

Mr. Ham: — A supplementary, Mr. Speaker. Do you feel you have all the facts or have you spoken to those sides involved?

Mr. Shillington: — No, we feel we have all the facts involved in the case.

STATEMENTS

Radiation Problem in Uranium City

Hon. N. E. Byers (Minister of the Environment): — Yesterday the Member for Regina Wascana (Mr. Merchant) made a number of rather wild and unfortunate statements

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regarding the radiation problem that has been identified at Uranium City.

Mr. Malone: — Point of Order!

Mr. Speaker: — Point of Order.

Mr. Malone: — The Point of Order is, Mr. Speaker, that this is a period of time for Ministerial Statements, not debates. And the Minister has already used inflammatory language in his statement with reference to the Member for Regina Wascana (Mr. Merchant). I would ask you to bring the Member to order, please, Mr. Speaker.

Mr. Speaker: — I would ask all Members to not use inflammatory, or debatable, or provocative language when they are asking questions or making statements. I would ask the Minister to bring himself to order.

Mr. Byers: — Well, Mr. Speaker, I shall try not to upset the decorum of the House, but while the Hon. Member for Regina Wascana may feel that what he said yesterday is good politics, I want the House and the public generally to know what the situation is now, and what is planned.

The Hon. Member made some comparisons with Port Hope. May I say that the two situations are very different. In Port Hope the problem originates from highly radio active waste materials, from uranium refining operations. At some point in the past, some of those waste materials did not get to the proper waste storage areas and were used as land fill. The problem there was compounded by run-off waters from a waste disposal area contaminating soil in housing areas near that site. In Port Hope very high levels of both gamma radiation and radon gas were discovered in many homes and buildings. The levels found make those discovered in Uranium City pale, almost insignificant. We have not discovered any levels of gamma radiation in Uranium City that exceed the maximum desirable levels that have been established by world health experts. We have found levels of radon gas that do exceed the maximum desirable levels. In the homes checked to date in Uranium City those that do exceed this maximum desirable level of .03 working levels, are not much above that level.

I caution the Hon. Member not to be a party to misleading Saskatchewan people, and particularly those in Uranium City, by implying that we have a Port Hope kind of situation.

Mr. Speaker: — Order! I must caution the Minister that he must not use the opportunity for a Ministerial statement to in effect carry on a debate. The Member should be quite clear with regard to the terms and conditions under which Ministerial statements are given. They must be brief, factual and specific, and should not deal with some argument which is alleged to be going on at some other time in the Legislature. So I would ask the Minister to confine his remarks to a factual Ministerial statement.

Mr. Merchant: — Mr. Speaker, I would ask you to consider whether the

Minister's comments that I had in fact been misleading Saskatchewan people was not in fact . . .

Mr. Speaker: — Order, order! I have already dealt with that. As I said, the Member . . .

Some Hon. Members: — . . . is wrong.

Mr. Speaker: — Order, order! I said that the Minister is debating the issue and I have cautioned him not to debate the issue.

Mr. Byers: — Mr. Speaker, the purpose of this statement this morning is to clear up the implication that has been left by some sources in this province that we have a situation in Saskatchewan that is more serious than the Port Hope situation.

I want to say that there is another fundamental difference in the two situations.

In Saskatchewan we made all testing results public as soon as possible, after the Uranium City Council had been informed, and after the Council has had an opportunity to inform their citizens. This was not the case in Port Hope. Until recently, and indeed I have not seen any detailed public information on total survey findings in that city yet.

While I stress that we are not dealing with the problem with anywhere near the public health significance of Port Hope, we do consider it a serious matter that we have radon gas levels exceeding desirable maximums. It is our firm intent, in co-operation with the Atomic Energy Control Board and other federal agencies to complete the general survey this month. We are working out the details of joint action programs which will follow that survey. It is Saskatchewan's wish that that program will be directed at finding the cause of the problem and carrying out the necessary remedial measures.

I want to stress that this will not be a simple task, because most of our high radon gas levels are so close to the safe limit. Some of our experts believe that the cause may be relatively small, and widely distributed pieces of low grade uranium-bearing rock used in land fill in parts of the city. Now these will be hard to isolate and difficult to retrieve. There are some things that can, however, be done to improve the situation in each house. Householders are advised to ensure that they dispose of any uranium ore samples from their homes. Good ventilation will reduce radon gas levels very substantially. The highest readings in that city were found in two of the three schools. Neither of the two schools had a functioning air exchange system. When these were installed readings fell to acceptable levels in a matter of days.

A group of federal and provincial health experts reviewed the school situation and have advised me that the schools can operate safely at the present level.

I am further advised that a research project was undertaken over the past two years in Uranium City by a group of public health experts from Alberta and the United States. And while this report is not complete and any findings are preliminary.

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there does not appear to be any abnormally high incidence of respiratory tract problems in Uranium City.

In the Action Program to follow the current survey, Saskatchewan would like additional attention to be paid to this aspect. One of the problems in the current survey is the real shortage in Canada of the skilled professionals and technicians required. Because the Port Hope problem is so much more serious . . .

Mr. Malone: — Mr. Speaker, on a Point of Order.

Mr. Speaker: — Order!

Mr. Malone: — I don't like to interrupt the Minister, Mr. Speaker, but surely there is some limit to which he must be confined. He is not giving a statement now as to the situation in Uranium City, he is giving a speech, and I submit to you, Mr. Speaker, he is not giving a short, to the point statement, as the rule insists upon in a Ministerial statement.

Mr. Speaker: — I think the point is rather well taken with regard to the length of the Minister's comments. I would not agree that it is not a statement. I would agree that it is a statement, but that it is too long. The terms and conditions under which Ministers make statements are that they be brief. I have referred to this a number of times with regard to statements and responses, especially statements, and I would ask the Minister to bring his statement to a close.

Mr. Byers: — Well, Mr. Speaker, I was on the last paragraph when the Hon. Member rose.

One of the problems in the current survey is the real shortage in Canada of skilled professionals and technicians required. I point out that because the Port Hope problem is so much more serious that most of the available Federal Government experts have been working there. We did get significant help from the Department of Health and Welfare. They did have to withdraw their survey team for the latter part of April, but they are back in Uranium City this week and I repeat that the general survey will be completed this month.

Let me conclude by restating that we have a problem at Uranium City. We are determined to get to the bottom of the problem and correct it, and householders can assist in the interim by ventilating their homes. The problem does not pose any immediate serious health hazard.

Mr. Merchant: — Mr. Speaker, in starting let me say that since some latitude was given to the Minister, including a ten minute length, I hope that some latitude might be given to me.

First, Mr. Speaker, the Minister has said that Port Hope is different in kind and quality from the Uranium City situation, and indeed it is, and the Uranium City situation is in some ways not more frightening but may require more complete remedial action. Port Hope is a situation where there is radio

active waste, which they can recover. I am informed by Eldorado officials that the problem in Uranium City is that the whole town appears to be built on an area which is subject to high radiation levels. And it may well be that the Government may find that if they are prepared to take the expense that they may have to consider moving Uranium City. It's that kind of a serious problem.

The Minister suggested that there was some tendency to mislead, and Mr. Speaker, let me, though I know that there is some latitude available, just make a brief comment about that.

Yesterday we asked the Minister for the levels in the homes and he couldn't give us those statements . . .

Mr. Speaker: — Order, order! I will ask the Member to be factual and deal with the Ministerial statement, and not be out of order as the Minister was.

Mr. Merchant: — What figures, Mr. Speaker, do we have? We have the figures from Eldorado, and the figures from Eldorado regarding the schools are very frightening. They closed the schools in Port Hope at a picocurie level of 30, and indeed, Mr. Speaker, later in my ten minutes I should like to make some reference to factual statements about what levels are reasonable and safe.

The levels that were found amongst others in the Port Hope schools, 62 picocuries per litre in the kitchen; 170 picocuries per litre in the girls' change room. And indeed the Minister has never given us those figures out of the schools.

Now the Minister tells us today that by opening a few windows and putting in a few fans they are solving the problem. And that may well be, but, Mr. Speaker, that doesn't change the situation that the levels were very high, higher than Port Hope and dangerous levels.

The Minister says that the officials have been principally committed to Port Hope. Mr. Speaker, they have been principally committed to Port Hope because the Ontario Government had the guts and the strength to demand that they be committed to Port Hope, and this Government didn't even discover the problem. The trade union movement, the local union, discovered the problem and then had to ask for the Government to come in and then the Government asked for the Federal Government to come in and assist them.

Now, Mr. Speaker, the problems that radium daughter products can create, include leukemia, solid tumors, bone, breast, lung cancer. They cause genetic effects which appear in the children. They unfortunately have a greater effect on children than they have on adults. The levels that are considered safe by various experts, Mr. Speaker, including the American Environmental Protection Agency, are 30 picocuries per litre for very short periods of time. The level that is considered to be safe in ordinary circumstances is 3 picocuries, and now reading from a report of a Doctor Victor Archer of Salt Lake City:

Three picocuries of radon per litre of air, in some

situations may be acceptable, but depending upon the working level of the daughters the level may be too high.

The Minister, today, although he didn't refer to it in those terms, wasn't talking about the radon daughters and those levels implies that though there is a high percentage of radon gas that the working effect, the working level of the radon daughters may not be as high as Port Hope. And if that is the case, that's good news. But this is the first time that that has been told to this House, and the first time that that suggestion has been made to the province. Indeed, Mr. Speaker, I suggest to you that the Government has first ignored the problem and secondly that the tendency of the Minister was to hush up the problem, both in his responses to questions and in his failure to make a proper report to the House.

Mr. Speaker, let me just finally say that there are two things that we think should be done. We believe that a sample of the children who have been exposed should be tested to determine their total body count of radiation. This is done, Mr. Speaker, in a relatively easy way. The individual enters a room and a counter measures and records the amount of radiation emitted by that person's body. The test takes about 20 minutes. There are two whole body counters in Ontario, one is in the Toronto General Hospital, and indeed, these are suggestions from a doctor in the University of Toronto, and the other is in Pickering, Ontario. There may be other whole body counters available. That's what they are going to be doing in Port Hope and that's what this Government should be doing if they are really serious about ensuring that no damage has been done to the children.

Now what good would it do to know whether they received a high amount of gamma radiation? Amongst other things, the child could then be removed from further exposure to radiation. It might well be that it would have to be suggested to some people that staying in Uranium City, or Rabbit Lake, in an area that is higher than one picocurie per litre, which is acceptable and probably is in this air, it's everywhere, that moving from an area that is higher than one picocurie per litre would be necessary for those children. Second, the families could make sure that their children . . .

Mr. Speaker: — Order, order! I would ask the Member to bring your comments to a conclusion.

Mr. Merchant: — Mr. Speaker, I'm on the last paragraph, but mine won't take 46 minutes to conclude.

The parents should make sure that the child is exposed to a minimum of x-rays, including dental x-rays, and in serious situations there is action that can be taken to remove some of the effects from the bone marrow. Now, that's what we think the Government should be doing, and I think the Government is ignoring their duty in this area.

Some Hon. Members: — Hear, hear!

Mr. R. L. Collver (Leader of the Progressive Conservatives): — Mr. Speaker, my comments to the Ministerial statement will be very brief.

First of all, I do not pretend to be an expert in the field of radiation. I don't think really that anyone in this Assembly should pretend to be an expert in radiation, because it is a very scientific and involved field.

Radiation levels, to the average citizen, are frightening enough in the light of some of the publicity that has been given to atomic energy throughout the last number of years and they frighten people considerably. I think that the Minister, up until this moment in time, at least as far as I am concerned, and as far as we are concerned, seems to have been doing everything humanly possible on behalf of the Government of Saskatchewan to obtain the best possible experts in the field, and to attempt to resolve the situation insofar as the people of Uranium City are concerned. And I believe that it is, quite frankly, irresponsible for anyone in this Legislature to use scare tactics, to yell 'fire' in crowded . . .

Mr. Malone: — Point of Order.

Mr. Speaker: — What is the Point of Order?

Mr. Malone: — I would ask the Member for Nipawin not to make personal comments about the Member for Regina Wascana, which he is attempting to do by his remarks. He is very sensitive about personal comments. I would just like to draw that to his attention.

Mr. Speaker: — Order, order! I didn't hear the Member for Nipawin make personal comments about any Member in this Legislature. Continue.

Mr. Collver: — Mr. Speaker, if I might be allowed to continue, I believe, and all of us know the serious damage that can occur in a crowded theatre if someone yells fire, there could be serious problems developed as a result of that. In this particular case, if we frighten people by suggesting that we might even have to move the city, it's that serious, we frighten them before the experts tell us that such a situation is in order. If the experts say this, then that's a different story. But at the moment that is not happening. We are very concerned that we don't want to see any Member of this Legislature or in fact any party or any organization provide that kind of information without the necessary backup to follow it up and to convince people that they might possibly be frightened out of their wits because of this radiation.

For that reason we want to commend the Minister for his action. We think he's done everything humanly possible. We can't think of anything else that he could possibly have done in the circumstances and we wish to commend him.

Some Hon. Members: — Hear, hear!

WELCOME TO STUDENTS

Mr. M. Kwasnica (Cutknife-Lloydminster): — Mr. Speaker, before the Orders of the Day, I'd like to say that it's indeed a pleasure for me to introduce a delightful group of Grade Twelve students from Cutknife High School. They arrived here yesterday by Saskatchewan Transportation Company charter bus, their bus driver Lyle King, and they came in to see Hamlet performed in the Globe Theatre last night and are here today to view the legislative proceedings. Their teachers are Joanna MacLeod and Mr. Nigel Lacey and chaperone Mrs. Erickson. I'd like to extend from all of us, to the students from Cutknife, a sincere welcome and hope they have an educational tour and have a safe journey back home.

Hon. Members: — Hear, hear!

POINT OF ORDER

Permission for Evening Sitting

Mr. Bailey: — Mr. Speaker, before Orders of the Day I wonder if we could get a feeling from this Assembly at this time that this being Wednesday, that perhaps we could stop the clock at 5:30 and proceed into the evening with some review of the Estimates. I wonder if we could get a consent and move ahead?

Mr. Malone: — Mr. Speaker, that's not a Point of Order, but I would like to respond to it. I've advised the acting Whip of the Conservative Party very clearly earlier today, that for various reasons we can't agree to that and I take some exception to the Member rising now and asking us to do so when he knows full well that we're not prepared to do so.

Mr. Speaker: — Order! I think that's not a Point of Order either. I think the arrangements that might be made in the Legislature should either be done by substantive motion formally or be arranged informally among the different groups in the Legislature.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Romanow that Bill No. 62 — **An Act to amend The Mineral Resources Act** be now read a second time.

Mr. Merchant: — Mr. Speaker, we think that this is an appalling piece of legislation and I don't like to start with such a harsh word, but it abuses again the principles of standards and morality and it's a part of the piece presented by this Government and in the name of the people they are prepared to do immoral and improper things.

I will come back, Mr. Speaker, to dwell on those comments about the intent of the Act after I make a few comments about the Act and the way the Act fits into the pattern of legislation

by this Government, concerning all mineral resources.

Mr. Speaker, I will tend to stray from this Act alone and talk about other legislation, indeed talk about one Act that is in another form before the Legislature. But that is because one act of a totalitarian nature cannot be seen unless it's included as a part of the whole.

Members cannot be asked to fully appreciate the tendency towards the making of absolute control unless some reference is made to other Acts.

The Mineral Resources Act amendments which are now before us carry on a tendency towards absolute intrusion into the production of mineral resources, which began with The Coal Conservation Act. The Coal Conservation Act took the power to regulate the coal industry, not under the Legislature, but took that power to Cabinet. There are no parameters at all in The Coal Act and that tendency is now to be followed in The Mineral Resources Act. Now in this Act we are asked to give all power of control over mineral resources, not to the legislative body, but to Cabinet, which meets in private, meets in secret and about which questions may not even be asked in the Legislature.

The Coal Conservation Act gave to the Cabinet the power to shut down any company. Now the Government asks for the same kind of carte blanche to shut down any mineral producing company. At the same time that we have The Mineral Resources Act before us, we have at another time in this same Session, The Transportation Act, which again gives to the Cabinet extremely broad powers in what they can do in regulating transportation. Again gives to Cabinet the right, as they demand it, to control transportation as they now demand a right to control all mineral resource companies.

They will be able to go to the transportation companies as they have demanded they be able to go to all mineral resource companies and demand all of the information regarding the operation of those companies. That wouldn't be so frightening, Mr. Speaker, if it weren't for the fact that in transportation the Government is one of the competitors and in all of the mineral resource operations, the Government is one of the competitors with the companies from whom they may not demand that information.

The Mineral Resource Act amendments are designed to wipe out two arguments presented successfully before the courts in two separate legal actions. The two actions are first, Canadian Industrial Gas and Oil Limited case, known as the CIGOL case. The second is the Central Canada Potash case. CIGOL case went in favor of the Government and is now under appeal to the Supreme Court of Canada. The Central Canada Potash case went against the Government and is now before the Court of Appeal and indeed at this time has been argued before the Court of Appeal and no decision has been given.

The Mineral Resources Act will seek to effect and destroy the effect of those two cases. The Mineral Resources Act, first will redefine conservation and secondly they will redefine utilization to strike down the effect of CIGOL and strike down the effect of Central Canada Potash.

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The CIGOL judgment said that the province is limited to physical conservation and not economic conservation. The CIGOL judgment said that getting into economic conservation is really entering the field of trade and commerce, which is a matter, as Members well know, fully within the discretion of the Federal Government. The CIGOL case rightly said that the province could not legislate into the field of trade and commerce and on other matters went in favor of the Government. But the num and substance was that conservation had to really be conservation and couldn't be a meddling with trade.

In the Central Canada Potash case, Judge Disbury said that what the Government was purporting to do under conservation was really control the market and that to fly under conservation was just another way of moving into the federal field of trade and commerce. Mr. Justice Disbury said that you cannot do indirectly what you could not do directly and that's always been the principle of constitutional law in dealing with whether matters are intra vires or ultra vires.

How would any fair and honest and moral government, who have gone before two well qualified and well thought of judges in our courts, both Conservative appointments incidentally, Mr. Justice Hughes and Mr. Justice Disbury, how would a fair, honest, moral government have reacted to the clear statement by two separate courts that conservation was not a means by which they could intervene into inter-provincial trade? An honest and open government I suggest would simply have accepted that there is some limit on the Cabinet.

But this Government, Mr. Speaker, is not an honest and an open government and they now choose to try to subvert the system of justice and do, in an immoral way, what they could not do in a legal way. They choose to redefine conservation and the argument will then be presented for the court that a judge can't consider what conservation is, because the Legislature has defined it.

It is as though Roy Romanow believes that somehow the Government can pull itself up by its own boot straps, jack themselves up by their own shoe laces. He seems to believe that they can get into the federal field by defining their way into the federal field. That they can somehow do in a side door, what the courts rightly wouldn't permit them to do through the front door.

Let me, Mr. Speaker, present an extreme example. Supposing that Government, with their endless sea of backbench faces, decided that they were going to move into the federal area of criminal law. All Members accept and understand that criminal law is something that is within the preserve of the Federal Government. Could the Government say, pass, and I quote an Act called, 'To Conserve Saskatchewan Humanity.' The purpose of 'The Conserve Saskatchewan Humanity Act' would be to see to it that people didn't murder Saskatchewan people, and they'd say these are people who reside in Saskatchewan, so to conserve Saskatchewan humanity we're passing an Act, we'll define conservation, we know we have control over our own people and the penalty for not going along with the regulations of 'The Conserve Saskatchewan Humanity Act', namely if you kill someone, would be hanging.

Now, could the Government, through a sleight of hand, move into a federal jurisdiction? I suggest clearly not, Mr. Speaker,

and I'm sure that that's the argument that will be presented in the courts. That indeed that was the argument that Mr. Justice Disbury dealt with in the Central Canada Potash case when he said you can't, by sleight of hand, legislate your way into an area by the words you use, you have to look at the sum and substance of the direction of the legislation.

The Government is virtually saying that they can legislate themselves out of a judgment. If they don't like a judgment they can legislate their way out of it, because I suggest they well know that the Central Canada Potash case will be upheld, probably by the Court of Appeal and certainly by the Supreme Court of Canada.

Now, Mr. Speaker, those are legal arguments. I'm not often sure that this is the forum to present legal arguments. But what of the morality of the Act? What should the people of the province think of a government that doesn't care what the law says, doesn't care what two judges, who have dealt with the question of conservation say, doesn't care what is right and what is wrong, because they are so intent on their own way, they are so insistent, that they'll do what they want to do, that they couldn't care two hoots what two judges say, they couldn't care two hoots what the pattern of law that's been laid down by the BNA Act says. They, in their small personal way, will insist that their own will be done, though they know that the majority of the people of Saskatchewan don't want them to do it and though they know that they are trying to do something which is illegal by everything that we understand within the balance of powers between the Federal and Provincial Governments.

Unfortunately, Mr. Speaker, the Act doesn't rest there. Section 3 provides that the Minister may prohibit the production of any mineral. The Act doesn't just try to undo what the courts have done, it goes further, with a further meddling, with tentacles of government further meddling into our lives.

The Legislature is asked to give a carte blanche, not just to Cabinet, which was done under The Coal Conservation Act, but to the Minister, to one man, to affect the lives of thousands and to affect the investments of millions and millions of dollars. Millions and millions of dollars, Mr. Speaker, that were invested for this province and the result of which was good for all of us. As with The Coal Conservation Act, now the Government says the Legislature should in advance, give the power to Cabinet to do in any way that it likes, with any of the mineral resources companies and really give that power, not just to Cabinet, where there would be a collective decision, but give that power solely to the Minister. Take the power from the men and women of this House who represent the people of the province, and give the power to one man, the Member for Regina North West (Mr. Whelan).

Section 4, subsection 3 says that now changes will be made in accordance with the terms as the Minister may determine. The Act used to say, in accordance with the Act. It's a little change. A change that says that the Minister can now set his own rules, he doesn't have to go by the objective rules that have been laid down by the Act and by this Legislature. He doesn't have to expose the rules by which he will determine action of the Government. He doesn't have to expose those rules to public debate and exposure and indeed gain the benefit of some Member's thinking about the problem. He doesn't have to do

that now. He doesn't have to deal in accordance with the Act. Just as the Minister may determine.

Corrections under subsection 4 of 4 will be in the Minister's discretion. A different way of saying the same thing in a different section. Corrections will not be in accordance with an objective test. There will be no review to a court to say we made the corrections and anybody can objectively see that we made the corrections. It would be like saying that you can obtain a divorce, not because you've been objectively cruel to your wife and daughter, or she can obtain a divorce because you've battered her around, but you can go into a court and she can go in and say that rotter used to butter his bread backwards and it bothered me, so I should have a divorce.

An Hon. Member: — Agreed.

Mr. Merchant: — I'd want a divorce from you too. But I'm talking about an objective test.

Some Hon. Members: — Hear, hear!

Mr. Merchant: — 11 (a) of the Act will now say that the Minister can cancel the potash licence in 30 days, rather than 60 days. The 60 days was skimpy enough. Mr. Speaker, those are rather small changes, but they have to be seen in relation to the expropriation legislation of the last House, they have to be seen in relation to the fact that the Government says they can take a vesting order without ever coming back to this House to review that they have taken over a company. They have to be seen in relation to the whole picture which is a government which is determined to take unto itself full power.

Mr. Speaker, these small but significant examples in the legislation will operate to increase Cabinet power, they are all a part of the piece, and all of the legislation is a part of a concerted attempt by this Government to subvert the judicial and legislative process, to take power, all power unto itself.

There is a second area of development, Mr. Speaker, to which I wanted to refer. A second area in the Act where again there is a determination to attack the Central Canada Potash case. Mr. Justice Disbury for Central Canada said that the regulations are not within the authority of the Act. He said that the legislation hadn't given the Government the power to pass the regulations which the Government then passed. That was the second reason that he struck down the prorationing tax. We all know that the potash companies haven't been paying the tax, we all know that the Government for some amazing reason says they should go on paying the tax, even though the law says that the tax has been wiped out. We all know that if they pay that money, Mr. Speaker, they can't get the money back, that the Government has been very clear in saying, you should be paying the money, and if you go on winning and win the Supreme Court of Canada, we'll not give back the money. It is not as though we'll accept the money in trust, or let it stay with some third party, or have it paid into court so that we know we can get the money back if the case goes against us, no, they don't say that. They say that the case should just be ignored. The companies haven't paid of course since the judgment.

Mr. Speaker, the second part of the Disbury judgment, and that's the part that says that the regulations weren't passed under the authority of the Act, is cured by the Government which now say that they can put the sum and substance of all of those regulations right into the Act. They put those regulations into the Act and then they say, the Act will apply back to the time when the regulations were passed. Again, Mr. Speaker, trying to pull themselves up by their own boot straps, again saying we don't give two hoots what those two very well qualified Queen's Bench judges have done, we'll correct that. We are not going to be pushed around by any judges on behalf of the people of this province. It's so simply, but it is corrupt and it is improper and it is dishonest, but it is very, very simple.

Some Hon. Members: — Hear, hear!

Mr. Merchant: — You lose a judgment because the regulations weren't valid, so you incorporate in an Act new terms. You say those new terms and provisions, which are exactly the same as the terms and provisions which were struck down, they applied from the date in the past to do anything, Mr. Speaker. But it has never been done and it is dishonest and corrupt and improper.

Some Hon. Members: — Hear, hear!

Mr. Merchant: — I ask the Member, Mr. Shillington, if that's within the pattern of law that you believe in? If the Member for Quill Lakes (Mr. Koskie) were here I would ask him. Is that the pattern of law that you think is appropriate and proper? Is that the pattern this Government should lay down? I ask that of some of your back benchers, whether you can do anything, whether it is dishonest, whether it is immoral, whether it is corrupt? Can you do anything because you say it is for the good of the people? Do the means justify the end, just because you think that you are doing something for the good of the people? That's what this Act does, it is a means that will justify the end and most of your legislation in this area says, no matter, the means. We can do anything though we know it would be immoral, we can do anything because we say we are acting for the good of the people.

How is that legislation any different, and how is the argument that you present any different from the argument that would be presented by a dictator in South America? Or any different from the argument that would be presented by Franco's Spain, or Hitler's Germany? Those governments said they were acting for the good of the people, just as you do. Perhaps those governments were right! But within our rule of law, we say, and right-thinking people throughout this province say, that the means doesn't justify the end, that you can't write yourself a carte blanche to do whatever you like, simply because you say that what you're doing is for the good of the people of this province. You may be right. It may be good for the people of this province. I don't think so, but you may be

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right, 60 per cent of this province doesn't think so. You may be right! But does that justify doing dishonest, immoral and corrupt things? Does that justify setting a precedent and a pattern where you say that we don't have any rule of law in this province, where you say that the government is exempt from the rule of law?

Mr. Speaker, I don't think that an honest Member could support these amendments which do in a dishonest and corrupt way what the Government has not been able to do legally before our courts. I won't support these amendments. I hope, Mr. Speaker, though I know that the endless sea, including the Member for Regina Rosemont (Mr. Allen), who is fond of his little comments, I know that he'll rise with the group of happy faces, to vote in favor. That's the slow but sure road into the Cabinet and he hopes, Mr. Speaker, to get six or eight months in the Cabinet before the Government goes down.

Mr. Speaker, I suggest that an honest Member couldn't support this kind of gross tampering with the system of law. I really say to the one lawyer of the four who sit over there, think about the precedent that you set as a government, when you decide that you will tamper in such a corrupt way from the way the court systems operate.

Some Hon. Members: — Hear, hear!

Mr. R. L. Collver (Leader of the Progressive Conservatives): — Mr. Speaker, in rising to speak to the amendments to this particular piece of legislation, I believe the Member for Regina Wascana has rather succinctly pointed out the areas of problems as they relate to the law and quite frankly we concur in his comments as to the Government of Saskatchewan tinkering with the law and attempting to do legislatively what they could not do judicially.

However, the concern that we have, we have expressed before, time and time again and that is, the tremendous centralization of power that is taking place in the Province of Saskatchewan in the hands of the Cabinet and the Premier. Our main concern, and I think should be the main concern of the Members opposite as well. Right now it happens that the NDP happen to be in power in Saskatchewan, but just suppose for a moment, for one moment, that two or three years from now the Progressive Conservatives become the Government of Saskatchewan. Suppose that anathema to your system, that anathema to you as individual Members, your group of citizens in the Province of Saskatchewan have that nemesis to them — the Member for Nipawin as the Premier — and suppose he has the kind of power over the lives of the people who support the NDP today — suppose he has the power that you are giving to the Premier of the Province of Saskatchewan under this kind of legislation.

Mr. Speaker, I think that the people who sit on the benches opposite and the arch supporters, those few NDP supporters that are going to be left after the next provincial election, are going to be very concerned about the amount of powers that are in the hands of the Premier and the Cabinet when the NDP do not sit in the benches opposite.

An Hon. Member: — . . . Liberals!

Mr. Collver: — Well even if that nemesis occurred with the Members to my right, I think we would all be in a lot of trouble, if they had that kind of power.

We are concerned, Mr. Speaker, about the power that is being attributed to Cabinet, the power that is being granted to the Premier and his Cabinet by this and other pieces of legislation. I have a great deal more to say on that. I beg leave to adjourn debate.

Debate adjourned.

SECOND READINGS

Hon. W. A. Robbins (Minister of Health) moved second reading of Bill No. 58 — **An Act respecting Emergency Medical Aid.**

He said: Mr. Speaker, this Bill 58 deals with emergency medical aid. The Bill contains provisions that have become commonly known throughout North America as the Good Samaritan law. The law is primarily intended to protect physicians from claims for damages where they may come upon a person or persons injured in a highway traffic or other similar accident, and who require assistance on an emergency basis. The physician, like the Good Samaritan, will provide whatever assistance he can, even though he does not have access to the equipment and apparatus available to him in his own office or hospital or the support staff necessary for carrying out complex procedures.

The law provides that the physician will be protected from any claims for damages by the person or persons to whom he provided this medical assistance, unless gross negligence is established.

Good Samaritan laws have been enacted in a number of the states in the United States of America. This law was also enacted in Alberta in 1969. The report of the Special Committee of this Legislative Assembly on Highway Traffic and Safety included in this report made in February 1975, the following recommendation:

That legislation such as Alberta's Emergency Medical Aid Act be enacted in this province to protect those people who provide emergency medical assistance, particularly to victims of traffic accidents and the possibility of civil suit.

The College of Physicians and Surgeons of this province has also proposed on several occasions that this law be enacted in this province. It should be noted that the incidence of medical negligence and malpractice claims is much lower in this province than in most of the states of the United States of America where medical malpractice claims have become relatively common.

This Bill, Mr. Speaker, is therefore intended not so much to protect the physician from claims for damages but to give him a feeling of assurance that he has some degree of statutory protection when he provides emergency medical services at the scene of a roadside accident, without adequate equipment and supporting personnel.

This law should remove any hesitancy on the part of a

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passing physician to provide emergency services under difficult conditions. This is only one small part of a series of actions that should be taken in regard to highway traffic accidents, but it is a measure that is of some importance to the medical profession and other groups of persons providing emergency assistance to victims of traffic and other accidents.

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

Mr. E. C. Malone (Regina Lakeview): — Mr. Speaker, I should just like to say a few words. The Liberal caucus will be supporting this Bill. We welcome it, we think it is perhaps overdue, but that's not being by way of criticism. We are glad the Minister has seen fit to bring the Bill in. We will be supporting the principle of it.

Mr. L. W. Birkbeck (Moosomin): — Mr. Speaker, I just want to say a few words on the Bill before us. As much as I have been at the scene of accidents different times, I think a Bill of this nature which will provide for emergency medical help in the Province of Saskatchewan is one that I have been looking for to be brought in to prevent numbers of people from being sued in cases where they were only trying to help their fellowman.

We will be supporting the Bill as well.

Mr. A. Thibault (Kinistino): — Mr. Speaker, I should like to speak on this Bill. I appreciate this, this is part of the recommendations of the Highway Safety Committee. I hope that it doesn't stop there. We have a serious situation in our society. Out of 317 students who have come to this Legislature this year, from my constituency, a question was put to them — How many of them had taken first aid? Out of the whole bunch, six had taken first aid. I asked them whether they felt they should take first aid in their education, and all the hands went up, that they believe they should take first aid. I hope the Minister of Education will take note of that.

It is all right to expect people to help, but they must be equipped with the knowledge to do the right things. At the International Conference on Traffic Safety we were told that the first person on the scene of an accident was a very important person. Mr. Speaker, 20 per cent of the people who die in traffic accidents would have been saved if the first person there would have known what to do. There are many people in the morgues when the autopsies are taken where they say, this person may not have died. I say, good, it is a step forward, this Good Samaritan legislation. But let's do something about the knowledge for people to do the right thing when they come upon the scene of an accident.

I reiterate again, because some Ministers forget easily, that we want this type of education carried out in our schools. We had Allen Oliver, the Member for Shaunavon, who was on our committee, who said he brought a doctor into the school for one day. The doctor came in with a bottle of mercurochrome and he marked up the students, they spent the whole day carrying on first aid in school. He said that classroom never was the same again. Two weeks later they had a broken window in the school.

A little kid comes to the teacher and says, teacher we have a broken window, we better fix it before somebody gets hurt. Ordinarily they would say, who the hell broke the window? There would be a fight over it.

But we need attitude changing programs. I say that first aid in our schools would certainly be an improvement to attitudes towards safety.

I will be supporting the Bill.

Motion agreed to and Bill read a second time.

Mr. Robbins moved second reading of Bill No. 64 — **An Act to amend the Superannuation (Supplementary Provisions) Act.**

He said: I might just take a minute or two to outline this Bill for the House and give a bit of background.

There are five main government superannuation plans in effect, The Liquor Board Superannuation Act, The Public Service Superannuation Act, The Saskatchewan Power Superannuation Act, The Sask Tel Superannuation Act and The Worker's Compensation Superannuation Act. These are formula type superannuation plans and they are standardized in the sense that payment out of those plans is on the basis of 2 per cent for each year of service with the average of the six highest years of salary when the person goes on pension. There are, of course, some differences in certain of the sections of the various Acts to take into account differences in the terms and conditions of employment.

I want to point out that the provisions of The Superannuation (Supplementary Provisions) Act generally apply to those five Acts.

The Bill setting up that Act came in in the year 1965. It was devised as a legislative means to provide uniform amendments to the five superannuation plans in the use of one Bill rather than five.

The Bill presently before the Legislature will provide supplementary allowance for superannuates of \$12 for each year of service; and for widows \$6 for each year of service of the employee in respect of whom the allowance is being paid; up to a maximum of 35 years of service in both cases. The allowance is computed on that maximum of 35 years service as previously mentioned.

I want to point out that down through the years, the last 10 years or so, or maybe a little longer than that, I think 10 years out of the last 12 years there have been supplementary provisions provided. There are currently some 1,781 people on pension in the province out of the Public Service Superannuation Plan and obviously some additional ones out of the various other Acts, but smaller in numbers.

The provisions of the Act have been changed down through the years on varying scales. In the initial stages — 1965, it paid \$10 annual allowance plus \$5 for widows. This was related to only those people who retired prior to April 4, 1951. In subsequent years they upgraded the Act, bringing the 1966 provisions up to April 1, 1954, those persons who had retired up

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to that time were in receipt of this allowance as well. In 1967 it was increased up to 1958 for those persons who were put on pension prior to '58 and in '69 those prior to '63. The total sums available up to the end of 1970 were \$259,121 in terms of supplemental allowances to the people on pensions.

Since that time, provision has been made in each of the subsequent years from 1972 through to the present. The total sums available in that period are \$1,849,324 for a total of \$2,108,445 in supplementary provisions in the last ten years.

No one is going to argue that this is adequate. Particularly during the last three years the erosion of pensions has been very severe because of the high inflation rate. We have been urged many times by pensioners to have a look at an indexing system which would work well for people on pension. We have looked at this. In fact, we have a number of reports from actuaries which indicate that the results if we invoked indexing on the basis of the Regina-Saskatoon index, or if we use the Canadian Consumer Index, that the costs would be staggering.

We conclude the greatest benefits should be provided to those persons who serve the province for most, if not all of their working years. It was, therefore, decided to provide a supplementary allowance on the basis as previously outlined.

I want to make it clear, that I personally do not consider this any final answer at all in the field of pensions. It is simply a bandaid approach, that is patchwork to attempt to keep people's economic heads above water, if you want to use that term.

I want to make clear that we deliberately set the thing up in the way it is now set up in relation to a flat rate increase. This was done deliberately because the person who is on a pension of \$3,000 and gets a \$420 increase as a supplementary provision based on a fact that they have had 35 years of service and under one of those Acts will have a 14 per cent increase in their pension. However, if the pension is \$6,000 a year they will also get a \$420 increase, assuming again that they had 35 years service under one of those particular Acts. They will be getting a seven per cent increase. If they were on a \$10,000 a year pension, they would again get a \$420 increase on a flat rate basis, and this would be 4.2 per cent of the total.

The average in '75 worked out to about 8.8 per cent; the average for '76 hasn't been computed as yet. It will obviously be a little less than that because it will be computed on a higher figure taking into account the supplementaries that have already been paid.

Our Government is engaged in a continuing study on pensions. Frankly, I am one who would personally like to see some quicker action on the field of pensions. It is a very difficult field because you cannot get unanimity amongst people and you carry on consultations for a very long period of time.

Personally, and I would just like to make these remarks in conclusion, I don't think I will have an opportunity in this Session of the Legislature to deal with it at all and I will do it very briefly. I came to the conclusion a long time ago that a pension should not be a reward for long service. That is irrational in our present day society. The pension should be

a deferred wage and that a person should have that pension payable to them when they become pensionable so they have pensions for each period of employed period during their working lifetime.

I just want to cite one example from my own experience, just in round figures, to illustrate why I hold that point of view. I know of the case of an individual who was 25 years of age who went to work for an employer, who accumulated roughly \$4,000 of money in that pension plan and left that job at age 30. Because the vesting and lock in clause was applicable to that particular pension plan, that money belonged to that person but had to be retained for the purpose intended, pension. That \$4,000 accumulated over a period of years on ten-year cycles on a seven per cent compounding rate, will total over \$32,000 by the time the individual reaches age 60 and will be in excess of \$40,000 at age 65. Even at age 60, \$258 a month would be available from that original \$2,000 contribution of that individual, matched with a similar contribution from the employer.

At age 65, because of the accumulative effect of the current interest return based on a 7 per cent compound rate, that individual would have a pension running very close to \$350 per month, payable as long as that person lived and carrying a long term guarantee.

What I am simply saying is that these provisions we are hopeful will be of some assistance, and obviously they will be of some assistance in alleviating some of the problems people have who are on pensions. But I must also point out that if we had used the flat percentage rate we would have, of course, given a great deal more help to the people on higher pensions, and much lesser rate to the people on lower pensions. That is why we used the flat rate approach.

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

Mr. E. C. Malone (Regina Lakeview): — Mr. Speaker, I want to compliment the Minister on the manner in which he gave his remarks. I think he realizes perhaps more than anybody on that side of the House and perhaps even on this side of the House, the difficult situation that this whole country is getting itself in in connection with pensions. The Minister says perhaps the Act was inadequate for what it could do and I think that is right and, of course, will be supporting the Act.

But really, the Act begs the question. All of the superannuation Acts we have here beg the question. Somewhere along the way some government is going to have to bite the bullet and come to grips with the problem. Whether it is your Government or the Government in Ottawa or somewhere else, is a problem that is descending on us like a big black cloud. One of these days we are going to be in the situation where funds aren't going to be there to pay out the people that are entitled to them.

I can't let the opportunity go by, Mr. Speaker, without saying something about this Government's record with senior citizens and old people. I condemn the Government for their record in this regard, notwithstanding their flaming speeches

about what they do for the nursing homes and so on.

We advocated in the last election a basic minimum pension to senior citizens of \$350, single and \$500 a month if married, which was the recommendation, I believe of the Wartman Commission. The Senior Citizens' Action group, under the guidance of a former Member of your Government at one time, was putting on a pressure on your Government to adopt these recommendations. For some reason he turned his attentions away from the NDP of Saskatchewan and has now gone on to Ottawa.

I say that it is appropriate for this Government to be concerned and give senior citizens at least a decent standard of living, rather than putting their emphasis and their thrust of Government into things like potash and oil and so on.

The first duty of any government is to make sure that the citizens over which they govern are adequately provided for. I submit that this Government has not done that. I am not going to go on with one of my long senior citizens speeches, you heard them before, and you will no doubt hear them again. But I do urge upon the Minister to hopefully get some of his opinions and some of his thoughts across to his Cabinet colleagues about pensions. I wonder if the Minister, when closing debate, could give us some indication as to the Government's thoughts in this regard. Whether we can look forward to any legislation next year or the years ahead about pensions. I realize of course it is hard to legislate in a vacuum and this perhaps could be a federal problem rather than a provincial problem. But I should like to hear briefly from the Minister in this regard and as to what the Government's intentions are with the whole problem of pensions.

Mr. R. Katzman (Rosthern): — When the Minister is replying to the Member for Regina Lakeview, would he also indicate if he was suggesting that all pensions will be covered like the 10-45 Law, or will it be like from day one. Is that what you are recommending with the example you used of the employee who had the \$2,000 and the \$2,000 matching? Are you suggesting that we should be looking at that now, where all pensions are locked in and you can't withdraw?

Mr. Robbins: — Mr. Speaker, my remarks will be very brief.

I agree that we cannot solve this problem quickly unless we are willing to make a start on it. I have not found yet a unanimity of opinion with respect to making that start. Until we come to the conclusion that a pension is in fact a deferred wage and the pension in fact covers each individual for each of his or her employed periods we will not solve the pension problem. The real problem in terms of the inflationary trend that hits pensions today, shows up very clearly in terms of the fact that you cannot determine in advance what those costs are going to be. And I might say that the assumption is made on the basis of an actuarial study when the pension plan is established that most of the people participating in that pension plan will never be pensioned by it. That obviously never provides an answer for the vast majority of people. The sad fact is they all end up at government's door, provincial or federal, eventually saying they have insufficient funds on which to live. Therefore, I say the sooner we get to this point in time, the better off we are. It is not something that has an immediate

instant solution because once you get on that road you really don't see those results for a fairly prolonged period of time. But at least you have to make a start. I suggest that although I don't question the need for some increases in relation to senior citizens, I do suggest to the Member for Lakeview that is something beyond the province's ability to control. I still think that is something that has to be done at the national level. I must conclude that even the Wartman report very strongly pointed out that that was a federal responsibility.

Motion agreed to and Bill read a second time.

The Assembly adjourned at 5:47 o'clock p.m.