

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
3rd Session — 18th Legislature
15th Day

March 11, 1977

The Assembly met at 2:00 o'clock p.m.
On the Orders of the Day.

QUESTIONS

FUNDING FOR SCHOOL OF MEDICINE

MR. C. P. MacDONALD (Indian Head-Wolseley):— Mr. Speaker, I should like to direct a question to the Premier if I may. During the by-election reports emanated from the Saskatoon University campus that the morale at the School of Medicine was at an all time low and caused by a lack of funding from the Provincial Government. Reports also indicated that members of the School of Medicine had communicated directly with the Premier regarding this particular situation. Could the Premier indicate to the Members of the House whether he has received any communication either verbally, through correspondence or whatever, regarding the situation, the morale or the funding of the School of Medicine at the University of Saskatchewan?

HON. A. E. BLAKENEY (Premier):— Mr. Speaker, I could not say for certain that I have or have not received any, verbally, although I certainly don't remember any. They certainly were not in any organized way, or I would remember. With respect to written communications, I have received none from students but have received a communication from a faculty member, a member of the Faculty of the Medical School outlining his views on the financing.

MR. MacDONALD:— Could the Premier indicate if this was the Dean of the School of Medicine and could he indicate to me whether he has initiated any steps within the Government, either through his office or any medium of the Government to investigate or to enquire or to research the funding of the School of Medicine in the city of Saskatoon?

MR. BLAKENEY:— Yes, it was the Dean. The answer to the second question is: I am corresponding with the Dean. In the course of corresponding I am obtaining information from the Department of Public Health and the Department of Continuing Education and other agencies of government which are associated in one way or another with the financing of the College of Medicine.

MR. MacDONALD:— Could the Premier also indicate whether one of the major areas of complaint of the School of Medicine was because medical doctors, who are associated in the School of Medicine, are being forced to practise far more than should be required in relationship to other Schools of Medicine in order to help finance the School of Medicine and, therefore, because of the clinical work that they are doing, they indicate their teaching is suffering and also their research is suffering?

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MR. BLAKENEY:— I could not now characterize that as one of the main problems raised, although it may have been. It is a very lengthy correspondence, a number of issues are raised. Certainly one of the issues raised was the amount of time that those physicians who both practise and teach spend at practice and whether or not it leaves them sufficient time to teach. Research may have been mentioned as well, I can't quite recall.

MR. MacDONALD:— Could the Premier indicate whether or not the results of his research into the funding of the School of Medicine will be made available to Members of the Legislature and the public at large, so that we will be able to evaluate exactly how the Government is financing and funding the School of Medicine and what is the quality of the School of Medicine in Saskatoon?

MR. BLAKENEY:— The answer to that is No. I will not reveal my correspondence with the Dean of Medicine. If he wishes to reveal it that is up to him. As of now it is private correspondence, I don't think he would mind my indicating that the correspondence is taking place but the particular contents of the correspondence is, at least in my judgment, not mine to reveal. Doubtless, all questions surrounding the financing of the School of Medicine can be raised on the Estimates, either of the Department of Continuing Education or the Department of Public Health, depending on where you feel the shortcomings lie.

PROVINCIAL TAX RATE

MR. W. C. THATCHER (Thunder Creek):— Mr. Speaker, I would direct a question to the Minister of Finance, however, since he appears to be having his problems on the Shragge line, I will therefore direct it to the Premier. The first couple are very innocuous, Mr. Premier, I am sure, without too much research you can answer it. Would the Premier tell us . . .

MR. SPEAKER:— Order! The Member puts me in a very difficult spot when he says his questions are innocuous, because these are supposed to be questions of urgent concern.

MR. THATCHER:— They are also basic, Mr. Speaker. Would the Premier confirm that last year the basic provincial tax rate of Saskatchewan was 40 per cent of your federal tax less \$100 plus a 10 per cent surcharge on taxable incomes over \$1,500?

MR. BLAKENEY:— Yes, that's my recollection, Yes.

MR. THATCHER:— Would the Premier tell us, would the Premier confirm that effective January 1, or to go back a little further, that in December it was announced that the tax rate would then go from 40 to 45 per cent?

MR. BLAKENEY:— Yes, in November or December approximately.

MR. THATCHER:— Mr. Speaker, would the

Premier confirm that the basic provincial tax rate is now 58 per cent? Would the Premier confirm that this is a 50 per cent increase in the provincial tax rate? And would he confirm for us in a level that CBC, the Leader-Post and any other gentlemen of the press who yesterday reported that there was no increase in the provincial taxes . . . You can't understand?

MR. BLAKENEY:— You put me in great difficulty.

Your first assumption is wrong. Yes, it is true that the percentage has gone up, but it is a percentage of a quite different figure. Therefore, if people pay their taxes in percentages, their taxes have gone up. If they pay their taxes in dollars their taxes haven't gone up. Quite a few people are interested in the dollars, and if they pay in dollars and not in per cent, their tax hasn't gone up.

SOME HON. MEMBERS:— Hear, hear!

ENERGY AND DEVELOPMENT FUND

MR. R. L. COLLVER (Leader of Progressive Conservatives):— Mr. Speaker, I should like to direct a question to the Premier in the absence of the Minister of Finance. I delivered to the Premier just a couple of minutes ago, a hand written (because of the time involved) calculation and a copy of the Budget Speech which belongs to my seatmate, which I hope the Premier will return. My question is this, Mr. Premier. Is the Government of Saskatchewan using the resources of the Energy Development Fund to finance the day-to-day operation of the Province of Saskatchewan?

MR. BLAKENEY:— Using, in the sense that if the Member is talking about the capital of the Energy and Resources Fund, the answer is No, save only that which is referred to in the Budget as being transferred from the Energy and Resources Fund to the Consolidated Fund as is set out in the Estimates each year. I believe it was \$35 million last year and I believe it's \$35 million this year.

MR. COLLVER:— A supplementary question, Mr. Speaker, if the Premier would refer to the hand written statement, and I beg the indulgence of the Speaker in this matter, you will notice on page 59 of the Budget Speech, there is a presentation of the financial statements of the Province of Saskatchewan indicating that there are some \$405 millions of dollars in cash investments and indicating that there is liability to the Deposit Account, Minister of Finance, for \$382 million and a cumulative Cash Carried Forward of some \$111 million, for a total of some \$493 million, what you might refer to as a net worth type item. There is only cash in investments totalling \$405 million in that financial statement as of March 31, 1976, meaning that there is an \$88 million shortfall in cash and liquid investments to cover the two items on the province's balance sheet of \$382 million and \$111 million. I am going to return to the question, I beg the Speaker for his indulgence in this matter, because this is a matter of considerable urgency. In accordance with the Province of Saskatchewan's estimated deficits for the year ending March 1977 and March 1978, one totalling approximately \$50 million according to the Minister of Finance, the other totalling approximately \$40 million according to the Budget

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Speech yesterday. The withdrawal of \$124 million from the Energy Fund to pay for the Duval Potash Mine is not, I understand, from the Provincial Auditor, reflected in the statements as of March 1976 . . .

AN HON. MEMBER:— What's your question?

MR. COLLVER:— . . . If I could just mention these items, for what it is worth, Sylvite \$108 million, for a grand total shortfall of \$410 million for the period ended March 31, 1978. The Minister of Finance told this Assembly yesterday that some \$10 million per month would be received . . .

MR. SPEAKER:— Order, Order! Would the Member please take his seat. The rules that have been set down for this Question Period are very clear. Questions must be brief and to the point and should ask only one thing at a time and they should not require a lengthy or detailed answer. It should be for information that is urgent, of course, and cannot be acquired in any other manner. I think that on the basis on which he is proceeding now, I would have to rule the Member's question out of order.

I would ask the Member for Nipawin (Mr. Collver) not to ask a supplementary but I will permit him a question.

MR. COLLVER:— Thank you, Mr. Speaker. Is the Premier aware that in the Government's own words there will be a \$170 million cash shortfall which will have to be financed through borrowing for day-to-day operations, plus the purchase of Duval and Sylvite by March 31, 1978?

MR. BLAKENEY:— Mr. Speaker, the Hon. Member is attempting to say that we are using the Energy and Resource Fund for day-to-day operations and he does it by saying the Energy and Resource Fund has \$381 million in it, which isn't quite accurate. That and a number of other funds are in the deposit account. The statements show cash and investments of \$405 million. That seems to cover it.

The cash carry forward is \$111 million. We do not keep that in a bank account, we use it for other operations, including, let us say, working capital advances, and if we need it, advances to Saskatchewan Power Corporation. It is true that to the extent that the working capital advances are not immediately repayable we will have to borrow money, obviously. It is true that to the extent that some advance to one of the Crown corporations is not immediately repayable, we will have to borrow money. Keep in mind that some of these investments and loans are paid back daily or monthly. It is not true that all of that money is out on long-term. It is perfectly in order, and surely only prudent business, to use a cash carry forward for the day-to-day cash needs of the Government.

The Hon. Member is assuming that every dollar out on this date of March 31st is out for 10 or 20 years, and that is twaddle, absolute twaddle. And only on that basis, only on the basis that none of this money was repayable by March 31, 1978, would his figures mean anything. And if any of it is repayable in the next year, it is all deductible from his figure. He simply does not grasp the fact that when one has money one uses it and doesn't go out to borrow until you need to. We do not need to

borrow the sums that he has indicated.

SOME HON. MEMBERS:— Hear, hear!

MR. SPEAKER:— Order, Order! I think it is perfectly obvious to Members that I have to take the next question.

FUNDING FOR SCHOOL OF MEDICINE

MR. E. C. MALONE (Leader of the Opposition):— Mr. Speaker, a question again to the Premier in the absence of other Members.

The Member for Indian Head-Wolseley (Mr. MacDonald) was asking you about the University of Saskatchewan Medical School and I don't think that you answered his question entirely or properly.

Is there or is there not an inquiry taking place at the Medical School at this time, about the funding of the School, its present operations and investigations into the problems of the School?

MR. BLAKENEY:— No, I think not. No inquiry is taking place and none has been requested by anyone that I am aware of.

My reply to the Member for Indian Head-Wolseley meant to convey, and I believe conveyed, the information that I had correspondence with the Dean. He was putting questions and propositions to me which I undertook to look into and reply to. I replied to one letter of his and am in the process of replying to a second. In the course of so replying I obtain information from the Department of Continuing Education and the Department of Public Health.

You may call that an inquiry if you will. It is not the type of activity which ordinarily bears the name of inquiry.

MR. MALONE:— A supplementary question, Mr. Speaker.

Why is it that your office is looking into this particular matter and not the Minister of Public Health or the Minister of Continuing Education? Perhaps, more properly, whose responsibility is the University of Saskatchewan Medical School, is it the Premier's office or one of the other two Ministers that I have mentioned?

MR. BLAKENEY:— It is the responsibility of the Minister of Public Health and the Minister of Continuing Education. The Medical School gets funding both from the University of Saskatchewan, where the funds go through the Department of Continuing Education and the Universities Commission and also from the Saskatchewan Hospital Services Plan and the Medical Care Insurance Commission, because part of the funding is as a hospital and some of the instructors are also practising physicians.

I am responding to the letter because the Dean wrote to me. Clearly, I could have indicated to him that the Minister of Continuing Education or the Minister of Public Health would reply. I felt that he wished me to look into it and satisfy

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myself. That is what I am in the process of doing. I have a great deal of respect for Dean Murray and I felt that I owed it to him to look into the matter myself and reply to him myself.

RURAL TELEPHONES ASSIMILATION WITH SASK TEL

MR. R. H. BAILEY (Rosetown-Elrose):— Mr. Speaker, I have a question for the Minister in charge of Sask Tel.

Currently, in Saskatchewan and in the past few months, there have been votes being conducted by rural telephone companies as to their assimilation into the total takeover by Sask Tel.

Could the Minister provide this House with any relative information concerning the number of rural telephone companies that have voted not to assimilate with Sask Tel?

HON. N. E. BYERS (Minister of Telephones):— Mr. Speaker, I cannot give you the exact number at this present time. I say to the Hon. Member I would appreciate it if he would put it on the Order Paper. I am going to be away for a while, but I would be pleased to provide you with that information on any specific date. There are a number of assimilation meetings still being held, that is, the rural telephone companies are still in the process of calling a special meeting for their subscribers to vote on the assimilation question.

May I say to him that some of the rural companies have voted not to assimilate at this time for a number of reasons. One of the main reasons is that the companies have had an extensive buried cable program underway and they may have only 10 or 15 miles of line to build. If they remained independent this year or for a year or two, they may be able to complete their own buried cable construction program sooner than if they were to assimilate and have Sask Tel build it as part of the seven-year program. That has been the main reason for a company deciding not to assimilate at this time.

I want to assure the Member and all Members of the House that if a company had an assimilation meeting this year and decided not to assimilate for one year, they can call a meeting one year from now and the offer is still there for them to be assimilated.

MR. BAILEY:— A supplementary question. I am quite aware of the answer that the Minister has given.

There have been some companies that chose not to assimilate, but can the Minister in charge of Sask Tel provide this House with information as to if there will be any pressure brought to bear this year, next year, or down the road, to those companies which continue to prefer a lower rental fee under their own? Will there be any pressure brought to bear on these companies which do not assimilate with Sask Tel?

MR. BYERS:— There will be no pressure whatever brought to bear on those companies that wish to remain as independent privately-owned, subscriber-owned, investor-owned companies. This is

clearly a voluntary assimilation program and neither we, the Government, nor Sask Tel, the Crown Corporation, have any intentions of interfering or pressuring any rural company to give up its independence. If they want to continue to operate their own company we will not interfere at all and we will continue to give them the normal kinds of assistance that they have been able to get.

ESTABLISHED PROGRAM FINANCING

MR. C. P. MacDONALD:— Mr. Speaker, may I direct another question to the Premier on another matter.

Would the Premier mind answering a question on Page 6, where it says “Established program financing for other established programs”, what that \$142 million is?

MR. BLAKENEY:— Mr. Speaker, I don’t have my Estimates before me but basically what has happened in the negotiations with respect to the financing of medical care, hospitalization and post-secondary education was that the sharing has been withdrawn. No longer will the Federal Government pay approximately 50 per cent of hospital care, approximately 50 per cent of medical care and approximately 50 per cent of post-secondary education. If I may use hospitalization as an example, and the program is virtually the same, hospital care was previously financed approximately 50 per cent by the Provincial Government and approximately 50 per cent by the Federal Government. The Federal Government has said we will no longer finance the 50 per cent. We will do the following:— We will finance 25 per cent, in rough terms, by a block grant and the other 25 per cent we will finance by cutting our income taxes to provide room so that you can raise yours. The increase in income taxes is reflected in the increase in provincial tax rate which the Member for Thunder Creek (Mr. Thatcher) is attempting to make an issue of. The block grant is now called The Established Programs Financing which roughly makes up 25 per cent of the cost of medicare, hospitalization and post-secondary education.

BEEF MARKETING

MR. L. W. BIRKBECK (Moosomin):— Mr. Speaker, a question to the Minister of Agriculture.

In view of the fact that a similar thinking government in Manitoba is currently proposing to implement a marketing board for beef and the Federal Minister of Agriculture is making a similar proposal, is it the intention of this Government to implement a similar board in Saskatchewan? Will the board be producer controlled by producer elected representatives?

HON. E. KAEDING (Minister of Agriculture):— Mr. Speaker, there is a lot of discussion going on in the country now about what form of marketing beef producers want and at this point, I have no recommendation from any group as to what they would like, in terms of marketing and marketing agencies. I am expecting that some of those groups will be making recommendations to me, but up until the time that they do, we are not planning any action.

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ESTIMATED LOAN ADVANCES

MR. R. L. COLLVER (Leader of the Progressive Conservatives):— A question to the Premier in the absence of the Minister of Finance.

In the Budget Speech yesterday there was recorded an estimated loans advances and investments for 1977-78 of some \$344 million, with a list of items Sask Power, Sask Tel, Sask Housing and so on. Are those amounts borrowed specifically for those organizations through legislative authority and if they are borrowed through legislative authority is it legitimate that those borrowings are transferred to other organizations or departments of government?

MR. SPEAKER:— I am not going to permit the question. I will take the Member for Morse (Mr. Wiebe).

FARM COST REDUCTION PROGRAM

MR. J. WIEBE (Morse):— Mr. Speaker, a question to the Minister of Agriculture.

I was wondering if he could advise this House and the people of Saskatchewan as to why, at a time when the farmer's net income is going to be considerably down, in fact possibly lower than any other period of time in the history of Saskatchewan, that he and his Government have found it necessary, at this time, to do away with the Farm Cost Reduction Program?

MR. KAEDING:— Mr. Speaker, I think the Member will recognize that at the time the Fuel Cost Reduction Program was brought in, it was brought in as an equalizer to the gas tax because as there was a seven cent gas tax applied and at that time we felt that farmers should get an equal benefit and they were given a seven cent subsidy. That has now been removed as you heard yesterday in the Budget. The four cents which was still on the gas tax, or short on gas tax was removed and it was felt that we should also remove that additional benefit to farmers to balance the two. I think the Member will know that in the last year the total amount received by farmers, the average amount under that program was about \$69 and that really is not a very major amount in a farmer's budget and I think that considering the fact that we are now going with stabilization programs which I think are much more meaningful to farmers I think that trade-off is a pretty good one.

MR. WIEBE:— Mr. Speaker, a supplementary question.

In light of the fact that it was actually not a seven cent increase but a 14 cent increase on behalf of the Provincial Government and a 10 cent per gallon increase on behalf of the Federal Government, amounting to 24 cents; the province in effect is taking an extra 14 cents per gallon from the farmer every time he purchases a gallon of diesel or purple fuel, the Federal Government takes 10 cents a gallon and refunds that entire 10 cents back to the farmer. Is this another way that the Provincial Government is trying to get back at the farmers for what the Liberal Government did when they took away the tax free purple gas?

MR. SPEAKER:— Order! I find the supplementary not in order.

POPLAR RIVER POWER UNIT

MR. R. A. LARTER (Estevan):— Mr. Speaker, a question to the Minister in charge of Sask Power (Mr. Messer) or alternatively, and I say it with hesitation, to the Minister of the Environment (Mr. Byers). I should like to ask the Minister if the new Poplar River Power Unit will have in place, because of the environment, both water and smoke pollution on both sides of the line. Will they have catalysts in place on smoke stacks in this new unit?

HON. J. R. MESSER (Minister for Sask Power):— The answer is Yes and we have already undertaken to place an order for the proper environmental equipment, to give every assurance, not only to residents in Saskatchewan in the area of the Poplar River installation, but also south of the border.

MR. LARTER:— Supplementary, Mr. Speaker. Can the Minister tell me if Unit 6, smoke stack No. 6 which has the same type of catalyst as No. 5, has been installed and if it has, is this further in the future going to be done to the other four stacks at Estevan Boundary Dam station?

MR. MESSER:— I would have to take that question under advisement. The installations are somewhat different. I don't think that I could at this point say that the installation or the corrective measures as far as catalysts are concerned would be identical. I can undertake to find that out and provide the information to the Member at some future time.

POINTS OF ORDER ON QUESTION PERIOD

MR. C. P. MacDONALD (Indian Head-Wolseley):— Mr. Speaker, on a Point of Order.

MR. SPEAKER:— What is the Point of Order.

MR. MacDONALD:— Mr. Speaker, I want to make this brief, in cutting me off on a question. It was a question of very important urgency.

MR. SPEAKER:— I wonder if the Member could deal with that before Orders of the Day. I would be quite pleased to deal with it then.

MR. MacDONALD:— Mr. Speaker, I just want to on a Point of Order, I asked the question which I felt was very important. There was a very distorted report in the press which suggested that medicare contributions from the Federal Government had been cut from \$36 million to \$2 million. Surely the press has a responsibility to find out if the money has been transferred to another area of sharing which is now in the existing program grants. I have had three or four calls from people asking, "Is that a fact". Now I think the purpose . . .

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MR. SPEAKER:— Order! The Member is not making a Point of Order, he is making an argument for his case. What is the Point of Order?

MR. MacDONALD:— The Point of Order, Mr. Speaker, normally you ask an introductory question in order to establish the facts, the supplementary usually brings out the point. Very rarely have I seen, Mr. Speaker, you deny the opportunity of a supplementary question on something as urgent and important as a very important misrepresentation in the press. Therefore, I suggest, Mr. Speaker, that had you called my supplementary out of order I would have accepted it but I do believe that I should be given the opportunity of a supplementary question in something as important as that.

MR. SPEAKER:— I am not denying what the Member may allege is true, about misinterpretations in the press. I am really not concerned about that in my position here. I am concerned that the question be a proper question before the House. The question may be a good question at the proper time. I suggest the purpose that the Member was interrupted on the supplementary and the reason that the Member for Nipawin was interrupted on his question and not allowed to continue is that we were getting into a mini debate about the Budget. I have to respect the rights of Members with regard to the Question Period. I also have to respect the rights of the Member for Thunder Creek (Mr. Thatcher) who is the person who has that item under his name. Therefore, I cannot permit the debate to proceed so obviously on the Budget during the Question Period. That is the reason I cut the questions off.

MR. BAILEY:— Mr. Speaker, I would like to rise on a Point of Order. With all due respect to you, Sir, and your position, I believe this is the first time in the Question Period that I have not been allowed a supplementary question. Mr. Speaker, I asked the Minister in charge of Sask Tel a very simple question which required an answer of yes or no. I had a very important supplementary question. The length of the question was not my fault but rather the Minister's fault who happened to give a three button answer to it. I was not allowed to ask my third supplementary question which was very important because it did in fact, or was going to deal with the pensions of those people who would no longer be able to gain employment with the assimilation company. I felt, Mr. Speaker, that in this particular case my questions were short, they required a very short answer and I felt that my point in being ruled out of order on my supplementary was really not in keeping as I wasn't discussing the Budget and I wasn't entering into a discussion.

MR. SPEAKER:— Order! I want to take this opportunity to reply to the Member for Rosetown-Elrose on his Point of Order. The Member was permitted a question and was thereafter permitted a supplementary but was not permitted a second supplementary. That's the way the record shows it.

Now I had to make a judgment on the spot about the urgency of the matter. Up to the point that I cut the Member off I had not heard the word 'superannuation' although he had a question and a supplementary. I agree Members are allowed to lay some

background for their question. If Members will view the written questions they will find that the amount of background that is allowed with a written question is nil. Now they are allowed to lay some background here but it must be brief and to the point. By the end of the first supplementary the Member had not got to superannuation if that was his point for rising on the question. I am sorry, but I think the Member should review the method in which he approaches the subject.

WELCOME TO STUDENTS

HON. A. S. MATSALLA (Canora):— Mr. Speaker, I would ask your indulgence and the indulgence of the House to introduce a group of students.

The group has just arrived, they were to be here earlier but they weren't able to make it. I am happy to introduce to you and to the Members of the House 45 Grade Eight students from Sturgis. Accompanying them are teachers, Mr. Walter and Mrs. Goulden, the bus driver, Mr. Joe Michalicz.

Sturgis is a progressive town of about 700, about 180 miles northeast of here. I would like to take the opportunity to extend to the group a very warm welcome. It is my hope that their visit here to the Legislature and to the capital city is going to be enjoyable, informative and interesting. I certainly hope that the group has a very safe journey home. I shall be meeting with the group following their leaving the gallery.

HON. MEMBERS:— Hear, hear!

MR. R. KATZMAN (Rosthern):— Mr. Speaker, I also beg leave if I may to introduce a group of students. I should like to introduce a group of 45 students from Hague School sitting in the east gallery, Grades Eleven and Twelve. They are accompanied by Mr. Frattinger. They have been touring the building and I will be meeting with them later. I hope they have a good trip and a safe drive home.

HON. MEMBERS:— Hear, hear!

GOVERNMENT MOTIONS

OFFICE OF OMBUDSMAN

HON. A. E. BLAKENEY (Premier) moved, seconded by the Hon. Attorney General (Mr. Romanow):

That an humble Address be presented to His Honour the Lieutenant Governor recommending to His Honour that David Arthur Tickell of the city of Regina, in the Province of Saskatchewan, be appointed Ombudsman under Section 3 of The Ombudsman Act, 1972 being Chapter 87 of the Statutes of Saskatchewan, 1972.

He said: Mr. Speaker, the Motion before us deals with the office of the Ombudsman and the appointment of a successor to the recent Ombudsman, now Chief Judge Boychuk. Mr. Speaker, the last time I spoke on the office of Ombudsman in this Legislature at any great length was on March 12, 1973, when I moved that Judge Ernest Boychuk be appointed Ombudsman. Since that time the office of Ombudsman has developed considerably. Judge Boychuk began with a Regina office and a staff of five and in 1975 when

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he resigned as Ombudsman to become Chief Judge of the Magistrates' Court, he had continued that office and established an office in Saskatoon with three staff members. He had added a solicitor, an investigator and a secretary to his Regina staff. Nothing turns on whether or not staff has grown. The question is whether or not the staff and the Ombudsman are serving the public well.

In his first seven months of office Judge Boychuk received 316 written complaints or inquiries, which I will call complaints for the sake of brevity. From December 1, 1973 to November 30, 1974, 803 written complaints were investigated. In his last annual report Judge Boychuk reported that 941 written complaints were received. So we have seen a growth from 300 to 800 to 900.

As Members will no doubt observe Saskatchewan citizens have come to know and use the office of Ombudsman to assist them in dealing with the problems arising from administrative decisions of the Government which they consider to be arbitrary or unjust.

Our Ombudsman is not only involved in investigating complaints. Judge Boychuk spent a good deal of his time speaking to groups in all areas of the province about the duties of the office and the nature of the work. Another aspect of the Ombudsman's job as developed by Judge Boychuk was to bring to the attention of the various Government departments and agencies suggestions for improvements in administrative procedures and practices. In this way the Ombudsman has been of great assistance to the public service and to all citizens of the province.

I would like at this time to pay tribute to Judge Boychuk for the manner in which he carried on as Ombudsman.

SOME HON. MEMBERS:— Hear, hear!

MR. BLAKENEY:— He established the office and the procedures; he trained the staff; a staff, by the way, which has had very few turnovers. He guided the office through its formative years. He has given outstanding service in shaping and developing the role of the Ombudsman in a way which has gained overwhelming acceptance by Saskatchewan people. He has set an example which will be difficult to follow.

When I spoke in the House in March of 1973, I outlined a number of reasons why this province needed an Ombudsman. I will not take the time of the House to repeat them all today but I think they are all still valid and still applicable. In the last few decades the functions of government have increased tremendously. Our executive and administrative arms have been given wide authority and power to carry out new ventures. In the course of administering government programs many decisions, frequently of a discretionary nature, are made which have a profound effect on the lives of citizens. It is wise and prudent to provide access to a totally impartial arbiter if a citizen feels that any of these decisions affect him unfairly.

We can recall the history of the Ombudsman, the office which developed in Sweden around 150 years ago and became accepted by British Parliamentary governments only in recent years. New Zealand, in 1962, appointed a Legislative Commissioner and since that time the office has been adopted by many countries and states such as ours.

The role of the Ombudsman is to keep watch over the way in which government officials apply the laws and the regulations to the public. While the Ombudsman does not have the power to overrule an official, he is in a strong position to suggest that an injustice be corrected. His one power is to report to the Legislature when he thinks that an injustice has been done. One only needs to read the three reports filed by our Ombudsman to realize the wide variety of problems about which citizens may feel aggrieved.

Most Canadian provinces have now appointed an Ombudsman. In Saskatchewan the decisions of the Ombudsman have perhaps not been the subject of as much public controversy as in some other provinces but I believe that the office has been no less effective on that account.

When Judge Boychuk resigned to assume the newly created post of Chief Judge of the Magistrates' Court we were faced with the task of finding a successor. We advertised across Canada and received many, many applications. After extensive correspondence and interviews we decided to recommend to the House the appointment of Mr. David A. Tickell. Mr. Tickell applied when Judge Boychuk was first appointed back in 1973. We were impressed then with his background and experience. We felt, however, that in all the circumstances Judge Boychuk could do a better job for us. Subsequently Mr. Tickell came to work with the Government of Saskatchewan in another capacity and gained familiarity with the Government. Mr. Tickell is a lawyer with experience both in private practice and in government with a special interest in administrative law. I, some months ago, advised the then Leader of the Opposition and the Leader of the Conservative Party of the proposed appointment. I might add that this has been a difficult recommendation to make. We received a number of first class applications and the recommendation was particularly difficult since the acting Ombudsman, Mr. Kenneth Barker, was a strong contender and has served well since Mr. Boychuk left the office to assume his new judicial duties.

I believe that the House is fortunate to have found a person of the exceptional capabilities of Mr. Tickell to act as Ombudsman. Mr. Tickell is 41 years of age and has had a distinguished career in the public service of the Provinces of Ontario and Saskatchewan. His last position with the Government of Ontario was that of senior solicitor and counsel for the Ontario Hospital Services Commission and as such he ran into a good number of cases the type which he will come across in his office of Ombudsman, if he assumes it.

Before working with the Ontario Hospital Services Commission he was in the private practice of Law, at which time he spent a good deal of time in administrative law, appearing before Judicial Tribunals such as the Workers' Compensation Board and the Labour Relations Board.

Since 1973 Mr. Tickell has been a senior solicitor in the Department of the Attorney General in Regina. Mr. Tickell brings to the job a solid background in administrative responsibilities, policy development and drafting legislation. He is ably qualified to follow in the steps of Judge Boychuk.

I now move this motion.

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MR. S. J. CAMERON (Regina South):— Mr. Speaker, If I may address one or two comments to this matter. As members know this is an appointment which is made by Members of the Legislature as distinct from the Government, and we were, as the Premier indicated consulted in advance of this appointment. We indicated to the Premier that we would be supporting the move to have Mr. Tickell appointed as the Ombudsman.

I want particularly to join with him on behalf of the Liberal Opposition in the House to pay tribute to the work that Ernie Boychuk did in the period in which he held the office.

The Premier has indicated very, very rightly, the effectiveness of the office itself is often dependent on the person who occupied it, and Ernie Boychuk certainly did an outstanding job in the period that he was there. He built the office into something much more than may appear in terms of its definition so we want to join with him in paying tribute to Ernie Boychuk for the very good work that he did.

We are thinking now that since we have had four or five years of experience with The Ombudsman Act that perhaps the time has come when we should review some of the powers given to the Ombudsman. Now you will recall when the Bill came before the House four or five years ago there was some concern that the powers of the Ombudsman were circumscribed to an unreasonable degree or to a degree that wasn't entirely necessary. His powers stopped short of being able to deal with Deputy Ministers and Ministers directly. We think that now that we have had four or five years experience that perhaps the time has come to take another look at his powers. So we say Mr. Speaker, that we welcome the appointment of Mr. Tickell and certainly we support the motion.

MR. J. G. LANE (Qu'Appelle):— Mr. Speaker, I would like to join with other members of the House on behalf of the Progressive Conservative Party in extending best wishes to the new Ombudsman. He has some big shoes to fill, I think the Members would agree. I would like to on behalf of the Conservative Opposition, thank Judge Boychuk for the manner in which he served as Ombudsman of the Province of Saskatchewan. He served this province well in many other capacities but certainly the administrative procedures he established with the Ombudsman Department, the training of staff that the Premier has referred to, will serve this province well when his successor takes over.

I was interested somewhat in the previous experience that was given to us - the previous experience of the proposed new Ombudsman, his expertise referred to by the Premier in the fields of administrative law, his previous experience with government.

I would hope that the argument for Mr. Tickell, that was given by the Premier, would indicate that the Government and the Assembly intends to increase the areas of jurisdiction for the Ombudsman.

Surely if we have an individual with the capability of Mr. Tickell it is time to increase the levels of government which would be subject to investigation by the Ombudsman. If we have the confidence in the individual, which I am sure we have, or will

have, and surely with the administrative experience of this individual the Government itself will have the confidence to allow him to begin to bring within his jurisdiction Deputy Ministers and more of the senior levels of government. To have his administrative expertise and his administrative law expertise then surely we show further confidence in the position of the Ombudsman by increasing the areas of jurisdiction.

On behalf of the Conservative Party, I would like to extend a thank you to Judge Boychuk for the admirable way in which he carried out his duties as Ombudsman and wish Mr. Tickell best wishes in his new position.

Motion agreed to.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. MacMurchy that Bill No. 33 - An Act to amend The Snowmobile Act, 1973 be now read a second time.

MR. S. J. CAMERON (Regina South):— Mr. Speaker, I wish to speak to this Bill. I do so with it very much in mind that I made a promise to the Minister who introduced this Bill about a year ago, that if he would withdraw the first Bill which he introduced and reintroduce another with the points that we were then making about the deficiency of the other one, then we would acknowledge his willingness to listen and we would commend him on having done so. I want to say first that we now carry through on the promise that we made to him and do commend him for having withdrawn the first Bill and having brought before the House a second Bill which is much better than first one.

Members will remember that when the original Bill was introduced it left a wide area of potential liability on behalf of the farmer for injuries sustained by someone operating a snowmobile on his land - an area of responsibility on behalf of the farmers which was far too wide. We, therefore, ought to have that potential liability of the landowner limited to only those instances where he did something deliberately to bring about an injury to someone who was on his land with a snowmobile. Members will recall that we put up some rather vigorous opposition in respect of the other Bill, and some of the news media did as well.

I want to make mention of one in particular and that was Sherv Shragge on CKCK Radio, who took an interest in that first piece of legislation. He saw that it had some pretty major weaknesses in it, aired it pretty fully and sought views from various people including the Opposition on how it could be strengthened and did a good deal in terms of solidifying public opinion behind what we were trying to do in connection with that first Bill.

As a consequence of that and a consequence of the suggestions we made and the willingness of the Minister to listen constructively to some suggestions that were made, he withdrew the first bill and introduced his present one, which I say is very much better and treats the landowner much better than did the original Bill.

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I want to just say a word about constructive opposition while I am at it, because this is an appropriate time to do it. All Members of the Legislature, I am sure, hear very often from people about why there seems to be such conflict in this Assembly between persons in the different political parties, and they frequently wonder why we don't work together more often to accomplish things in a more constructive way. That has some substance to it and some truth to it, although to some extent I think it is a myth also. This Bill is a particularly good example of some very constructive opposition and of a Government that was prepared to listen to it and act upon it. It is the kind of thing I know, which doesn't often get before the public because it is more interesting and more newsworthy to report conflicts among the parties and the Members in Legislature than it is to report some constructive work.

Now I want to make one partisan comment in this respect. About a year and a half ago when this Liberal Caucus came to this place, most of us new Members resolved to be more constructive than what we thought Oppositions were in the past. We had a lot of discussion in our group and we determined, quite deliberately that we were going to be more constructive. I think over the course of the months that we have been constructive, we have demonstrated it in some areas, and we have demonstrated it particularly in respect to this one. It hasn't got a lot of recognition but despite that, Mr. Speaker, we intend to go on trying to be constructive in the way in which we were in respect to this Bill.

One query I want to make of the Minister, I want to direct his attention to a section under the Act which required farmers to post their land if they don't want people trespassing upon it. The present requirement under the Act is that the farmer has to post a sign at each corner of his property and at intervals not exceeding a thousand yards. Most farmers, as the Minister knows, consider that provision to be too burdensome requiring too many signs. Therefore, they have said "why not reduce the number of signs we have to put up".

Now it seems to me and I ask the Minister to take a look at this that whereas under the present Act the farmer is required to post at every half mile, pardon me at every thousand yards, under the Amendment he would be required to post at every half mile. So the present Act required a posting at every thousand yard intervals, the Amendment would require a posting at intervals of eight hundred and eighty yards. It seems to me and, the Minister will correct me if I am wrong, that we are doing here the very thing that we don't want to do. I wonder if we shouldn't re-examine that, and we can do so when get to the clause by clause study. So with those remarks Mr. Speaker, we will support this Bill, we commend the Government, as we said we would for listening to us, and introducing a far better Bill.

MR. J. G. LANE (Qu'Appelle):— Mr. Speaker, just a few comments. When the Government originally introduced its amendments to The Snowmobile Act, it ran into very strong reaction, not only from the Opposition but the public and public groups such as the Saskatchewan Association of Rural Municipalities. It was long overdue as the Government well knew. I think it may be a little strange that we had a great deal of difficulty in law dealing with the laws of occupiers' liability and it is one of the most complex, contradictory areas of law. There was a major study in England about ten years ago, about how to revamp the laws as to occupiers'

liability and after much study in England they made only minor changes in the law.

The Government was fully aware of the difficulties in that branch of the law and attempted, I believe, in its first Bill to work out a compromise piece of legislation, which didn't get too far away from the basic principle involved. Public reaction was perhaps misunderstood reaction or misunderstanding the Government's intent, was such, and so strong that we have in this piece of legislation, I believe, come to grips or attempted to come to grips with a very complex problem, and dealt with it in the Bill fairly and adequately. For those reasons I on behalf of the Conservative Caucus, say we will be supporting the Government Bill. Again, I find it somewhat strange how the public reaction when it is all geared to one particular topic can make more changes in legislation than all the past studies by lawyers, judges and everybody else and get it done very quickly, and for that I commend the Government.

Motion agreed to and Bill read a second time.

SECOND READINGS

HON. G. MacMURCHY (Minister of Municipal Affairs) moved second reading of Bill No. 12 - An Act to amend the Rural Municipality Act, 1972.

He said: Mr. Speaker, I am speaking on An Act to amend the Rural Municipality Act, Bill No. 12. This Bill contains two or three major amendments and several minor changes.

Clause 11 amends the Act in the area of business assessments. The clause corresponds to a similar amendment to The Urban Municipalities Act, which is designed to establish a uniform assessment system across the province. Under the Legislation as it stands, each municipality may set its own standards for assessing business property. The use of different assessment methods can create serious problems in the distribution of grant money. Any formula that uses assessment as a factor in setting the grant can be distorted by variations in how that assessment is arrived at. In order to distribute grants of this sort on a fair and equitable basis a common system is necessary. This clause will establish such a uniform system.

Variations in assessment can affect where industry decides to locate. It is better that any tax concessions offered in an open manner through agreements on the mill rate rather than indirectly through a lower rate of assessment. A uniform assessment base means all industry in every municipality will be taxed on the same basis except where mill rates are adjusted.

This Bill also provides statutory authority for rural municipalities to join with urban municipalities to operate health centres and to promote common recreational facilities.

The last few years our Government has opened community health and social services centres in several towns where the former government closed the hospitals. In addition to that we are seeing some new health and social service centres constructed. There comes to mind a new centre in Strasbourg, which was opened

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in the fall of 1975. The Urban Municipalities Act specifically grants power to urban areas to be involved in the centres. No power had been provided for rural municipalities to participate. This clause corrects the situation by allowing rural councils to build and operate health centres either independently or in partnership with urban councils.

Clause 9 introduces another new power for councils in the field of recreation. The new Recreation and Cultural Facilities Program offers a special incentive grant to municipalities if they join together to sponsor a joint project. The regular grant of \$25 per person is increased to \$30 per person where two or more local governments work together. Under the present legislation no authority is available for joint ventures of this nature. Clause 9 provides the necessary power to permit councils to work in co-operation with each other to sponsor recreation projects. A similar power is contained in the amendments to The Urban Municipalities Act.

Several minor amendments are also proposed in Bill No. 12. Clause 2 amends the definition of burgess so as to include any person who owns a house or building which is located on some other person's land.

Clause 3 provides for the Minister's orders in Local Improvement Districts to stand after the LID has been incorporated in a municipality.

Local Improvement Districts are generally lightly settled areas governed directly by the provincial government, with a local advisory council. We are in the process of upgrading the remaining LIDs with full-fledged local governments, establishing autonomous councils or expanding neighbouring municipalities to include the districts.

In the course of upgrading LIDs, a transition occurs from government by Minister's order, on the advice of the advisory body, to government by bylaw duly passed by an elected municipal council. Clause 3 will retain the rules set out in the Minister's orders until such time as they are established or amended by the elected council in the form of bylaws.

Clause 4 deals with a mismatch between old legislation and the conflict of interest rules. Existing statute requires all councillors present at a meeting of council to vote on issues as they arise. However, the legislation on conflicts of interest requires that any councillor with an interest in an issue to disclose the interest and abstain from voting. It also resolves the conflict by giving precedence to the conflict rules, allowing a councillor to excuse himself from any vote where it may be deemed necessary.

Clause 10 provides a small change in powers to allow a council or its officer to require a deposit from persons who apply to demolish buildings in hamlets. Presently no deposit is required and thus councils have no readily usable control over those who may leave sites in unsatisfactory condition.

Mr. Speaker, Bill No. 12 sets out several new powers to be at the disposal of rural councils. I am pleased to move this Bill to be read a second time.

MR. R. E. NELSON (Assiniboia-Gravelbourg):— Mr. Speaker, I was wondering what the Minister had in mind as far as the future of the Local Improvement Districts are; how many is the Minister planning to reorganize and is this at the request of the Local Improvement Districts? Has there been a vote in these areas for reorganization? Just what particular changes has he in mind? As far as the conflict of interest is concerned, has he had problems in the rural municipalities or does this particular problem stem from his colleague, the Member for Regina Victoria (Mr. Baker), or are you anticipating the same type of problems in the rural municipalities?

MR. MacMURCHY:— Mr. Speaker, the reorganization of LIDs into municipalities is a program for which there is no specific game plan. What the Department of Municipal Affairs does is go out to the LID and to the surrounding municipalities to discuss what kind of reorganization may take place and hold a public meeting with the ratepayers to talk about the alternatives. From that, a new organization may come forth. That has been, I think the case in the two that have presently been reorganized, the Meadow Lake area and in the western part of the province, the Maple Creek area. Meetings are now going on in northern Saskatchewan in the Prince Albert area and soon meetings will be in the northwest corner of the province in the Pierceland-Loon Lake area with respect to that.

So it moves along as the desires of the people involved are examined, discussed, and developed. With respect to The Rural Municipalities Act and the conflict of interest issue, this is an item that was raised with us by the rural municipalities and, therefore, the change in the legislation.

Motion agreed to and Bill read a second time.

MR. MacMURCHY (Minister of Municipal Affairs) moved second reading of Bill No. 34 - An Act to amend The Urban Municipal Elections Act, 1968.

He said: Mr. Speaker, the old No. 34 Act contains a series of housekeeping amendments and minor changes dealing with municipal elections.

Clause 2, 3 and 5 and to some extent, 14, are intended to update the Act to take account of changes and phrasing or practice.

Clause 2, 4 and 8 deal with the recognition of resort villages as self-governing entities. Certain changes in phrasing are proposed to accommodate the possibility of resort villages incorporating.

Clause 6 sets out a date in which resort villages will hold their nomination day for persons seeking local office. Previously each village was at liberty to set its own nomination date and complaints were received from residents. Many resort villages have no local newspaper and residents were not able to be notified by advertisement of the date for such nominations. A fixed date will help to solve the problem.

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Clause 7 is a housekeeping amendment to re-align the dates of resignations for those who may resign from one office to seek election in another.

Clause 9 is a minor change in phrasing intended to clear up any confusion between the word “elector” which means a voter who is not a property owner and the word “voter” which includes both electors and burgesses.

Clause 10, 11, 12 and 13 set out voting procedures that have been missing from the Act. These procedures follow closely the requirements of provincial elections and should help to eliminate any grey areas from the Act.

Mr. Speaker, I move second reading of Bill No. 34.

MR. G. H. PENNER (Saskatoon Eastview):— Mr. Speaker, we aren’t going to oppose the suggested amendments in this Bill.

I tend to agree with the Minister that the changes are long overdue and the only question is, why it took so long for the Government to bring it forward.

Motion agreed to and Bill read a second time.

HON. W. A. ROBBINS (Minister of Health) moved a second reading of Bill No. 27 - An Act to amend The Saskatchewan Development Fund Act, 1974.

He said: Mr. Speaker, these amendments deal with the Saskatchewan Development Act, 1974. They are not major amendments. Basically they deal with the necessity of making some alterations in the categories of accounting.

This is related to The Registered Home Ownership Savings Plan and to Income Averaging Annuity contracts, which the Saskatchewan Development Fund Act has the right to issue, and is issuing, although we have some problems in terms of the accounting arrangements unless these amendments are put through.

Since inception of The Saskatchewan Development Fund Corporation we have broadened the investment services by offering Registered Home Ownership Savings Plans, which came out through the federal authority and also Income Averaging Annuity contracts.

The proposed amendments to Section 10(e) adds these categories to those listed in the Act. Basically these amendments occur for the reason I previously mentioned, it is related for accounting records in relation to say an Income Average Annuity contract must, of course, be totally separated from one offered for the Homeownership Savings Plan.

The intention of the amendments is to carry out that procedure. The intention of the amendment to Section 9 (2) (a) - this is a new section that gives some alteration to the ability of people to buy or invest in the fund. We have had people who have moved out of Saskatchewan - and I know the Opposition will say, for various reasons - but in any event they have moved

out of Saskatchewan and they have written back to us and requested that they have the right to buy into the Saskatchewan Development Fund. Now there is some reason for this.

If you look at the statistical record for the last year, it has the best record of any fund in Saskatchewan by a long, long way. I don't want to get into political debate on that at this moment, but I could tell Members opposite that if they had invested \$1,000 in the Saskatchewan Development Fund last year, on the 31st of December 1975, and left it for the year 1976 they would have, based on the net figure invested of \$960 out of the \$1,000 had a return of 19.36 per cent. And there are various reasons for that, which I would be glad to discuss later at a more appropriate time.

The Act as it presently reads does not allow those persons to make investments in the Saskatchewan Development Fund and this will permit it. Now it is not the intention of the Fund to go out looking for business in that respect, but merely to meet the requests of these persons.

The last proposed amendment modifies Section 19 and will allow the board of directors of the Development Fund to determine whether the employees of the corporation will be subject to the Public Service Superannuation Act or the pension plan under the Crown Corporation Act. It merely gives them a choice. They are currently covered under The Public Service Superannuation Act and there is some indication that they would like to go under the other Pension Act. This proposed amendment will permit them so to do if they so choose.

Mr. Speaker, I move that this Bill be now read a second time.

MR. C. P. MacDONALD (Indian Head-Wolseley):— Mr. Speaker, as you know our financial critic is preparing an address to clobber the Budget on Monday and although he is busy and not here, he does have a few comments on this and I should like to beg leave to adjourn the debate.

Debate adjourned.

MR. ROBBINS (Minister of Health) moved second reading of Bill No. 28 - An Act to amend The South Saskatchewan Centre Act.

He said: Mr. Speaker, the legislation proposed in this particular amendment to this Act is in line with the amendments that are occurring to a number of Bills in the Department of Health, related to the fiscal year of hospitals.

I think Assembly Members are aware of the fact that currently the hospitals operate on a calendar year and, of course, the Government operates on the fiscal year of April 1st to March 31st and this does create some problems in terms of the budgeting process.

This is in line with the proposals being carried out in all the Canadian provinces, eight across Canada, in order to alter hospital fiscal years to the same fiscal year of the governments. It is also done at the federal level as well.

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This change will improve the budgeting process for hospitals and will eliminate, both for the Department of Health and for the hospitals, a number of difficulties which occur when hospitals begin their fiscal year three months before the fiscal year that the provincial authority budget begins.

In general, Mr. Speaker, this change will be effective through amendments to The Hospital Standards Act, which provides for the fiscal procedures to be employed by hospitals. This legislation proposes amendments to The South Saskatchewan Hospital Centre Act, which will bring the provisions of this Act in line with the proposed amendments to The Hospital Standards Act.

It is simply related to the fiscal year and it is something that is being carried out right across the country through hospitals in all provinces across Canada.

I move second reading of this Bill.

MR. MacDONALD:— Mr. Speaker, I don't have very much to say on this Bill but there is one point that I think should be brought out.

This may accommodate the accountants in the Department of Health and it may accommodate the accountants in the Government Finance Office or the Minister of Finance, but it certainly doesn't accommodate the Members of this Legislature or the people of Saskatchewan. What happens now, is that the Members of the Legislature have an opportunity to peruse the fiscal report of these institutions in the current spring Session. In other words, we now have their financial statements as of January 1st for the past year, but if it is moved up to March 31st, the Members of the Legislature are going to be one year behind. Because, for example: from March 31st of last year, the financial statement would not now have to be tabled until after March 31st of this year and on some occasions the Legislative Assembly could be prorogued by then. We find the same thing with Crown corporations.

As you know most Crown corporations are almost one year behind and it makes a farce out of the Crown Corporations Committee, whereas the few that end on January 1st and are on a calendar year, give the Members of the Legislature the opportunity to peruse their accounts; that gives the public of Saskatchewan an opportunity to evaluate the progress and the performance of that Crown corporation. If they are on the same fiscal year as the Government, all of a sudden we find that we begin to discuss that Crown corporation not in this Session but in the following session and we are one year behind. And this is exactly what will occur with the amendments to this Bill even though as I say, I am not really interested in accommodating the Minister of Finance's accountants and not really interested in accommodating the accountants of the Department of Health or even of the hospitals. What I am concerned with is an up-to-date report on their progress and their financial statements. I could use this year as an example. We have never had as many complaints from hospitals in Saskatchewan about their financial position. It is now being rumoured that the Department of Health is refusing to pick up their deficits. Whether this is true or not, we would not now be able to question that particular hospital about its financial status perhaps for another year.

Let's take this example. If the House started on February 1st and the Budget was introduced on February 3rd or 4th, the Budget Debate could finish about February 10th. Then we get into the Estimates, the Department of Health Estimates could be all finished by the 1st of March. Then what happens is we should be looking at the financial statements of this particular hospital one year later. Then it becomes nebulous, nebulous to the Members of the Legislature and nebulous to the people of Saskatchewan.

For that reason, Mr. Speaker, I object to this particular Bill. I haven't had an opportunity to talk to the hospital boards but I have tried to make contact with them. I want the opportunity of discussion with them. That's the only argument I have, the timing, the reporting to the Legislature and to the public of Saskatchewan. I think this is crucial, which is really the fundamental purpose of this Assembly, the fundamental purpose of the Budget. The fundamental purpose of the Estimates is to report to the people of Saskatchewan and not a year later. Therefore, for that reason, Mr. Speaker, I want to adjourn debate. I'll let you proceed with the other two. I want to discuss this Bill with the Saskatchewan Hospital Association and the hospital in question. I beg leave to adjourn the debate.

Debate adjourned.

MR. ROBBINS (Minister of Health) moved second reading of Bill No. 30 - An Act to amend The University Hospital Act.

He said: Mr. Speaker, this Bill deals essentially with the same situation that we mentioned in the previous Bill. It deals with the fiscal year of the hospital, and I might point out that the hospitals are in agreement with those changes, as they are right across the country, because they think it is facilitating the budgeting process, not only for them, but for governments as well. I don't think it is done just to please the government by any means, I would like to point that out to the Member for Indian Head-Wolseley.

We are introducing amendments to this Act and the objectives of those amendments is two-fold. The first is to limit the number of terms of office which hospital board members may serve, and that's an additional item in relation to the one previously mentioned. This is designed to allow for the regular infusion of new ideas to the board. The second is to change the University Hospital fiscal year from the calendar year to the same fiscal year of that of government. Again I stress that hospitals are doing that, not only in Saskatchewan, this kind of process is going on right across the country in every province in Canada and also in relation to the federal authority.

The last amendment is particularly important from the viewpoint of budget preparation and approval. As it is now, the department must approve hospital budgets before its own budget receives approval. The University Hospital Act presently states that board members are appointed by Order in council for three year terms. They may be re-appointed any number of times. Our amendment proposes, Mr. Speaker, that board members be limited to two consecutive terms of office with the following exceptions, the person appointed by the board as its chairman, the person appointed as the university representative by the Minister of Health in consultation with the Board of Governors at the

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University of Saskatchewan, and lastly the government's representative. These exceptions are to provide for continuity of input to be maintained from the university on the government sectors. We hope the inclusion of new board members at regular intervals will promote the infusion of new ideas.

Further The University Hospital Act presently states that the fiscal year of the University Hospital be changed to the same fiscal year as the government. This proposed change is consistent with the federal-provincial agreement across Canada. It is desirable to change the fiscal year for provincial governments. This change will improve the budgeting process for hospitals, will eliminate, both for the Department of Health and for the hospitals, a number of difficulties which occur when hospitals begin their fiscal year three months before the fiscal year of the Provincial Government.

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

MR. R. H. BAILEY (Rosetown-Elrose):— Mr. Speaker, in rising to speak to this Bill my thoughts will be somewhat similar to the Member for Indian Head-Wolseley. I am not quarrelling with the statements that the Minister of Health has given to us. One of the difficulties which we have of course is in the number of hospital boards which we have in the province, they are numerous.

The argument put forth by the Minister of Health, Mr. Speaker, is not really that sound an argument when it comes to allowing the Legislature of Saskatchewan to examine the records and to examine the costs of operations, not only the Department of Health, but of course in Crown Corporations as well. Often, Mr. Speaker, the Ministers opposite are well aware of this that a Member on this side of the House will stand to ask a question, a question which is of current interest. The response that we often get, Mr. Minister, to that question, is that you have an opportunity to ask that in Crown Corporations Committee. Mr. Speaker, when we are studying the Crown Corporations we are sometimes looking at figures which are more than one year old and we cannot get at the current topic that we want to discuss.

Mr. Speaker, in the province there are, at least at the present time, there are at least 100 more school boards than there are hospital boards, and their budgets are not planned to operate so they coincide with the provincial fiscal year. Our fiscal year, of course, is a year which is based on the calendar year and we are well into the year before the grants are even announced. So our budgeting which takes place in October, then for the calendar year is a full five months ahead of the period of time when the board will realize as to what the grant structure will be, that's number one. And the second biggest item of course, we are five months ahead in planning as to what the increments of the teachers' salaries will be. If it's sauce for the goose, it should be okay for the gander as well.

I am not quarrelling with what the Hon. Member has to say about getting it in line. But it does make it extremely difficult for the people of Saskatchewan through their elected representatives to come to grips with something which is current in the way of expenditures. I am not going to be voting against the Bill as such, but I think that the arguments put forth by the . . .

MR. COWLEY:— . . . Tories position!

MR. BAILEY:— . . . The Minister for Biggar, Mr. Speaker, seems to have the ability in this House to proclaim his ignorance in a number of ways, mainly by his ability to make very sharp remarks. He won't do it in his speech. He thinks he has quick wit ability. When we are trying to be constructive and trying to give our position to the Minister. Perhaps he should, Mr. Speaker, make amends for his ways or maybe someone should take him out in the halls and tell him.

MR. SPEAKER:— Order! I would appreciate it if the Member would get back to the topic.

MR. BAILEY:— He needs a little lesson.

Getting back to the Bill. I should like to suggest to the Minister of Health that the argument put forth is that the rest of Canada is doing it that way. I am not aware of the way in which they study the Estimates, perhaps he is, but I want to point out to re-emphasize what has already been raised in this House, when we are looking at the Estimates, we are looking at a document which could be up to 18 months old and may not have any pertinent information, often times forgotten as to what is going on at the present time in a particular department.

MR. MacDONALD:— Mr. Speaker, I appreciate the comments of the Member for Rosetown. Perhaps I could bring to the attention of the press and Members of the Legislature the most obnoxious words that any Members hear in this Assembly, and that is, "not in year under review." While we are going into Crown Corporations, for example, the Government will spend \$144 million on the purchase of Sylvite. Do you know that we will not be able to ask one single question on that particular problem unless the Minister agrees to answer it? He just says that it is not in the year under review. How many times about very pertinent issues that are put before the Members of the Assembly in Crown Corporations, do we hear that particular statement, "not in the year under review"? It then takes us another year which means that the information is a year and a half old and is of no importance to anyone. This is exactly what he is now suggesting we do with something as important as health.

Mr. Speaker, I agree with the limitation of the terms of office for any board but I don't think, just on principle, that I can support the Bill.

MR. ROBBINS:— Mr. Speaker, I understand the comments that the Members are making. I don't know what Crown Corporations have to do with the hospitals in this respect, but I want to point out very strongly, if I can, that in general, hospitals agree with this approach. They have had difficulties, and I think the Member for Rosetown-Elrose (Mr. Bailey) pointed out the difficulties that abound in the field of education in relation to school boards being ahead of the fiscal granting period of the government. That's the problem that we have in terms of the hospitals and the hospitals have asked that these be brought in line and it seems to me a reasonable proposition that this occur. In addition, when we discussed these matters at conferences of the Ministers of Health across Canada, we felt there was reason and rationale in doing it on a uniform basis. I thought there would be no controversy in this respect at all. I, at one time,

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toyed with the idea of sending this to the Non-controversial Bills Committee. But apparently there is some controversy over it. I hope though, on the basis of the remarks of the Hon. Member for Indian Head-Wolseley that although he has adjourned the one debate he will at least let the other two go through. On this basis the Opposition will have a means of coming back with any further argument or discussion they wish on it.

Motion agreed to and Bill read a second time.

MR. ROBBINS (Minister of Health) moved second reading of Bill No. 47 - An Act to amend The Hospital Standards Act.

He said: Mr. Speaker, of course a similar arrangement occurs in this Bill as the previous ones mentioned, plus some other rather minor, I think, amendments.

The proposed amendments to The Hospital Standards Act, which is the authority for determining the rates of payments to be paid under The Saskatchewan Hospitalization Act for services insured under that Act, are intended to take into account the proposed amendment to The Saskatchewan Hospitalization Act in which insurance provisions will be extended to other services designated by Order in Council. Amendments to The Hospital Standards Act will authorize the Minister of Health to fix the rates of payments for the person providing these other services, will also authorize the retroactive payment of the rates.

The second amendment will authorize the Minister to enter into agreements with persons providing these other services. This authority is necessary, Mr. Speaker, since a further amendment to The Saskatchewan Hospitalization Act specifies that the Minister may only make payment for the additional services where he has entered into an agreement with the persons providing the services. The Minister apparently possesses the power to regulate the standards of institutions providing services for which payment is made under The Saskatchewan Hospitalization Act.

An amendment is being proposed to regulate the standards of those persons providing other services for which payment is to be made under that Act, which are not hospital services, within the meaning of that Act. The proposed amendment will establish the standards which are to be met by persons offering other services. This amendment will eliminate the need to establish separate regulations under each legislative Act which governs those professions likely to be affected by the amendments to The Saskatchewan Hospital Act.

As the Members of this House are aware, Mr. Speaker, steps are being taken on a country-wide basis to change the fiscal year and this of course is part of this Bill as with the two previous bills with respect to changing the fiscal year from the calendar year to April 1, to the following March 31 next, correspond with the fiscal year of the Provincial Government.

The fourth amendment of The Hospital Standards Act concerns the procedure for determining whether a complaint from a physician, whose medical staff privileges in a hospital have been adversely affected, is to be referred to a hospital appeal board. In its present form the Act appears to require the

Minister to consult with the Saskatchewan Hospital Association and the Council of the College of Physicians and Surgeons, only for those complaints which he has judged to be of sufficient public importance. These amendments would simply allow the Minister to consult with both bodies prior to the final decision on whether or not the complaint bears sufficient public importance to warrant referral to an appeal board.

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

SOME HON. MEMBERS:— Hear, hear!

MR. MacDONALD:— Mr. Speaker, I am not sure I understand this Bill, I am going to get into it in more detail in Estimates. But is the Minister suggesting in this Bill that all payments made under this particular Act, to physicians and surgeons and to everyone else through agreements for persons providing services as he indicated, that they will not now be reported in the present system? That they will be reported a year later under the changing of the fiscal year. And for example, the other Bill which he failed to move with The Public Health Act. Is that suggesting that our Estimates in this House will be a year later. Could the Minister please outline what he means by striking out, “And other institutions” in the second and third lines and substituting, “Other institutions and other persons providing service.” For example, are we talking about nursing homes, or Level IV care homes that will not be reporting to the Minister under the usual terms, but will now be reporting on a fiscal year basis, after the 31st of March? That’s the way I read the Bill and I am not sure if I am correct or not. I should like to ask the Minister to go into it in a little more detail.

I notice under Section 8, the hospital means, “a hospital, nursing home, or other institution approved by the Minister under subsection (1) of Section 3”. Does that mean the nursing home does not have to report its fiscal position to the Minister of Health, except on a fiscal year basis. Would the Minister please clarify that? Then I’ll come back in Estimates with some detailed questions about the Bill, because if it is related to the other two bills, and the changing of the fiscal year, it can have even more serious ramifications, particularly The Public Health Act which the Minister . . . I should like him to move this Bill today, then we could adjourn debate and make sure we are on the right track on this one, this one really does frighten me.

MR. BAILEY:— Just a question I should like to ask the Hon. Minister dealing with part of the revision of this particular Act. I understand that in the revision that you are proposing, dealing with complaints in itself, both what you propose to have with this revision, I have a question before we go into detailed study because it may assist me in further discussion on this. I understand that you are by the Bill making it possible to deal with complaints more systematically, that is, you will be consulting both the Saskatchewan Health Care Association and the College of Physicians and Surgeons. Then you mention that if the Minister deems it necessary then you would take it to an appeal board.

My question is, Mr. Minister, is the Appeal Board a standing committee, or is it one which is appointed from time to time,

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should an appeal arise, or do the hospital associations and College of Physicians and Surgeons have available to you members who may be at your disposal in this particular case or the members picked at random to deal with each individual complaint?

MR. MacDONALD:— Could I ask the Minister another question before he gets up to close debate, with his approval.

MR. SPEAKER:— I think it would be out of order because the Member has already spoken on the matter. Another Member has intervened with his comments and I think we have to allow the next person who is going to debate the issue to take his place.

MR. E. COWLEY:— I beg leave to adjourn the debate.

Debate adjourned.

HON. G. T. SNYDER (Minister of Labour) moved second reading of Bill No. 38 - An Act respecting Annual Holidays, Hours of Work, Minimum Wages and Other Employment Standards.

He said: Mr. Speaker, the Bill that we have before us today is both a revision and a consolidation of the previous Labour Standards Act of 1969.

As most Hon. Members of the House are aware, (with the possible exception of the Leader of the Conservatives who was unable during the last Session to distinguish between The Trade Union Act and The Labour Standards Act) this is basic legislation which spells out a full range of provisions affecting working conditions of practically every wage earner in this province.

As such The Labour Standards Act must be viewed as a keystone of the development of a secure and prosperous working force which I believe is so much desired by all of us.

When the NDP became the Government in 1971, Mr. Speaker, we were acutely aware that the mandate we had been given by the people of Saskatchewan was to a very large extent, the result of the fact that the rights of working people had been ignored and in some cases had been trampled upon.

Prior to 1964, Labour Standards Legislation had been ranked close to the top in the whole of Canada. By 1971 it had slipped to a position close to the bottom. We knew, Mr. Speaker, that a very great many things had to be put right just as soon as possible and we went to work improving the old Act, amending it where necessary and strengthening the regulations whenever it seemed to be the most practical way to proceed.

SOME HON. MEMBERS:— Hear, hear!

HON. MR. SNYDER:— In August of 1971 we passed an amending Act which established a universal 40 hour week, the first in Canada to do so. In May of 1972 we established in law the right of an employee to obtain a leave of absence to run as a candidate and to serve a term in any public office. In 1973 we saw that provisions were made for working people to enjoy four weeks annual vacation after 15 years of service and later in 1974 we passed an amendment which guaranteed employees three weeks holidays after one year's service - also a first in Canada.

The same year, in 1973 we improved the equal pay provisions and the maternity leave provisions to protect the rights of working women. In 1974 we passed legislation designed to protect employees from loss of wages where an employer fails financially. We also amended the Act so employers no longer can simply fire an employee because he or she has been served a garnishee summons.

In 1975, Mr. Speaker, "Saskatchewan Day" became the ninth statutory holiday to be celebrated throughout the province. We are pleased to be able to declare this special day in recognition of the contribution made to this province by our pioneers and, furthermore, in recognition of the fact that working people deserve a chance to enjoy another long, warm sunny weekend during our fine, but all-too-short summer season.

During all of these progressive steps since 1971, Mr. Speaker, we have been keeping tabs on that most basic of all labour standards, the provincial minimum wage. Under the terms of The Labour Standards Act one of the responsibilities of the Minimum Wage Board is to monitor the wage situation so as to guarantee that all working people in this province will receive at least a certain minimum return of the wealth which they help to create.

In carrying out this duty, Mr. Speaker, the Board has found it necessary to raise the basic wage six times since 1971 and in doing so has helped to maintain this province's position among the leaders of progressive labour legislation in Canada. On January 1, Mr. Speaker, the minimum wage was increased again as you will know to the level of \$3 per hour.

This new Act which we are considering today is, first of all, a consolidation of the former one. Several sections have been slightly reworded to make them more easily understood and several others have been regrouped to consolidate the various amendments we have made during the past few years and which I have referred to very briefly today. However, there are also a few changes which I would like to point out to the Members of the Assembly.

The definition of "day" for example has been redefined in cases where a shop remains open one evening each week. Presently a "day" is defined as 24 consecutive hours and this has meant that if an employee worked from 1:00 p.m. to 9:00 p.m. in the evening and again went to work again the next morning from 9:00 a.m. to 12 noon, then under those circumstances overtime pay would be necessary because the employee had not had a full 16 hours off between shifts. To avoid such a problem, for this particular situation only, the word "day" has been redefined as a period from midnight to midnight the following day. This new definition, I should point out, is designed to apply only to stores which remain open for one night shopping per week.

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Another change is an attempt to streamline procedures by providing that all permits and notices under the Act will be issued by the Director of Labour Standards rather than by the Minister. It is merely an administrative change, Mr. Speaker, to stem some of the large flow of paper that goes over the Minister's desk.

A common example of a permit under the terms of this Act, is an authorization for what is sometimes referred to as an "averaging of working hours". With this type of permit an employer need not pay overtime as long as the average time worked by his employee is over a period of time, which is specified in the permit, such as four weeks for example, does not exceed the 160 hours. Some of those days may be four, ten hour days and some of those weeks may be made up of more than 40 hours. This is frequently necessary because of an industry where the work is seasonal and depends upon good weather and long summer hours.

Another case where longer working hours may be authorized is where employees and their employer have agreed to a 10-hour day during a four-day week. The Director will now be able to issue authorization in both these instances which should simplify the whole system considerably. I should add that these permits are issued only with the concurrence of the employer and the union in question, or in the event that there is no union, in the workplace with the consent and advice of the majority of employees so affected, as well as the management people.

There is a new and a very important provision in the Act which permits an employee to decline to work more than 44 hours in any except in emergency circumstances. To further protect workers in these situations, there is a reverse onus clause which says that the onus shall be on the employer to prove that an emergency existed should any doubt arise. I will be providing a House amendment during Committee of the Whole, Mr. Speaker, in which it is proposed to define more clearly "emergency circumstances".

Mr. Speaker, the right to voluntary overtime has long been enjoyed by employees who work under collective bargaining agreements which include it. According to our statistics, 20 per cent of collective agreements give employees the right to decline to work any overtime at all. We are proposing for so much voluntary overtime after 44.

We now include this voluntary overtime section in the legislation because, from time to time, there have been a number of employers who have abused their right and they have required employees to work excessive programmed overtime on a regular basis. By and large however, this provision for workers is looked upon as a reasonable and a sensible one by both employers and employees who are aware of the damaging effects on both health and efficiency when people work over long hours in anything but a genuine crisis situation. As I indicated before, voluntary overtime is of course a matter for mutual agreement between employees and employers under those certain circumstances that I referred to.

A simplified procedure has been introduced also and included in this Act, Mr. Speaker, where an equal pay violation appears to have occurred. Under the new Act the Department has the power to initiate an investigation of its own violation where it believes there has been an infraction. This, Mr. Speaker, is a step toward our avowed goal of cutting through the "red tape", which at one

time, made it needlessly difficult to enforce this particular section. Formerly, in equal pay cases, the Department could act only upon receipt of a complaint.

The maternity leave provisions in The Labour Standards Act have been made more flexible under the terms of the legislation before you also, Mr. Speaker. They provide that a woman can take her full 18 weeks leave after the date of the birth of her child. Presently she is limited to 12 weeks prior to the birth of the child and six weeks after, except in special health related circumstances. The maternity leave provisions are contained in part four of the Bill and there will be a slight change required by means of a House amendment to Sections 23 and 23(4). These are necessary to make certain that a woman has a right to the more flexible provisions in cases where the actual date of the birth of the child is later than was originally estimated.

With respect to annual vacations, Mr. Speaker, the present provision for four weeks holidays states that the entitlement becomes effective on July 1st of each year. The new legislation changes this to correspond with the anniversary date of employment. This is a more equitable arrangement and will solve some of the administrative problems that have arisen with respect to the actual date for calculation of annual vacations.

A new part is being added to the Act dealing with statutory holidays. You probably know that until now the Minimum Wage Board was responsible for issuing orders of declaration and under the terms of the new Act these orders will no longer be required by the Minimum Wage Board.

An additional provision in the new Act deals with the enforcement of outside-of-province wage adjustments. The new section permits wage orders issued in other provinces to be registered in the District Court in Saskatchewan and they will thereafter be enforceable in the same manner as any other order of the court. The Ministers of Labour of the four western provinces have all agreed to this provision and a reciprocal arrangement is being made with these provinces.

In the past, problems have arisen when an employer carries on operations in more than one province. Occasionally there has been a case arise where a wage adjustment is ordered in one province and the offending employer promptly moves across the border in order to avoid his obligation. Until now, once the employer was outside of the province, he was outside of our provincial jurisdiction and no orders could be enforced. This new section in The Labour Standards Act should help put an end to this kind of activity.

The final part of the new Labour Standards Act deals with penalties for violations and these, as you might expect, have increased somewhat from \$100 to \$200 for a first offence and from \$200 to \$500 for a subsequent offence, keeping in mind the inflationary trends. In looking at these, Mr. Speaker, the Hon. Members may notice that there is a wrong cross reference made in Section 87, subsection 2. I propose to have this corrected by means of a House amendment.

Mr. Speaker, I think Members of this House are aware that the Labour Standards legislation presently in force has been amended every year since it came into existence. This was due, in no small measure, to our rapidly changing economic situation

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and to the needs of an increasingly sophisticated work force. We of this Government have made every effort to ensure that the working conditions in this province remain among the best in all of Canada, and I believe I can say with pardonable pride that we have succeeded in our endeavours.

I think the time has come to approve a much needed consolidation of the many progressive steps we have taken so that the administration of this very basic piece of legislation can be made more simple and more efficient.

Working conditions in Saskatchewan have been improving constantly since 1971, and they have undoubtedly contributed to the rising prosperity that we have all experienced. Our labour force continues to grow at a healthy rate. In October our estimated labour force was 405,000 up some 18,000 over the period of time just one year ago. And yet our unemployment rate continues to be the lowest in Canada.

Let me state clearly, that in addition to a fair monetary return for their labours, the working people of this province have a right to fair and equitable working conditions which will do much to guarantee their health and happiness throughout their working lives. The revised Act which we are considering provides an essential legal foundation for this right. Accordingly, I move that Bill No. 38, An Act respecting Annual Holidays, Hours of Work, Minimum Wages and other Employment Standards be now read a second time.

SOME HON. MEMBERS:— Hear, hear!

The debate was adjourned on the request of Mr. Katzman (Rosthern).

HON. D .L. FARIS (Minister of Continuing Education) moved second reading of Bill No. 42 - An Act to amend The University of Regina Act.

He said: Mr. Speaker, the Government is proposing exciting amendments to The University of Regina Act in this Bill. For the benefit of the House I will briefly explain the proposals. I point out that in order to maintain a consistency in both Acts five of the proposed amendments are common to the Acts pertaining to the University of Regina and the University of Saskatchewan. Two additional amendments are proposed to The University of Regina Act.

Section 5(1) (b) currently stipulates a maximum 21 year lease period on university property. The proposed legislation would allow longer leases subject to the review and approval of the Universities Commission. There are occasions when a longer lease would permit the construction of facilities of benefit to the university and the province.

Under the provisions of Section 43 and 47 of the current legislation, insufficient time is provided for the university secretary to prepare and mail senate and chancellor election materials. The amendment is proposed to increase the working time from one to two weeks. An amendment to Section 47 is proposed to correct a grammatical error. Section 48 specifically sets 5:00 o'clock as the deadline for receipt of ballots, the amendment would permit the time to be fixed to coincide with the time of normal close of business in the secretary's office.

As presently worded Section 56(2) (f) of The University of Regina Act disenfranchises certain members of council in faculty elections to the Board of Governors. The legislation currently contains a specific list of enfranchised faculty positions. The amendment allows for elections by council which are more broadly representative of professional staff. Section 62(1) is unnecessarily restrictive as presently written. Amendment to this section proposes to accomplish a measure flexibility by (1) enabling the Board to set a per diem allowance; (2) permitting payment to the faculty member of the Board and (3) removing the limitation of 18 meetings to permit more frequent meetings if required, and (4) because committee meetings may be as time consuming as board meetings, make time spent in committee meetings eligible for recompense.

Additionally a new Section 62(n) is proposed to provide legal authority for the Board to delegate to management and committee, routine matters, thus permitting the Board more time to attend to policy development.

To provide the Board with the authority to deal with matters not presently included in Section 62, a new subsection 62(o) is proposed. The subsection is taken from the former Universities Act, 1968.

Since the University of Regina Senate has resolved to include all professional librarians as members of council, an amendment to Section 76 of The University of Regina Act is proposed to permit action on the Senate resolution. As presently written only heads of library departments and branch libraries are eligible.

Mr. Speaker, I move that Bill No. 42 be now read a second time.

SOME HON. MEMBERS:— Hear, hear!

MR. G. H. PENNER (Saskatoon Eastview):— Mr. Speaker, as I understand the Bill and the explanation given by the Minister, we're basically talking about a housekeeping situation. I wonder if I could have clarified the amendment with regard to subsection (1) of Section 62 as it presently reads? As I understand it presently reads, that there is a maximum of \$50 a day on the honorarium . . . I realize that, but I am asking the Minister now to clarify, when he's on his feet again the next time, the matter for me, that's all. If my understanding is correct, that is an attempt to take off the limitation of an amount of money and of a certain number of meetings per year, which as I understand it now is 18, then I see little objection to that Section.

Motion agreed to and Bill read a second time.

MR. FARIS (Minister of Continuing Education) moved second reading of Bill No. 43 - An Act to amend The Universities Commission Act, 1974.

He said: The amendments to The Universities Commission Act are proposed to provide further guidance to the Commission in the execution of its responsibilities and to the same end proposes to modify some procedures to make the work of the Commission and the Government more efficient.

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The University Act required the universities to submit estimates of funding requirements to the Commission by November 15 of each year. However, no date is specified in the Commission Act for submission of its consolidated request to government. In order to provide time for a normal government budget review, the amendment proposes a specific date, November 30, by which the Commission must inform government of the universities expected fiscal requirements.

An amendment to Section 11 proposes to permit the universities to call tenders and award contracts for capital projects, subject to approval by Treasury Board and Cabinet and reviewed by the Department of Government Services. Contracts would still require compliance with specific cost limitations. This procedure is currently the responsibility of the Department of Government Services.

Since other screening processes provide ample safeguards in this area, it is felt a significant time saving would be realized by transferring this essentially mechanical procedure directly to the universities.

Because of the autonomy of the universities and the Commission, the legislative requirement for consolidated financial statement is inappropriate. Consequently an amendment to Section 23 L is proposed to provide for a combined financial statement. Additionally there exists an incompatibility between the universities' fiscal year, the two level university commission structure and the requirement of The Tabling of Documents Act, 1973. It is impossible for the Commission to meet the time deadline required of that Act. The amendment to Section 23 2 proposes a later date for the tabling of the Commission's annual report, 30 days after November 30 or within ten days from commencement of the legislative session following November 30.

I move that Bill 43 be now read a second time. Motion agreed to and Bill read a second time.

MR. FARIS (Minister of Continuing Education) moved second reading of Bill No. 44 - An Act to amend The University of Saskatchewan Act.

He said: Mr. Speaker, the amendments to The University of Saskatchewan Act have been dealt with under Bill 42 of the Section of The University of Regina Act, except in regard to the two additional sections that related directly to The University of Regina Act. I feel there is no further comment necessary so I will now move that Bill No. 44 be read a second time.

Motion agreed to and Bill read a second time.

HON. N. SHILLINGTON (Minister of Government Services) moved second reading of Bill No. 41 - An Act to amend The Credit Union Act, 1972.

He said: I recall, Mr. Speaker, at the last session of the Legislature, I was called to order when, I on a minor amendment to The Credit Union Act, when I went into great speech about the merits of the credit union movement and what it had done for Saskatchewan. I think it was your feeling that that ought to have been

done in the Budget and Throne Speech. In spite of the call by some Members to have that speech repeated, I won't. Suffice it to say that for the purposes of these amendments though, they are necessitated by the growth of the credit union movement and are proposed changes in the inspection system.

By and large the amendments give the Mutual Aid Board a much larger role in assisting credit unions which are in trouble and assisting credit unions which are following practices which are going to get them into trouble in due course.

It should be pointed out initially that the amendment to subsection 2 of Section 36, has nothing to do with the inspection system. But we're amending this particular section to enable directors of a credit union to determine their per diem allowance. Previous to this the per diem had to be set by a supplemental bylaw passed by the members at the annual meeting. This is a fairly complicated procedure because the supplemental bylaw also has to be filed and approved by the registrar of credit unions. This amendment will eliminate the need for having members pass a supplementary bylaw. It's our belief that if the directors set their per diem it will probably be lower, than if the members set it.

The Member laughs. I have encountered any number of credit unions where the average per diem allowance for these directors is \$5, \$10, a meeting. Really just a token. It is the provisions set out in Sections 106 to 126, Mr. Speaker, that pertain to the function of the Mutual Aid Board, under which the powers of the Board and the credit union central will be enlarged.

I specifically comment on the major changes for the House. At present appointments to the Mutual Aid Board are made by the Lieutenant-Governor-in-Council, it's always been the case. Who sits on the Board is set out in the statute. This amendment provides that two members of the Board shall be persons appointed by the Saskatchewan Co-operative Credit Society Ltd., now called Credit Union Central. The other three members will be the General Manager of the Saskatchewan Co-operative Credit Society, The Deputy Minister of Finance and the Deputy Minister of Co-operatives or their nominees.

If the amendment passes it will no longer be necessary to have the Board appointed through the Lieutenant-Governor-in-Council. This is thought to be a redundant procedure since the Lieutenant-Governor-in-Council doesn't really have any control over who sits on the Board. It's set out in the statute and the appointments might as well be direct rather than through Cabinet.

Under the powers of the Board, and this is as I pointed out, the most significant change, provisions are made whereby the Board with the approval of the registrar may prescribe standards relating to sound business practices, financial practices, as extenuating circumstances dictate. Powers of the Board are further broadened to enable investment of money in stocks, bonds, securities in the Government of Canada or the Government of Saskatchewan or other securities authorized by The Trustee Act. That section parallels similar provisions in other legislation relating to powers of investment.

In addition, the Board may accept the powers, privileges and immunities conferred by the Canada Deposit

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Insurance Corporation. As an agent of this Corporation, the Canada Deposit Insurance Corporation, is a lender of last resort.

In addition, the Board may secure reinsurance of the liability of the Board with one or more insurers as they see fit. The Board, may in addition, Mr. Speaker, pass bylaws not inconsistent with The Credit Union Act, and issue directives with respect to the administration and management of the affairs of the Board.

Provision is similarly made under Section 116 whereby the Board may guarantee money invested in shares or money on deposit with a credit union affording additional member protection, a desirable feature.

Credit unions in addition, Mr. Speaker, may be supervised by the Board. This was not there previously. Credit unions may be supervised by the Board where the result of operations are less than satisfactory or where the financial position reaches a point where the security of the members is impaired.

Under these and other unfavourable circumstances the Board along with the registrar of credit unions meets to consider the circumstances and may, by resolution, adopt or declare that the credit union shall be subject to the supervision of the Board. Previously only the registrar of credit unions, who is the Deputy Minister of Co-ops, could do this.

I may say that previously credit unions were inspected by the staff of the department and frankly the chore of inspecting the credit unions has simply gotten to be enormous. There are now some 250 credit unions, with an additional 90 branches and assets of \$1.5 billion. The job of inspecting these credit unions has now really got to be horrendous. What we propose is rather than the departmental staff inspecting them all, we will have a system which in a way parallels the inspection system which chartered banks have. If you read The Department of Finance Act you would assume that the officials of the Department of Finance inspect each branch of each bank. And, of course, they don't. There aren't more than a dozen inspectors employed by the Federal Department of Finance. What they have done instead, is delegate that function to the banks to inspect themselves. That in a somewhat different form is what we are doing. The credit unions will be inspected by auditors. If the audit report indicates any trouble, the Mutual Aid Board with the power given by these amendments, move in, deal with the problem if they can, if the problem is severe or contravening provincial legislation, then the departmental staff will be called in as well. Since in the end result if something really goes sour, I think there's no doubt that the Provincial Government would be called in to shore up the particular credit union involved. That is in Section 126 which provides that the Board may carry out inspection of credit unions.

Those are the general provisions with respect to the inspection.

One final amendment which is not a major earth shaker, but perhaps deserves to be mentioned, is that credit unions will have the right in Saskatchewan to register extra-provincially, but only for the purpose of taking security. The problem has been, as I'm sure the Member for Moosomin (Mr. Birkbeck) might be aware or the Member for Lloydminster (Mr. Kwasnica), that credit unions along the border often have to take security on land across the provincial border. A farmer comes in from Fleming,

wants to take out a mortgage in Moosomin, he may have land just across the border. This amendment will give the credit unions the power to be registered in Manitoba or in Alberta, as the case may be, and they can therefore take the security in that province. Similarly it allows credit unions outside our borders to register in Saskatchewan for the purpose of taking security.

Those, Mr. Speaker, are the main amendments. I move second reading of this Bill.

MR. J. WIEBE (Morse):— Mr. Speaker, I'm sure that there are some comments that our critic would like to make in this regard and I beg leave to adjourn debate.

Debate adjourned.

Hon. E. COWLEY (Provincial Secretary) moved second reading of Bill No. 1 - An Act to amend The Trust Companies Act.

He said: Mr. Speaker, the purpose of this Bill is to update present legislation. Its purpose is to ensure that trust companies incorporated in Saskatchewan will not be at a disadvantage with other trust companies doing business in Saskatchewan, but incorporated in other jurisdictions.

The Bill provides that Saskatchewan trust companies may, like other trust companies, accept moneys from the public in the form of deposits. Saskatchewan trust companies may now receive moneys in the form of guaranteed investment certificates, but there is some doubt concerning deposits. It is noted that the Canada Deposit Insurance Corporation makes no distinction between moneys whether on deposit or in the form of certificates. As you may be aware the corporation insures savings placed with member companies up to \$20,000 for each depositor or investor.

Also the Bill extends the capacity of Saskatchewan trust companies to receive moneys which are entrusted to them by the public. The amount of moneys the company may now accept is limited to 12.5 times its capital. The Bill increases this amount to 20 times the company's capital.

The amendment will enable a company, for example, with \$1 million of unimpaired capital to accept up to \$20 million from the public by way of deposits and certificates, rather than be subjected to the present limit of \$12.5 million.

In addition the Bill authorizes a Saskatchewan trust company to invest funds entrusted to it, not only in first mortgages as at present, but in second or subsequent mortgages as well. The amount owing under one or more mortgages on the real estate must in total not exceed 75 per cent of the real estate value.

The Bill contains an exception, however, and allows mortgages in excess of 75 per cent, where repayment of the excess amount is guaranteed or insured by any government in Canada or by a licensed insurance company.

As stated, the purpose of the Bill is to update Saskatchewan laws as it affects trust companies. The legislation does not go beyond the bounds that presently are in force in other jurisdictions in Canada. It's important that the laws be reasonable

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so that companies may compete effectively, but not fail in their contractual obligations to the public.

The amendments introduced by the Bill are reasonable and should achieve this end. The amendments should also encourage trust companies to be incorporated in Saskatchewan and to retain their head offices in this province.

Mr. Speaker, I move second reading of an Act to amend The Trust Companies Act.

Motion agreed to and Bill read a second time.

MR. COWLEY (Provincial Secretary) moved second reading of Bill No. 36 - An Act respecting The Registration of Business Names.

He said: Mr. Speaker, this Bill provides for the registration of business names and partnerships. The Bill replaces registration provisions now contained in The Partnership Act. Legislation requiring the registration of partnerships and trade names is as old as the province. Such legislation was enacted when Saskatchewan was still part of the North West Territories.

Until 1957 registrations were effected at the Court House in each judicial district. By amendment to The Partnership Act in 1957 the place of registration is transferred from the judicial district to the Provincial Secretary thereby establishing a central registry system.

The Bill was basically a disclosure law requiring only that persons carrying on business in partnership or under a business name register the name and disclose the identity of the person or persons carrying on business under the name, or in the case of a partnership, the names of the partners.

Information provided on registration will continue as at present, to be published in the Gazette and to be made available for inspection at the registration office. The document or the information contained therein is often needed for litigation and other purposes.

The public is entitled to know who is carrying on business under the veil of a business name, much as they are entitled to know who are the directors of the corporation. Registration, is, of course, not required by an individual who carries on business under his own family name, such as, for example - Jones carrying on business as Jones Agency or Jones Hardware. But if Jones selects a business name indicating a plurality of members, such as, Jones and Company, the name must be registered under the Bill the same as at present under The Partnership Act.

Unlike the present law, however, the Bill provides that registrations will automatically expire five years after the date of registration. In the case of existing registrations the expiry date will be five years after the Act comes into force.

The Act comes into force on January 1, 1978, so the expiry date for existing registrations will be January 1, 1983. Registrations after the Act comes into force will expire at the end of five years unless renewed. Registrations may be renewed for another five years at any time within three months before the expiry date of the registration.

Experience indicates that many registrations will never be renewed because businesses have changed ownership or have become incorporated as legal entities within the first five-year period. The Bill, of necessity, provides the registrar with considerable discretion in the matter of names, but there is provision for an appeal from the registrar's decision to the court.

Under the Bill the present practice of protecting registered names from use by others will be continued to the extent that it is possible and reasonable to do so. This is one of the benefits of registration.

The Bill was designed to overcome a number of problems evident in The Partnership Act.

First, the present law requires registration only if the persons are engaged in the business of trading and manufacturing or mining. The wording tends to exempt firms providing services only such as dance studios, health spas and the like, where, when problems arise, as has happened in some cases, it is often difficult to determine the owners of the business. The Bill remedies this problem by using the words, "carrying on business" and by defining business as carrying on any trade, occupation or venture with the object of acquiring gain.

Second, the Bill requires registration before commencement of business rather than within two months thereafter.

Third, the name of the Act more accurately reflects its purpose. A sole proprietor not being a partner in business is confused when confronted with the present need to register under The Partnership Act.

Last, and possibly the most important, the Bill provides for registration to automatically expire at the end of five years unless renewed. The law at present does not provide adequate means for updating the records. Hence, many names are still carried in the records where businesses terminated 40 or 50 years ago and perhaps even longer. Changes of address are not reported. The owner may have moved from the province or died, to cite a few of the problems.

This Bill will benefit those seeking new names for new businesses and making many more names available. Some 20,000 names are currently listed on the records and it is expected that this number will be greatly reduced when the registration automatically expires at the end of the five-year period.

The Bill will also benefit those who require information by bringing more businesses under the registration requirements, including, may I repeat, that existing registrations will not be affected under the proposed Bill until the expiry date of January 1, 1983. Ample notice will be given through the media of the need to renew registration where required. In the case of persons registering after the coming into force of the Bill, renewal forms will be mailed out with notice of the expiry date of registration.

Finally, I should like to emphasize that this Bill is neither a licensing nor a regulatory statute, but a law for the disclosure of information, which was considered to be in the public interest as long ago as the days of territorial government.

March 11, 1977

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

MR. S. J. CAMERON (Regina South):— Mr. Speaker, I should like to say, speaking on behalf of the official Opposition that we don't view the Bill, as the Provincial Secretary has indicated, as any radical departure from what we have been used to and so far as the principle of the Bill is concerned we will be supporting it.

We have one area of concern and you touched upon that, and that is the wide discretion of the registrar, particularly one section, and when we come to clause by clause we will be raising that with you. But apart from that objection, the matter of principle is quite acceptable to us and we will be supporting it.

MR. J. G. LANE (Qu'Appelle):— Mr. Speaker, I am somewhat concerned about the wide definition of business.

The Minister may reconsider the fact that by the definition of business every farmer will have to register under this particular Act. I am not sure that is the Government's intention. I would strongly suspect that it is not the case. Every trade, occupation, profession or venture carried on by one or more persons with the object of acquiring gain or profit. I think that perhaps the Minister will want to review that one particular matter. We support the principle of the Bill. We think that perhaps there may be more review by the Department before it comes back here.

MR. COWLEY:— Mr. Speaker, I appreciate the comments of the Members of the Opposition. I certainly am prepared to listen to their concerns and try to respond to them during the course of the discussion in Committee of the Whole. If, indeed, it is felt and can be demonstrated that some of the provisions may be catching some we hadn't intended to, although I don't believe that is the case, certainly we will be prepared to consider the necessary changes in Committee of the Whole.

Motion agreed to and Bill read a second time.

HON. E. KAEDING (Minister of Agriculture) moved second reading of Bill No. 53 - An Act to amend The Pest Control Products (Saskatchewan) Act, 1973.

He said: Mr. Speaker, this Act is designed to ensure the safe use and handling and storage of pesticides.

Unless such materials are used in a safe and judicious manner their use in agricultural production could be denied. Without adequate alternatives, alternative means of pest control, food production would be greatly decreased and the cost of food to the consumer would rise substantially.

The amendments to the Act are very minor, Mr. Speaker. One of these is being made to include Local Improvement Districts, districts under the definition of a municipality. This was an omission under the original Act.

Two other amendments are being made to provide clarity. Neither of these amendments change the intent or the meaning of the Act. The first merely provides a cross reference to

previous sections. The second is made to clearly indicate that recommendations by a manufacturer for disposal of a chemical or chemical container refer only to the manner of disposal and not to the disposal site.

A further change is being made to provide that inspectors appointed under the Act, meet certain educational qualifications. Such inspectors may be appointed by the Minister or by the municipality. It is considered where the use of the pesticide is involved the inspectors involved in the administration of the Act should have a basic knowledge of the pesticide use and safety precautions. This is particularly essential where a licence based on educational qualifications will be required by commercial applicators.

The changes being proposed will allow for regulations prescribing the qualifications necessary for inspectors appointed under the Act.

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

MR. WIEBE:— Mr. Speaker, I can't foresee any problems with it, however, to expedite the proceedings of the House we will be asking a number of questions on some of the items once we get into Committee of the Whole.

Motion agreed to and Bill read a second time. The Assembly adjourned at 12:30 o'clock p.m.