

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
First Session — Nineteenth Legislature

April 23, 1979.

The Assembly met at 2 p.m.
On the Orders of the Day.

WELCOME TO STUDENTS

MR. D.F. McARTHUR (Regina Lakeview): — Mr. Speaker, on behalf of my colleague, Mr. Whelan, who regrets very much that he was unable to be with us this afternoon at this time due to another engagement, I'd like to introduce to you and to this Assembly 52 Grade 8 students from Coronation Park School in the west gallery. These students are accompanied by their teachers, Mr. Forrest, Mr. Klempler and Miss Thompson. I'm sure all members will join with me and on behalf of Mr. Whelan in wishing these students and teachers an enjoyable afternoon at the legislature as well as an educational one. I look forward to meeting with the class at 3:00 p.m.

HON. MEMBERS: Hear, hear!

INTRODUCTION OF GUESTS

HON. G.T. SNYDER (Minister of Labour): — Mr. Speaker, I want to take this opportunity to introduce to you and to the House a visiting couple from the province of Alberta, the Minister of Government Services, the Hon. Stuart McCrea and with him Deputy Minister of Government Services, Mr. Jack Kyle. Some members on this side of the House will recall when the deputy minister from Alberta was the deputy minister of public works in the province of Saskatchewan in the mid and latter 1960s. My deputy, Mr. Foley, is giving them something of a conducted tour of the Legislative Building and they have shown a degree of interest with the refurbishing that has taken place in our Legislative Building. I'm sure that all members will want to join with me in welcoming them to the province of Saskatchewan and to our Legislative Building.

HON. MEMBERS: Hear, hear!

QUESTIONS

DIRECT BILLINGS — SASKATCHEWAN DOCTORS

MR. R.L. COLLVER (Leader of the Opposition): — Mr. Speaker, I would direct my question to the Premier. The Premier will be aware of the comments made by Dr. Murray Fraser, Dr. MacRae and Dr. Kendall at the Saskatchewan Medical Association (SMA) meeting. He will also be aware that Dr. Ernie Baergen of the SMA stated that the minimum number of doctors who were selectively direct billing in the province was 30 per cent and that it was more likely to be closer to 50 per cent. Is the Premier (a) aware of the confrontation that has been developed between the SMA and the Government of Saskatchewan by the Minister of Health; and (b) if he is aware of this confrontation atmosphere, is he prepared to do anything about it?

HON. A.E. BLAKENEY (Premier): — Mr. Speaker, I am aware of no confrontation atmosphere between our government and the SMA. We are aware of some difficulties but I would not characterize them as confrontational.

MR. COLLVER: — Supplementary question, Mr. Speaker. Will the Premier inform this Assembly and the people of Saskatchewan what he intends to do about the fact that seemingly all of the leading doctors in the SMA and those who are elected to office with the SMA continuously refer to the confrontation attitude? What is he prepared to do about this attitude on the part, at any rate, of the Saskatchewan Medical Association. What is he prepared to do about that, because they believe there's a confrontation attitude?

MR. BLAKENEY: — Mr. Speaker, I do not propose to do anything with respect to the Saskatchewan Medical Association's views. I think they are well able to formulate their own views without assistance from me. I would have thought, however, that our best course of action and the one we propose to follow is one whereby we will attempt to minimize any friction between ourselves and the Saskatchewan Medical Association, and to take such steps as appear both reasonable, and at the same time directed to have the patients of Saskatchewan protected from uncertain billing practices which may adversely affect them.

MR. COLLVER: — Final supplementary question. Mr. Minister, would the Premier not agree that the patients today are certainly not being protected from that unfortunate atmosphere in Saskatchewan? Would the Premier also not agree that the attitude of his minister and of the head of MCIC (Medical Care Insurance Commission), Dr. Penman, are such that this confrontation attitude does exist? Would the Premier not agree that they certainly believe the confrontation attitude exists? Would the Premier not agree that the only possible course of action for the Premier of Saskatchewan to follow given his statement that he wants to protect the citizenry of Saskatchewan from this uncertain future, is to fire the Minister of Health (Mr. Tchorzewski) and fire Dr. Penman?

SOME HON. MEMBERS: Hear, hear!

MR. BLAKENEY: — I would not so agree.

GOVERNMENT CHARGE FOR SANDBAGS

MR. R.A. LARTER (Estevan): — Mr. Speaker, question to the Premier. Mr. Premier, last week in question period I attempted to receive some acknowledgment of responsibility for direction from a minister on that side of the House in making decisions in the flood down in the Estevan area. The Government of Saskatchewan is charging the people for these sandbags, 25 cents a bag. Now, Mr. Premier, don't you think this is kind of rubbing salt in the wounds and this certainly should be in the SGIO policy, charging for these sandbags?

MR. BLAKENEY: — I'll ask the minister in charge of Emergency Measures Organization (EMO). The minister of sandbags will reply to you.

HON. G. MacMURCHY (Minister of Municipal Affairs): — Mr. Speaker, I think that the policy of the Emergency Measures Organization has always been in fact to charge for the sandbags, both with respect to the municipalities and with respect to the application to personal property. What the Emergency Measures Organization does is to make sure that there are sandbags available and that in fact is what it has done, and is seeking to do. As you know, additionally, grants are made to Emergency Measures Organizations within the communities to maintain an organization there, but with respect to the issue of sandbags the policy that we have had in the past is continuing so far as this year is concerned.

MR. LARTER: — Supplementary to the Minister of Municipal Affairs (Mr. MacMurchy). Mr. Minister, in spending some time . . . (inaudible interjection). . . pardon me, Mr. Speaker. In spending time in Estevan over the weekend, Mr. Minister, I found that there are no EMO (Emergency measures Organization) people in place until today. Today, I believe, you have a man going down from EMO, but tonight we should hit the 1976 flood level and I find it very concerning we don't have anyone that will make a decision down there. The R.M. won't make a decision, the city won't make a decision and, I think, this is really a deplorable situation because in one instance there are 120 people behind a dike on the river. I think this is very, very urgent. Anything could happen to these dikes. Don't you think there should be ministerial responsibility in a place like this?

SOME HON. MEMBERS: Hear, hear!

MR. MacMURCHY: — Mr. Minister, I think looking at the broad area of the flooding problem, we see some relief, particularly as it relates to Moose Jaw where there was expected fairly severe flooding. That's not going to be the case now as it appears. In Regina, the focal point is now the Souris area, which is immediate, and the northeast and the Carrot River area, which is not so immediate. What has happened is that the EMO's have been able to therefore now focus their attention on the Souris area, particularly in the Estevan area which, indications are, will receive the most flooding. And as a result, as the hon. member points out, Mr. Speaker, an emergency operation centre has now been established at Estevan. The hon. member will also know there remains in place some significant diking as a result of the 1976 flooding and it is felt by emergency measures people, working in the Estevan area now, that some additional sandbagging on top of those dikes will prevent what we would call very serious flooding; there will be some flooding but, with the application to the given situation, it will not be as severe as it might have been.

MR. LARTER: — Final supplementary. Mr. Minister, I agree with you that there does have to be some sandbagging done. The EMO office is not being set up until this afternoon, so it hasn't been done previously, but would the Government of Saskatchewan give me the responsibility of making some decisions down there? I guarantee I'll make decisions, and they'll be ones that will protect the people in that area!

SOME HON. MEMBERS: Hear, hear!

MR. MacMURCHY: — Mr. Minister, I think, looking back over the more recent years of flooding in the province of Saskatchewan (and it has been relatively severe in the latter years compared to the past) in that given situation, the present responsibility has been left with EMO (Emergency Measures Organization) and I think they have done a pretty good job. I think the director of EMO (Mr. Eaton) is very competent to work with the people in the Estevan area in terms of getting the matter in hand. He has had the ability to do that in the past. I anticipate he will handle it again and therefore, I feel confident in his ability, working with the people in Estevan and the councils there, that the job will be done.

NORTHERN HELICOPTER SERVICE CONTRACTS

MR. J. GARNER (Wilkie): — Mr. Speaker, a question to the Minister of Northern Saskatchewan (Mr. Byers).

April 23, 1979

Mr. Minister, is it true that your department is in dispute over awarding contracts for helicopter service in the North in the 1979 season?

HON. N.E. BYERS (Minister of Northern Saskatchewan): — Mr. Speaker, I am not aware of any such dispute.

MR. GARNER: — A supplementary, Mr. Speaker. Mr. Minister, have you awarded the contract for the 1979 season yet?

MR. BYERS: — Mr. Speaker, I wonder if the hon. member would be more specific. Is he referring to helicopters? His question was, has the minister awarded any contracts for this season? His question did not refer to helicopters. He did not say that.

MR. GARNER: — A supplementary, Mr. Speaker. Since the minister is not up in northern Saskatchewan, I guess it doesn't matter, but helicopters are what they use for planes up there (outside of other planes). Mr. Minister, have you or your department awarded contracts for the 1979 season for helicopter service in the North or the Department of Northern Saskatchewan?

MR. BYERS: — The Department of Northern Saskatchewan has awarded some contracts for this season.

MR. GARNER: — Mr. Minister, is it not true the contract was awarded in 19 . . .

MR. SPEAKER: — Order. I will take a new question.

HELICOPTER DISPUTE

MR. R. KATZMAN (Rosthern): — A question to the Minister of Northern Saskatchewan.

Is your department in dispute over a helicopter contract for the year, 1979?

MR. BYERS: — Mr. Speaker, I indicated to the former questioner I was not aware of any dispute existing.

MR. KATZMAN: — A supplementary. Mr. Minister . . .

MR. SPEAKER: — Order, order! I'll take a new question.

MR. R.L. COLLVER (Leader of the Opposition): — A question to the Minister of Northern Saskatchewan.

Have you notified an individual in the helicopter business in the northern part of Saskatchewan that you, personally, would be meeting with him to discuss the dispute in the helicopter service?

MR. BYERS: — Mr. Speaker, no.

CLAY REPORT RE CULTS IN SASKATCHEWAN

MR. G. TAYLOR (Indian Head-Wolseley): — Mr. Speaker, my question is to the Minister

of Education.

Is your refusal to provide me with the requested copy of the Clay report on cults in Saskatchewan an indication that the spread of cults is a serious problem in the high schools of Saskatchewan?

HON. E.B. SHILLINGTON (Minister of Education): — No.

MR. TAYLOR: — A supplementary question. Why will you not supply me with the report?

MR. SHILLINGTON: — It was written by the author under the assumption that the report would be kept confidential and that is the position I have taken.

MR. TAYLOR: — I would like to know what is in the report that requires this degree of secrecy, but a second question, Mr. Speaker.

In view of the fact that Clay stressed the need for prompt initiation of information programs in Saskatchewan schools, what action is your government prepared to take in preventing these cults from spreading through the schools of Saskatchewan?

MR. SHILLINGTON: — Mr. Minister, government policy will be announced in due course.

IMPORTING HEIFERS FROM THE UNITED STATES

MR. R. KATZMAN (Rosthern): — A question to the Minister of Agriculture. Is the Minister of Saskatchewan Department of Agriculture now into the business of importing Holstein heifers from the United States? Is there any reason why you are not bringing Holsteins in from other parts of Canada and why have you gone to the United States where the prices are much higher than the Canadian prices?

HON. E.E. KAEDING (Minister of Agriculture): — Mr. Speaker, I am not sure that the member is accurate in that we are in the business of importing heifers from the United States. I know that the Market Development Fund is looking anywhere that we can get breeding stock which is good quality breeding stock. I suppose that in doing so they have probably looked at the American market as well. So we are certainly not dealing exclusively with the American market.

MR. KATZMAN: — Supplementary, Mr. Speaker. Then why is a note from Mr. Dave Ewart of your department has gone out to the people that test the milk to inform them to advise farmers who are on tests that the Government of Saskatchewan will have Holsteins available to them for the price of approximately \$1,700 to \$2,000 if your department is not in the business, as you indicate?

MR. KAEDING: — Mr. Speaker, I did not say that we were not in the business. We are attempting to find livestock for people who want to go into the dairy business. I think that is a good activity for our department to be in. I think it is important for us to be able to get these kinds of livestock to our producers. We have a need, in Saskatchewan, for about 75 new producers. We think that any effort we can make to help the farmers get the stock they need is a good effort.

MR. KATZMAN: — A supplementary. Mr. Minister of Agriculture, is it not true that you

have driven more than 75 producers out of the province of Saskatchewan by demanding certain standards be met in certain areas and allowing other areas to people not to meet the standards, therefore, you have caused the depletion within your own department?

MR. KAEDING: — . . . a false statement. The standards we have in the province are standards which are set for the whole province; they are set in consultation with the dairy industry. The dairy industry has been in full consultation with the department with regard to setting standards and it was at their request some of these standards were set. I think for you to suggest that is driving our producers out of the market or out of production is not a reasonable statement.

DISCREPANCY IN INTERIM FINANCING FOR SASK POWER

MR. W.C. THATCHER (Thunder Creek): — Mr. Speaker, a question to the Minister of Finance. Mr. Minister, about two years ago the Department of Finance arranged some interim financing in the United States through the Nassau Branch of the Chemical Bank of New York, for Saskatchewan Power, for the purchase of a drag line. That note was for \$44.5 million and was questioned in the House in this session. You were asked what the status of that note was. You replied that the note was now \$48.5 million; it had been rolled over on April 4 and was due on September 29. Can the minister explain the discrepancy of \$44.5 million last year and \$48.5 million at this point in time?

HON. W.E. SMISHEK (Minister of Finance): — Mr. Speaker, I do not have the detail but will take the question as notice.

MR. THATCHER: — A supplementary question, Mr. Speaker. For the benefit of the Minister of Finance, perhaps I should inform him that it's a currency differential that has cost you \$4 million . . .

MR. SPEAKER: — Order. I'll take a new question.

BEAVER RIVER — EFFECTS OF HEAVY OIL PROJECT

MR. G. McLEOD (Meadow Lake): — Mr. Speaker, a question to the Minister of Environment. Mr. Minister, I've had a number of concerns expressed to me by ranchers along the Beaver River in my constituency, regarding the possible effect of the Esso resources heavy oil project on the flow pattern in the Beaver River. Will you inform the House as to the information you have now regarding the effect of this project on that river, in view of the fact that waste water from their steam injection process will be flowing into the Beaver River?

HON. G.R. BOWERMAN (Minister of Environment): — Mr. Speaker, I'm not aware of any definitive or conclusive decisions that have been made with respect to the flow or with respect to the effects of that flow on the Beaver River. I am aware the Department of the Environment made a presentation to the Alberta energy control hearings that were being held in Cold Lake but, with respect to the absolute effect, there has been no decision made at this point in time, that I'm aware of.

MR. McLEOD: — A supplementary question. Mr. Minister, could you give me some indication as to what you based your information on to present the brief to the hearings in Alberta? In other words, what study was done and to what extent was it done in that

area?

MR. BOWERMAN: — Well, Mr. Speaker, the Department of the Environment was responding to the environmental impact assessment that was done in the area. It was responding to that report but has gone no further (in my understanding at least) in attempting to determine what that impact will be until they know what in fact will be done at Lloydminster and those points related to the heavy oil industry.

There could be an accumulative effect which is being considered but, until one knows all the implications of the proposal in the project, no conclusions can be arrived at.

MR. McLEOD: — I just have one further supplementary, Mr. Speaker, and I would bring to your attention it has nothing to do with the Lloydminster project. It's the heavy oil at Cold Lake, Bonneville area in Alberta, mainly. This question may be as well directed to the Minister of Tourism and Renewable Resources (Mr. Matsalla). It has to do with the Waterhen River.

As you will know, the proposal is in place. There is certainly no indication it won't happen that way, that is up to 600,000 gallons of fresh water will be drawn from Cold Lake to be used in the steam injection process. I would like to know also what effect this will have on the Waterhen River, because the Cold River and the Waterhen River run through Meadow Lake Provincial Park, so will you give us some indication as to that as well?

MR. BOWERMAN: — Well, Mr. Speaker, as I have attempted to point out, that is the proposal which is being made. I am not aware of a decision being rendered as yet as a result of the public hearings. The Department of the Environment made a submission to that public hearing process and attempted to express our concern at what the potential effects would be on the Beaver River and Waterhen River as a result of that proposed withdrawal of water from Cold Lake. But there has been no decision rendered which I know of that has come down as a result of the public hearing process. I don't believe it is a fait accompli that that will be done. It will be done as the member suggests. I have nothing further, really, to report to the member.

LIMITATIONS OF WASCANA CENTRE AUTHORITY

HON. R. ROMANOW (Attorney General): — Mr. Speaker, a few days ago I took notice of a question from the hon. member for Qu'Appelle (Mr. Lane), respecting the question of the Wascana police force and the scope of jurisdiction of the Wascana police. He tabled at that time, or at least gave me some letters, in this regard. The situation is essentially unchanged from the correspondence which the hon. member gave me and tabled in the House, concerning namely the Wascana Centre police. After a series of meetings involving the Regina police, Wascana police and the Department of the Attorney General, it was concluded they should maintain themselves in the present function of policing the centre and the by-laws with respect to the centre. They do have a connection with the Regina city police on a radio system and it is felt that for the time being that no expansion of that authority or power should be granted.

MR. LANE: — Supplementary to the minister. Would the minister undertake to check with the Wascana police themselves (who do not share the same view as the minister) and have expressed, I believe, some very serious concerns about the position which they are in — their inability to pursue beyond the boundaries in many instances. The fact that they are called — and I have a list of motor vehicle accidents, calls outside of their jurisdiction and people who are arrested outside of the Wascana Centre

Authority — and it's a fairly significant number less. I would ask that the Attorney General undertake to deal or have his officials deal directly with the Wascana police. As I say, they do not share the same view as the minister and have expressed serious concerns particularly about the delay in coming to grips with what they perceive to be a very serious problem.

MR. ROMANOW: — Mr. Speaker, I'm informed (I don't want to make a big issue out of this) but the police themselves have not formally communicated this to the Wascana Centre Authority people. They may have, individually, or in some other form to the member for Qu'Appelle (Mr. Lane). But leaving that as an aside, I think that it has been two or three years at least since this matter has been reviewed to the best of my knowledge, judging by the correspondence that was last looked at in 1975. I think that I would be prepared to undertake to the hon. member that I would ask somebody from my department and from the Wascana Centre Authority to sit down and take a look again at the role and the function of the policing in the Wascana Centre authority and the jurisdiction. Perhaps the Regina police could be involved as well and take another fresh, up-dated look as to whether or not an expansion of this authority is needed. I'll be prepared to do that.

CONFRONTATION BETWEEN DOCTORS AND GOVERNMENT

MR. R.L. COLLVER (Leader of the Opposition): — Mr. Speaker, I would direct a question to the Premier in the light of the response that he gave to me earlier today. He said earlier that he was not aware of any confrontation between the doctors and the MCIC (Medical Care Insurance Commission) or the Government of Saskatchewan. I wonder if the Premier could elucidate for this Assembly how he can compare that statement with the statement of Dr. Frazer who said that 'unprecedented move against the medical profession by imposing a 1978 payment schedule'. A further quote: 'there is no need for a repeat of 1962'; a further quote: 'was to intentionally provoke a confrontation' or from Dr. McRae who says 'organized begging on the part of the SMA (Saskatchewan Medical Association)', that that was what it became, not negotiation but organized begging. How do you reconstitute your statement that there is no confrontation with these two senior doctors in the province who say with no question at all that there is?

HON. A.E. BLAKENEY (Premier): — Mr. Speaker, I suppose these are always questions of semantics and it may well be that my previous experience suggests that confrontation bears a somewhat different connotation but it would be my judgment that the present state of difficulties between the Saskatchewan Medical Association and the Government of Saskatchewan would be inappropriately characterized as confrontation.

MR. COLLVER: — Would the Premier not agree then, that it might be if since he has this attitude and the doctors have another attitude that perhaps a direct discussion with the medical doctors in the province of Saskatchewan between the Premier and the medical doctors might bear some fruit and might possibly end this absolutely atrocious situation with ever increasing direct billing and more and more patients who are having to foot the bill?

MR. BLAKENEY: — Mr. Speaker, I think there are a number of factual statements, or statements of the latest facts in the hon. member's question, with which I do not agree. I do not believe that there is an ever increasing number of accounts being rendered by the mode three or direct billing method. It appears to be at about the same level it was some time ago. I have every confidence that the Minister of Health is pursuing this issue

with caution and with diligence, and I have no reason to believe that my intervention would in any way improve upon the very excellent work already done by the Minister of Health. I mention one point. There is a very significant difference between the number of doctors who may be using direct billing for one or two accounts, and the number of accounts which are rendered on the direct billing basis. While I have no way of knowing whether 30 per cent, or even 40 per cent, of the doctors send out the odd bill on a direct billing basis, I do know that the number of accounts rendered on the mode three, or direct billing basis, will be of the order of five or six or seven per cent.

ANNOUNCEMENT

PRINCE ALBERT RAIDERS WIN ABBOT CUP

MR. J. HAMMERSMITH (Prince Albert-Duck Lake): — Mr. Speaker, before orders of the day, I'm sure that the House will want to know that on Saturday for the fourth year in a row the junior hockey championship of western Canada signified by the Abbott Cup was won again by the Prince Albert Raiders.

HON. MEMBERS: Hear, hear!

MR. HAMMERSMITH: — I am sure that all members of the House join me in congratulating the city of Prince Albert in once again bringing this honor to Saskatchewan and that all members of the House and all citizens of Saskatchewan wish the raiders well in the Centennial Cup series that will be coming up in Prince Albert.

HON. MEMBERS: Hear, hear!

NOTRE DAME COLLEGE - WILCOX - HOCKEY

MR. LANE: — Mr. Speaker, before orders of the day I am sure members of the Assembly would wish me to acknowledge the very fine performance by Notre Dame College at Wilcox in the national midget championships over the weekend in Winnipeg. They came third in Canada. They won the bronze medal and missed the championship final by virtue of two goals. They, in fact, had the same record as one of the finalists. I think they are to be commended. I think that is the first evidence that we have had of the new policy of Notre Dame as it attempts to lead the way in Canada in both academic and athletic excellence. I'm sure that all members will join with me in congratulating Notre Dame College.

HON. MEMBERS: Hear, hear!

COMMITTEE OF FINANCE

CONSOLIDATED FUND

RESOLUTION NO. 1

HON. W.E. SMISHEK (Minister of Finance): — Mr. Chairman I have the following resolution to present:

Resolved, that a sum not exceeding three hundred and one million, seven hundred and seventy thousand, eight hundred and eighty dollars be approximately two-twelfths of the amount of each of the several sums to be

April 23, 1979

voted as set forth in the estimates for the fiscal year ending March 31, 1980, laid before the Assembly at the present session to be granted to Her Majesty on account for the 12 months ending March 31, 1980.

Resolution agreed to.

RESOLUTION 2

MR. SMISHEK: — Mr. Chairman I move the following resolution:

Resolved, that toward making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending March 31, 1980 the sum of three hundred and one million, seven hundred and seventy thousand, eight hundred and eighty dollars be granted out of the consolidated fund.

Resolution agreed to.

RESOLUTION 3

MR. SMISHEK: — Mr. Chairman I move the following resolution:

Resolved, that a sum not exceeding eighty-one million nine hundred eighty-five thousand, eight hundred and forty dollars being approximately two twelfths of the amount of each of the several sums to be voted as set forth in the estimates for the fiscal year ending March 31, 1980, laid before the Assembly at the present session, be granted to Her Majesty on account for the twelve months ending March 31, 1980.

Resolution agreed to.

RESOLUTION 4

MR. SMISHEK: — Mr. Chairman, I move the following resolution:

Resolved, that towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending March 31, 1980, the sum of eighty-one million nine hundred and eighty-five thousand, eight hundred and forty dollars be granted out of the Saskatchewan Heritage Fund.

Resolution agreed to.

The Committee reported progress.

APPROPRIATION BILL

BILL NO. 102 - APPROPRIATION BILL (NO. 1)

HON. W.E. SMISHEK (Minister of Finance): — Mr. Speaker, I move that Bill No. 102 —

An Act for the granting to Her Majesty certain sums of money for the Public Service for the fiscal year ending the 31 day of March 1980 be now introduced and read a first time.

Motion agreed and bill read a first, second and third time.

SECOND READINGS

HON. E.B. SHILLINGTON (Minister of Education) moved second reading of Bill No 15 — **An Act to amend The Western Development Museum Act.**

He said: Mr. Speaker, I should point out to the Assembly that although this is under the name of the hon. member for Riversdale (Mr. Romanow), it is in fact under The Executive Council Act, assigned to myself and, therefore, I'm the minister in charge.

This bill should properly have gone to the Non-controversial Bills Committee. Regrettably, I was not in the House when it was given first reading and, therefore, it went on to second reading. It makes two relatively routine changes, one of them rather important for the operation of the board.

The first change is that the members of the board cannot now be paid and, as the work is time consuming, we have had the greatest difficulty getting members to serve on this board. This, and the next bill, which is the arts board — the same provision is in the next bill. They are two of the very few boards left in government which we do not pay a per diem allowance to. It's got then to be extremely difficult to get people to serve. We don't always get the best people and we have therefore decided to follow the route which almost all boards have followed and provide a per diem allowance. The exact amount of the per diem allowance is left to the discretion of the Lieutenant-Governor in Council as it is with all boards, because we increase them all periodically.

The second provision is important to the administration of the board. Now the act provides that contracts and agreements are signed by the chairman as the head of the Western Development Museum. In fact, the chairman is not a full-time staff member. The chairman, as a matter of interest, is Don Leir from Saskatoon. He is not a full-time staff member. He is frequently not there and many of these contracts and agreements are very routine, Mr. Speaker, in nature. Almost all heads of this sort have the power to delegate in their discretion the signing of contracts and agreements to others of their staff. This, again, this routine principle is being extended to the Western Development Museum Board.

I am sure that major agreements and contracts will be continued to be signed by the chairman, but much of the minor routine sort of work will be signed by the executive director.

So, with that, Mr. Speaker, I will move that Bill No. 15 be now read a second time.

Motion agreed to and bill read a second time, on division.

HON. E.B. SHILLINGTON (Minister of Education) moved second reading of Bill No. 32 — **An Act to amend The Arts Board Act.**

He said: Mr. Speaker, again the same explanation applies. This bill is under The Executive Council Act assigned to the Minister of Culture and Youth, but I wasn't in the

April 23, 1979

House the date the bill was given first reading and, therefore, stands in Mr. Romanow's name.

The bill does two fairly minor things. One of them the same as the Western Development Museum Board, it gives the chairman the power to delegate to the executive director the signing of contracts. All that I said before applies to this. The chairman, who in this case is Ray Marcotte, will no doubt continue to sign major agreements and contracts, but much of the minor work can and should be delegated to the executive director.

In this bill, as well, we are changing the fiscal year to coincide with the government's fiscal year and that is simply to make it easy to administer the board and easier to administer the handling of payments and the transfer of funds from the consolidated revenue.

So, with that rather brief explanation, Mr. Speaker, I move that Bill No. 32 be now read a second time.

MR. SPEAKER: — I intend to put the motion on the question before the House right away. I wish to raise a point of order with regard to the previous bill.

I don't intend to have it recorded on division, because I heard no objection to the bill. If members are opposed to the bill, then they should make their objection known so that it can be recognized. I would expect members who are opposed to the bill, make their views in opposition known in committee, and on third reading, if that be the case. If members wish to have it recorded on division, then there should be some nays along with the agreement. On the motion by the Minister of Culture and Youth for second reading of Bill No. 32 — An Act to amend The Arts Board Act — is the Assembly ready for the question? Is it the pleasure of the Assembly to adopt the motion?

Motion agreed to and bill read a second time.

HON. E. KRAMER (Minister of Highways and Transportation), moved second reading of Bill No. 62 — **An Act to amend The Engineering Profession Act.**

He said: I move second reading, Mr. Speaker, of An Act to amend The Engineering Profession Act, which, very simply deals with granting the same privileges to the University of Regina engineering branch as has the University of Saskatchewan, Saskatoon. The amendment provides the University of Regina graduates with the same rights of recognition in the profession as graduates from the University of Saskatchewan at Saskatoon. Otherwise graduates from the University of Regina are placed in a secondary and subordinate position to those graduating from Saskatoon. It is unlikely that this was the intent when the University of Regina engineering program was approved. Now it also further continues to grant the authority to the senior university at Saskatoon for the granting of certificates from outside the province, engineers and graduates from other universities, both inside and outside of Canada. Mr. Chairman in order to clear up what has amounted to just a slight misunderstanding, I am pleased to move second reading.

Motion agreed to and bill read a second time.

HON. G.T. SNYDER (Minister of Labour) moved second reading of Bill No. 88 — **An Act respecting Labor Relations in the Construction Industry in Saskatchewan.**

He said: Mr. Speaker, I rise today to propose that The Construction Industry Labor Relations Act be read a second time. This legislation, Mr. Minister, is the result of one of the most intensive processes of study and consultation that I have ever experienced in some eight years since becoming the Minister of Labour. The concepts underlying the bill have been considered and studied by the department for at least four years. Discussion with people in the industry about these concepts have been going on for about two years and consultations with respect to the form and the content of the legislation have been extremely intensive over the past six months. This bill, Mr. Speaker, has seen many drafts which were circulated to an ever widening group of people for comments and discussion. The concept contained in the bill has been changed, modified and altered countless times in an attempt to reach a legislative framework which could, on the one hand, meet some of the fundamental problems confronting collective bargaining in the construction industry while, on the other hand, take into account the legitimate arguments, concerns and even fears of some of the groups that will be affected by the legislation. The result of this long and arduous process in the legislation is the legislation that is before you. While it doesn't meet the fondest hopes of many on the employer side of the industry, it also contains provisions and puts in place a scheme with which a number of people in the trade union community are also somewhat uncomfortable. You might say, Mr. Speaker, that we have produced a piece of legislation in which neither side is completely happy but which both sides appear to accept as an important and necessary step towards achieving sound and stable collective bargaining in the construction industry.

I want to take this opportunity to commend both the employers and their representatives and the trade union representatives with whom we have consulted, for their efforts and their attitude with respect to this legislation.

SOME HON. MEMBERS: Hear, hear!

MR. SNYDER: — The employer side, while clinging tenaciously to certain fundamentals, has shown a good deal of flexibility in the interest of arriving at a scheme which will work.

On the trade union side, we have witnessed a transition from what I believe to have been total opposition to the concept to a position where, I believe, the preponderance of trade unionists are not opposed to it.

There are exceptions on both sides. Some employers oppose the idea of bargaining through an employers' organization even though they will be bargaining with other employers in the same trade division of the industry.

On the trade union side, some people for whom I have a great respect are unable to accept the concept at all. Others are concerned about certain features of the legislation. However, on the whole, I think you have before you a bill which represents a broad consensus of opinion in the industry.

Another point I want to make before I get into the principles contained in the bill is that this legislation is not a panacea. It will not of itself suddenly transform the construction industry into a calm, orderly and logical showpiece of collective bargaining. All it does, Mr. Speaker, is create a framework for the establishment of a more stable structure for collective bargaining in the industry. Whether or not it will work in a positive way depends entirely upon the parties and their desire that it should lead to this result.

There are enormous personality conflicts and deep distrusts which poison the atmosphere of collective bargaining in the construction industry in the province of Saskatchewan. No legislation could be devised that would remove these clashes and settle all of these feuds. All we can do as a government is try to create conditions and the legal framework within which collective bargaining can work in a more satisfactory way and in which industrial relations will have an opportunity to improve. I think this bill will move us a considerable distance in that direction.

There has been a debate going on for some time in Canada as to the future course and structure of collective bargaining in the construction industry. The debate is between proponents of multi-trade bargaining and the proponents of trade-by-trade bargaining within the industry.

The multi-trade bargaining envisages one organization representing all unionized employers in the industry and one council representing all trade unions in the industry, sitting down around one table and negotiating a collective agreement.

Trade-by-trade bargaining is a system where an employers' organization representing unionized employers in a particular trade division of the industry, sits down with the trade union representing employees in that trade and they bargain a collective agreement that applies to unionized employers and employees in that trade division.

You will appreciate, Mr. Speaker, that there is a world of difference between these approaches. The debate has resulted in different approaches to accreditation legislation in various provinces. The province of Quebec, for example, has opted for a full scale multi-trade bargaining system by which the bargaining parties are set up by legislation and all issues in the industry are ultimately dealt with at one table in negotiations between these parties. British Columbia has arrived at a similar system but by a different route. An employers' association has been accredited as the bargaining agent for unionized contractors for many years. Prior to the last round of bargaining in 1978, the trade unions worked out an arrangement whereby a council of trade unions was formed to bargain on behalf of all the unions.

Ontario and the Maritime Provinces have opted for a system of trade bargaining. Alberta began with a system of trade bargaining. What they have probably still could properly be described as such, although there have been recent suggestions that it is moving towards a multi-trade model.

Manitoba and Saskatchewan then, Mr. Speaker, are the two provinces which have not yet enacted this type of legislation. One of the first things we had to do in the preparation of the present legislation was to come to grips with the difficult question about which approach would be most appropriate in the province of Saskatchewan.

We have concluded that a system of trade bargaining is the most appropriate one for the industry in our province. There are a number of reasons why we have reached that conclusion. Firstly, trade-by-trade bargaining is consistent with the structure of the construction industry and particularly, the structure of the craft unions that represent construction employees. Attempts to force the industry to bargain on a multi-trade basis are attempts to force collective bargaining of the industry into an industrial model. Such an attempt, in my opinion, is doomed to failure and cannot lead to stable and productive relationships within the industry.

Secondly, the history and traditions of collective bargaining in the industry are such as

to be consistent with trade bargaining and completely inconsistent with bargaining on a multi-trade basis.

Thirdly, and directly related to the first two points, the essential nature of craft unionism is such as to require that craft issues, issues that are important to tradesmen in the exercise of their craft, be addressed in the collective bargaining process and be resolved in that context. This can best be done when the individual craft union is responsible for the bargaining. It will not be done on any consistent or timely basis, if all of the trade unions in the industry are forced to bargain together through one council at one table.

Fourthly, Mr. Speaker, the imposition of a new regime of collective bargaining requires a broad consensus that the new arrangements are practical and workable. Even the building trades representatives who are opposed to this legislation have no objection to bargaining with all of their own contractors. However, if we were to attempt to force all of the trade unions to bargain through some central organization with all of the unionized employers in the industry, who would in turn bargain through one central organization, I think we would be left with a situation that would be unacceptable to everyone involved. None of the trade unions would support such a scheme. Further, during the development of this legislation there has not been one employer or employer's representative who has suggested that a scheme of multi-trade bargaining was necessary or desirable.

The idea of creating a legal way by statute to designate employer organizations as the bargaining agent for unionized employers was first put forward in the study done by the Canadian Construction Association by Goldenberg and Crispo in 1968. The idea roughly parallels the certification of trade unions as bargaining agents for groups of employees. The legal framework which have evolved as a result of this study are usually referred to as accreditation legislation. The controversy surrounding some of the schemes which have been introduced, the accreditation has taken on somewhat emotional overtones and, therefore, the term is in some disfavor. In the legislation which is before you, Mr. Speaker, the term accreditation does not appear. However that may be, it is important for members to know that some form of accreditation legislation has been in place in all of the provinces of Canada, except Saskatchewan and Manitoba since the early 1970s.

We in Saskatchewan have been rather more cautious in our approach to this question. We have watched the experience in other provinces very carefully and have tried to assess which ideas are workable and which are not. At the same time we saw the formation in Saskatchewan of the Saskatchewan Construction Labour Relations Council. This council was incorporated under The Societies Act in January of 1971, and took over most of the collective bargaining in the construction industry in 1972. With some significant successes and other significant failures the council has been the main employer agency for collective bargaining in the construction industry up this present time.

However, there are serious problems with the present situation, Mr. Speaker. The main one is that the present arrangements are entirely voluntary. Unionized employers are free to join or not to join. If they do join they are free to leave the council whenever they wish. As a result, many important employers are not members of the labour relations council in the industry. Others, secure in the knowledge that they can leave when they wish, have not paid sufficient attention to the activities of the council. They have not been fully involved in the development of council policy, the hiring and training of

competent staff and the conduct of collective bargaining.

Under the proposed legislation which is before you, Mr. Speaker, unionized employers in a trade division will be represented by an employers' organization who will no longer be able to opt in or out of the organization as suits their fancy. One of the expected results is that the employers (and particularly the larger and more experienced employers), will take the affairs of their employer's organization more seriously and will contribute more towards the development of policy, bargaining stances and the strategies and tactics of collective bargaining. As a result, we expect to see a considerable improvement in the collective bargaining process from the employers' side. We expect to see a much more responsible and stable approach which should, in time, vastly improve collective bargaining in the industry.

If this legislation were not to pass, Mr. Speaker, I have some genuine fear that the existing arrangement for employer bargaining in the industry would be in danger of collapse. There are too many employers who, for their own reasons, have remained aloof from organized bargaining and have remained in the position where they can play games with the system to their own competitive advantage and to the considerable disadvantage of collective bargaining in the industry.

What this legislation basically says is that from now on collective bargaining in the industry will be conducted through employers' organizations. After the original designations have been made, employers will be free to change their bargaining agent beginning in 1981. However, they will not be free to elect not to have a bargaining agent. We will not, Mr. Speaker, return to the jungle where each employer is left to his own devices and in which contractors and trade unions can play games with each other to the considerable detriment of the construction industry and collective bargaining in the industry.

One of the unusual features of this bill is the way in which this scheme will get started, Mr. Speaker. This was a very difficult problem which we had to grapple with because obviously, if the scheme started from a strong and relatively stable point, it would have a much better chance of succeeding than if it started from an atmosphere of uncertainty and weakness.

We considered other options for setting up a starting point. We considered an outright designation of the labor relations council as the representative employers' organization in respect to each trade division. The trade unions had very serious objections to this option on the basis that the outright designation of a central employers' organization was the first giant step down the slippery slope towards multitrade bargaining. I must admit I have some difficulty in understanding this objection, but it was a very serious position and any trade union support for the legislation depended on that idea being dropped.

The other alternative considered was to simply set up a framework in which employers' organizations could form themselves in which and by making application to the Labour Relations Board be so designated. This is the kind of approach which was taken in Alberta and in the Atlantic provinces. It has a great deal of appeal to me because it is somewhat the same approach that is taken for certification of trade unions under The Trade Union Act. However, there are particular problems with that option. It is important to note that when the Alberta and Atlantic province schemes were introduced, there was very little in either of those provinces in the way of a formal

structure for bargaining on the employer's side. Employer organizations were formed slowly and only gradually came into place as bargaining agents. In those circumstances, it is only logical that an employers' organization should have to prove in a formal way that it is in fact, representative of employers.

In Saskatchewan, the circumstances are much different. Collective bargaining in the construction industry has become accustomed to the presence of an employers' organization in each of the trade divisions that are active in the province and it would be, I think, a considerable step backwards if there were suddenly no employers' organization to bargain with respect to a particular trade.

As a hypothetical example, take the case of the iron workers' union. It has been bargaining for years with the iron workers' trade division in the labour relations council. If the legislation required this trade division to make an application to the board and prove that it represented a majority of iron worker contractors, it's possible that this attempt could fail. As a result, there would be no employers' organization in existence for the purpose of bargaining with the iron workers' union. This is a step backwards which I refer to, Mr. Speaker.

If this possibility actually occurred in any trade division, the result would be blank spots in the collective bargaining system which could prove to be very dangerous for the rest of the system. For this reason, both the trade unions and the employers objected to the second option. They preferred a system which would enable the scheme to start from a stronger and a more stable position. This led to the development of the idea expressed in sections 9 and 10 of the bill. For our precedent, Mr. Speaker, we went to Bill No. 22 which was enacted in the province of Ontario. Under that bill, the Minister of Labour had the power to designate the employers' organization which would bargain on behalf of all unionized employers in a trade. My information is that this approach worked very well in Ontario and got the scheme envisaged by Bill No. 22 off to a very strong start.

My conclusion is that if this method of launching the scheme of a province-wide bargaining basis by trade is a good and workable idea in Conservative Ontario, it should similarly provide an acceptable starting point for a strong and stable scheme in Saskatchewan. While I'm reluctant to see myself put in the position of making some of the judgments that may have to be made under the sections, I accept the argument that it's the most important matter to have the scheme start from a strong position and accordingly, I'm prepared to accept those responsibilities and discharge them in good faith and in accordance with the spirit and letter of the legislation.

I can say that I intend to make full use of the inquiry provisions of section 9 and 10 before making any determination or designations which will include full and intensive consultation with the parties who will be affected. One thing I will not undertake in advance of these inquiries and consultations is to commit myself as to what I will or will not do. I am not prepared to say at this stage whether any particular employers' organization will be designated. The bill clearly places on me the responsibility to approach these matters with an open mind and proceed only after taking certain steps and considering certain factors. I intend to keep an open mind in order that I may discharge this responsibility in what I regard to be a proper way.

There's a provision in the bill which, I think, will be somewhat surprising to the uninitiated. I was somewhat surprised when the proposal was first made to me.

Section 18 of the bill provides that where a trade union wishes to cause a strike it must

strike all unionized employers in the trade division concerned with respect to all of the work being performed by those employers. Further, all unionized employees of those employers must participate in the strike. There's a complimentary provision that, in the event of a lockout, all unionized employers in the trade division must participate in the lockout and must lock out all unionized employees.

Now at first blush, Mr. Speaker, it would almost appear that the purpose of this section is only to guarantee that, in the future, strikes and lockouts in a trade division will be bigger than they have been in the past; but I can assure you that this is not the purpose of the provision, nor will it be the result.

I should first point out that this provision has the support of the employers and I believe also a preponderance of the trade unions in the industry.

Simply put, both sides have agreed that some of the nasty games that have taken place in strikes and lockouts must cease to be played, and there have been many such games. Selective strikes and rotating strikes, I suppose, are good examples. By this tactic, some employers are brought down while others are allowed to operate. This creates terrible strains on both sides. Similarly, a decision to lock out employees can be the subject of a great deal of abuse.

Without going into any detail, Mr. Speaker, we saw evidence of that during the lockout of the laborer's union during the 17-week strike last summer. As a consequence, both sides of the industry have now understood and accepted that this type of activity cannot go on in the future.

A strike or lockout in the construction industry is a very serious matter. It has a large impact on the economy as a province, and it imposes great hardship on some employers and on union members who are unemployed as a result. Because it is so serious, it should not be engaged in lightly. If there is to be a strike or a lockout, it should be total with respect to that trade division. By removing some of the opportunities to play games, and relieve pressures, I think we can create a situation where strikes or lockouts will be resolved more quickly than has been the case in the past.

There's one idea I think should have been incorporated into this bill which was removed because I thought that the employers and the trade unions involved should have an opportunity to work out the solution themselves.

The legislation sets up province-wide collective bargaining in the sense that there will be only one set of negotiations in the province with respect to each trade division. A trade division will sit down to bargain with an employer's organization representing all of its unionized employers. If there is more than one local in the trade union in the province, the locals must form a council and bargain together. The problem that will arise with respect to some trade unions is the obligation of some employers to bargain is for a geographical area which is small than the geographical jurisdiction of the local concerned. For example, a certification order may cover only the city of Regina in a 25-mile radius, while the jurisdiction of the local may extend through the southern half of the province. If collective bargaining should result in a strike lockout situation, the drawbacks of small area certification under this legislation will become very plain. A union wishing to strike would have to strike each employer with respect to all of the work covered by the collective agreement and withdraw the services of all of its members. The employer having a small area certification, on the other hand, will only have to lockout within the limits of the certification area then will be free to operate on a

non-union basis outside of this area. This, Mr. Speaker, is an unfair situation and ought to be corrected for this scheme to work properly.

You should understand, Mr. Speaker, that these small area certifications are outdated and anomalous. The Labour Relations Board ceased granting such orders many years ago, however, a number are still in existence. The practice has developed for the board to certify on the basis of geographical jurisdiction of the applicant local. None of the options was to resolve this problem in the legislation by simply providing that the geographical area certification order would automatically extend to the geographical jurisdiction of the local union involved.

This would amount to amendment to the certification orders by legislation rather than by the usual method of parties applying to the board for an amendment.

On such an application the ward would have to be satisfied that the majority of employees in that situation supported the amendment. It would also give the employer a full opportunity to raise any arguments he may have against the amendment. Neither of these points would have been met if we had followed the simple option of legislating the solution. For that reason the question is not dealt with in this bill.

However, I want to suggest that the employers and trade unions should not get the impression that this is in any way the last word on this question. For bargaining under this legislation to work properly. I think it will be necessary for the problem of these small area certifications to be resolved. There are two possible remedies. A trade union having a small area certification can apply to the Labour Relations' Board for an amendment to the certification order. Alternatively, the matter can be resolved during negotiations in the next round of bargaining in 1980.

In either event, Mr. Speaker, I will be watching the developments in this area very closely. If the problem turns out to be as serious as I believe it is, and if the parties involved are unable to resolve the problems themselves then I think we may be required, in the future, to consider dealing with the problem by legislation.

This, Mr. Speaker, is the essence of Bill No. 88. I think it represents a highly significant milestone in the history of labor relations legislation in this province. It is particularly important because the construction industry itself is a particularly important component of the Saskatchewan economy. The individual characteristics of our province have presented builders with especially complex challenges over many years.

Here the value of construction work performed per capita and the percentage of non-agricultural working people who earn their living in construction, are both considerably higher than the national average. Granted that this is the case and that construction makes an essential contribution to the prosperity of Saskatchewan, some may still ask why it is necessary to single out the industry for special legislative treatment. In this context, Mr. Speaker, it is important to fully understand the peculiar nature of the construction industry. This bears directly on the shape of labor-management relations in construction. Construction expenditures fluctuate with changes in the level of general economic activity. The industry is highly seasonal. Weather conditions can disrupt work schedules even in the middle of the normal building period. Construction is unique in that the product is permanent and cannot be transferred from one place to another, while the labor force, comprising both employees and employers, is mobile. Of necessity, product pricing is done on an individual project basis. These factors impose additional pressures on the parties to

collective bargaining and in this setting the importance of harmonious industrial relations can hardly be exaggerated.

Mr. Speaker, the primary purpose of labor relations legislation generally is to channel collective bargaining along stable, rational and orderly paths in order to achieve industrial peace. That is the primary purpose of the legislation which is before you. On the basis of its innovative, operative mechanisms, I am convinced that we will enter a new era of effective and productive labor-management relations in the construction industry, adapted to the new demands of the industrial society of the 1980s.

Mr. Speaker, I move that Bill No. 88, an Act respecting Labour Relations in the Construction Industry in Saskatchewan, be now read a second time.

SOME HON. MEMBERS: Hear, hear!

MR. R. ANDREW (Kindersley): — Mr. Speaker, I believe the Minister of Labour has clearly identified one of the problem areas in labor relations in the province of Saskatchewan over the last few years anyway. It is a difficult problem. As an effective opposition, the thing which we are concerned about is that for this type of legislation to work clearly you must have a consensus (or close to a consensus) of both sides of this particular issue.

Prior to this session starting the press releases were to the effect that the accreditation legislation was one type of legislation that we were going to see in this session. It strikes me as somewhat odd that now into our fortieth day of this session, in a time when we are perhaps looking towards winding down the session, this is one of the first major pieces of legislation advanced by the government in question and, I think, perhaps a piece of legislation that we all must take a very serious look at to see just which direction we are going to go in it.

Our information (in fact I do have a meeting with some of the parties involved this evening following the session,) as I understand, some of the employer groups at this point in time are meeting right now discussing the legislation in question. For that reason, Mr. Speaker, I would beg leave to adjourn debate on this issue at this point in time.

Debate adjourned.

HON. G. MacMURCHY (Minister of Municipal Affairs) moved second reading of Bill No. 66 — **An Act to amend The Urban Municipality Act.**

He said: Mr. Speaker, it's with a great deal of satisfaction that I take note of a very important development in municipal affairs. The development to which I refer is to the great increase in the co-operation that is taking place among municipalities, both rural and urban. Municipalities are recognizing that in many areas of their endeavors it makes organizational and economic sense for a group of municipalities to work together rather than each municipality working separately, individually, and without reference to its neighbors. Co-operation among municipalities is not new, Mr. Speaker, but the number of functions for which municipalities are co-operating seems to be increasing. I think one of the reasons why municipalities are working together to a greater degree arises from the encouragement which is provided for such co-operation in provincial government programs. I give you two prime examples of this

initiative right within the revenue sharing program which was just implemented in 1978. I refer to the municipal road ambulance program and the intermunicipal fire protection program. At last count, Mr. Speaker, we did 68 ambulance districts formed and 30 were in the process of being formed. Now I have no doubt, Mr. Speaker, that over the next number of months we will see virtually the entire province organized into ambulance districts, and we will see improved ambulance services and an assurance that existing good services will continue as a result of the co-operation which is taking place with regard to this program. A great number of intermunicipal arrangements also exist with regard to fire protection, and I will be making announcements shortly about a new program of grants providing an incentive for co-operation in the area of recreation.

The amendments to The Urban Municipality Act contained within this bill are designed to facilitate the co-operative efforts that are now taking place. One amendment will make it possible for villages and towns to have the same powers that cities now have to appoint a board to manage, control and operate transportation systems. The hon. member for Rosetown-Elrose (Mr. Swan) knows we have a number of pilot projects underway in which municipalities are co-operating to provide transportation services to their citizens. Another current statutory provision, although current rather statutory provisions do not permit municipalities to co-operate with one another in the provision of ambulance services, another set of amendments clarifies these powers and elaborates upon them. A new section will provide for an ambulance district board to become a body corporate. With regard to the ambulance district board itself, one section sets out its powers including powers to enter into agreements.

Another very important amendment permits intermunicipal co-operation in virtually every undertaking that each municipality could be lawfully involved in with its own territorial limits.

Mr. Speaker, we are now in a new era of intermunicipal co-operation. I am pleased to lend my support to that co-operation and the amendments provided in the said bill are a positive trend towards that. I therefore, move second reading.

Motion agreed to and bill read a second time.

HON. G. MacMURCHY (Minister of Municipal Affairs) moved second reading of Bill No. 74 — An Act to amend The Community Capital Fund Act

He said: Mr. Speaker, I am pleased to speak to this act to amend The Community Capital Fund Act. This amendment, essentially extends the effective deadline for the operation of the fund from March 31, 1979 to December 31, 1979.

Even though the program has been available to municipalities over the last five years, we have found that some municipalities have not utilized the funds available. Mr. Speaker, at last count, approximately \$5 million remained in the fund and had not been claimed by municipalities. Of this \$5 million, approximately \$1 million had not been allocated at all to any particular project by the municipality in question.

In view of these facts, Mr. Speaker, we believe the deadline for the submission of claims under the act should be extended to the end of this year so as to assure that municipalities have further opportunities to utilize their funds. This relates, Mr. Speaker, particularly to those municipalities who simply had not allocated their funds to any particular project. In this connection, Mr. Speaker, I should point out I have

appointed a committee to look into the successor to the community capital fund. Representatives of the Saskatchewan Urban Municipalities Association, the Department of Finance, and the Department of Municipal Affairs, are on the committee and have already had their first meeting.

I look forward to obtaining a report and a set of recommendations from that committee in order that the new capital program for urban municipalities can be announced before the end of this year.

It is my pleasure to move second reading of the said bill.

MR. H. SWAN (Rosetown-Elrose): — I'm not opposing this particular bill, but I am pleased to hear the minister is now looking at a new capital fund for the urban municipalities. I'm hoping that he is also looking at a new capital fund for the rurals. The amount of funding that's left here is very minimal. Though there were \$5 million in the fund and \$1 million not allocated, there are very, very few municipalities that can take advantage of that \$1 million that's not allocated because they have already used their complete portion. So we are going to see most of the municipalities this year at a standstill with regard to capital projects. I think it's a shame in this day and age to have the complete capital spending of many rural and urban municipalities at a standstill. I hope that the government can bring in a bill that will satisfy the municipalities and get this thing on the way in the near future.

Motion agreed to and bill read a second time.

HON. G. MacMURCHY (Minister of Municipal Affairs) moved second reading of Bill No. 82 — **An Act to amend The Property Improvement Grant Act.**

He said: Mr. Speaker, the only item of major importance in this act to amend The Property Improvement Grant Act is to clarify that senior citizens are no longer eligible under The Senior Citizens School Tax Rebate Act which provides for much more generous treatment. This will in no way disadvantage a senior citizen because under the new act which we dealt with last week, they will be eligible for everything that they would have received under the old act plus (rather than say and, I will say plus) a minimum of \$50 more or a maximum of \$230 more depending upon the level of school tax on their residential property.

Mr. Speaker, a number of basically housekeeping amendments are included in the bill. The definition of applicant or who is able to apply under The Property Improvement Grant Act has been clarified.

An important one, Mr. Speaker, is that conservation and development taxes which have been levied under The Conservation and Development Act will now be able to be counted as taxes for the purpose of computing a property improvement grant. This corresponds to the local improvement levy which many urban residents are able to claim when calculating their grants.

Another section clarifies the maximum grant entitlement when a person receives a grant under The Renters Property Tax Rebate Act with regard to his principal residence and then is able to apply under The Property Improvement Grant Act with regard to property other than his principal residence. In such cases, the maximum grant under the combination of both acts is not to exceed \$375.

Another section clarifies the amount of time which may pass after the end of the year in respect of which taxes are paid until an application will still be accepted and processed for payment. Basically, the act now acknowledges the fact that someone may inadvertently neglect to apply for a Property Improvement Grant Act for which they are eligible, even though they may have paid their taxes within the current year, as required by the law. It would not be fair to deny a person a grant simply because they forgot to apply, or because they may not have been aware of the existence of the programs. On the other hand, Mr. Speaker, there is a reasonable limit to which the books may be kept open and still allow for reasonable costs of administration. The books are to be kept open with regard to a particular year. This means that an entire set of records must be kept close at hand and accessible so that the usual administrative procedures can be followed. We believe that keeping the books open for three years after the end of the year in respect of which an application is made is a reasonable compromise between the objective of not denying an applicant a grant on one hand and a reasonable administrative requirement on the other hand. We are confident that this will be a fair and equitable solution.

Other housekeeping amendments are rather minor in nature to be spoken to at this particular stage and will be better dealt with, Mr. Speaker, in clause by clause during Committee of the Whole.

Mr. Speaker, it is my pleasure to move second reading of the said bill.

Motion agreed to and bill read a second time.

HON. R.J. ROMANOW (Attorney General) moved second reading of Bill No. 87 — **An Act respecting the Independence of Members of the Legislative Assembly of Saskatchewan.**

He said: Mr. Speaker, I move today second reading of The Members of the Legislative Assembly Conflicts-of-Interest Act. In 1973, I tabled a white paper and a draft bill on members of the Legislative Assembly and conflicts-of-interest. Then in 1975, this matter was referred to the Law Reform Commission and two years later, in 1977, the commission submitted its report to me and the House.

The area of conflict-of-interest for legislators has received a great deal of public attention lately. People are asking for assurances that those involved in government should not benefit unduly by virtue of their associations and positions. I am sure that all members of the House are very much aware about how important it is that members of the public be reassured about the integrity of those who sit in this House. However, Mr. Speaker, in determining the rules for the conduct of members, it is also important to ensure that they do not become so stringent that they will deter qualified people from becoming candidates. Careful consideration has been given to ensure that only those matters which have the potential to involve members in a conflict are covered.

I would now like to return to a discussion of some of the provisions of the act as the act appears before you with the assurance of the House that I may be proposing House amendments as House Leader and as the sponsor of this bill in due course. We want to have some time to have members of the public give some reaction to the bill. Members, perhaps, of the opposition would like to give some reaction to the bill before we move the legislation in Committee of the Whole. But to deal with it in second reading in principle, in the broad meaning of the words 'in principle', today. So the provisions of

the bill as drafted before you; firstly there's the basic scheme. The act sets out rules for the conduct of members of the Assembly in three main areas: employment, participation in government contracts and disclosure of assets and interests.

First of all let's look at the part dealing with prohibited offices, commissions and employment. No person who holds any office or employment with the government, according to this proposed bill, shall be eligible as a member of the Assembly. There is, of course, the obvious exceptions for the Speaker, the deputy speakers, the whips, Leader of the opposition, cabinet ministers and certain other offices, such as commissioners for oath. Any person who becomes a federally appointed judge or a judge of the provincial court is not eligible to be a member of the Assembly.

Participation in government contracts: Generally participation by a member in a government contract is prohibited. There is nothing new about this aspect of the law; that exists now in The Legislative Assembly Act. Exceptions to this general prohibition include the following: (a) a long list of agreements or instances where a member may contract with the Crown or receive payment from the Crown in circumstances provided in the present section 14 of the Legislative Assembly Act, as is currently the law. This list covers such things as participating in a teachers' superannuating plan, holding a fishing licence, accepting fees under the legal aid plan, etc.; (b) goods and services supplied to a member pursuant to a statute where the goods and services are supplied on terms and conditions common to all persons and where no basic discretion is exercised by any minister or member of the public service directly responsible to a minister. An example would be property improvement grants and the like; (c) where the value of the contract does not exceed \$1,000; (d) compensation from the Crown for land as a result of an award under The Expropriation Procedure Act; and (e) compensation for land purchased from or sold to the Crown or land damaged by the Crown as long as the amount is determined by the courts in a procedure set out in the act basically designed to confirm or validate that the situation was at an arms length and above-board fashion.

The major change in this area will be the new restrictions created for members participating in government contracts through corporations. No person who participates in a government contract as a share holder, director, manager or other officer of a corporation shall be eligible as a member of the Assembly. But to this general rule there are also exceptions. The exceptions are as follows:

- (a) when the contractor contracts do not exceed \$5,000 in any one year;
- (b) there are more than five directors, managers or officers who control the corporation or whether remuneration received by a member as director-manager or officer does not exceed \$10,000;
- (c) the member does not hold more than 5 per cent of the issued voting shares of the corporation;
- (d) the value of the shares the member owns does not exceed \$15,000.

A spouse or dependent child of a member may participate in government contracts so long as the contract is not for or on behalf of the member. Where the member would receive benefit from such a contract by spouse or family, the member would be considered to be participating in a contract. When members find they are participating in a government contract as a result of marriage or inheritance say, things of that nature

as the bill spells out, they must get out as soon as possible.

The next part of the bill deals with disclosure of assets and interests. As proposed, members will be required when the bill comes into force to file a statement with the Clerk setting out as follows:

- (a) the particulars of participation by a member, the spouse of a member, or a dependent child of a member in certain types of government contracts;
- (b) the name of any corporation in which the member, the spouse of the member or any dependent child is a shareholder, director or other officer of the corporation and any instances in which that corporation participates in a government contract;
- (c) any interest in land the member, the spouse of the member or any dependent child of the member has whether that land is located within or outside the province of Saskatchewan;
- (d) the location of the head office of any business or enterprise in which the member is an officer, partner or employee; and
- (e) the particulars of any grant or subsidy paid to the member, the spouse of a member or any dependent child or a member or a corporation where the member, spouse or dependent child is a shareholder, director, etc. when discretion is exercised in determining if the grant or subsidy is to be paid.

Subsequent to the first statement filed after the coming into force of the act, a yearly statement will be required from each member updating the information previously filed and setting out any new information of the kind required by the first statement. A statement of course filed by the public will be open to public inspection.

Offences and Penalties: members convicted of offences shall cease or remedy the act which brought about the conviction within 60 days. Conviction for failing to cease or remedy the above act results in the loss of seat in the Assembly, a stiff penalty indeed.

In conclusion, Mr. Speaker, I believe that what we have here is a reasonable bill. What we have been able to do is to provide strong conflict of interest rules without making them so stringent that qualified people will be deterred from running for public office. As I say, I will not be moving this bill in Committee of the Whole immediately. I will be standing it for a few days to get inputs from concerned people with possible House amendments (I alert the members of the House) depending upon the suggestions and the merit of the suggestions.

With those few brief words, I move second reading of Bill No. 87.

MR. R.L. COLLVER (Leader of the Opposition): — Mr. Speaker, in commenting on the brief words of the Attorney General, let me say, first of all, that they had a great deal of generality. His remarks had a great deal of generality without anything specific.

Unfortunately, the bill that is presented here today, does not answer the assurances that the people of Saskatchewan are asking for.

There are (and the Attorney General will be aware as a lawyer) loopholes in this bill wide

enough to drive a Mac truck through and still have room to get into Switzerland, absolutely. The fact remains, Mr. Speaker, that the people of Saskatchewan, the people who we represent, do want assurance regarding members, both of the Assembly, but most specifically, of the cabinet ministers and members of the Treasury Bench, who have access to public funds and who have access to prior information on government action. They mostly want assurances that they cannot, without penalty, utilize their position as a means by which they would further their own ends. In order to accomplish that one has to bring about a bill that is true for all members of the legislature. I don't think it would be reasonable to assume that members could bring forward a bill that applied only to the cabinet, or only to the senior cabinet ministers. We would have to have a bill that applies to all of us. We accept that.

Now, the Attorney General is right in his concerns that individual members of the legislature and also cabinet ministers must have protection against two things, I think. They must have protection against unwarranted fishing expeditions into their private affairs, which have absolutely no basis in terms of the work they do in this legislature. A prime example of that was stated in this legislature by the Premier of Saskatchewan some time ago. And that is, that federated co-ops, for example, does business with the Government of Saskatchewan. An individual co-op in Saskatoon or Regina is a member of Federated Co-ops. If you happen to have a share in that co-op, it would not be in conflict surely if it does business with the Government of Saskatchewan. And furthermore, I think it is important to point out in the initial stages of trying to accept a bill in principle what the purpose of the legislation should be; then point out whether this bill in fact attempts to achieve the purpose of that legislation. The purpose is two-fold, or should be. First of all it should be to protect the public from any member of the legislature using his position to further his own personal ends. But secondly, it should protect the individual MLA from unwarranted and unreasonable speculation on the part of the press and others, as to that individual's personal business which has no bearing whatsoever on his actions in this Assembly or on his actions as a member of cabinet or on the actions of the Speaker of this Assembly. That's the purpose of a bill or what it should be, to protect both the public and the member.

So the question that we have to ask ourselves, in reality, is, does this bill accomplish those ends? I don't think anyone in this Legislative Chamber could doubt that I have some experience with speculation on personal affairs in terms of the Saskatchewan press corps and others in this Assembly. I don't think anyone here could doubt that I speak with some experience in that area. I think it is important that that kind of speculation be ended; that the ground rules, if you want, for all of us, be set forward clearly, succinctly and without any question that we agree on these ground rules. Then when someone approaches an individual member, whether that individual member be on this side of the House or that side of the House, as long as he or she has complied with the ground rules (as they are laid out) further speculation is unwarranted and will be looked upon by the press, the media and others as unwarranted, if we agree on these rules. So, therefore it is important to develop a set of rules which we can agree on. It is important to develop a set of rules which do not unwarrantedly interfere with your right as a private citizen but at the same time, protect the people of the province.

Unfortunately, I believe what this bill does — I don't know why and I'm not going to try to place blame — is merely grab out of other legislation already on the books in Saskatchewan and attempt to doctor it without really coming up with some new basic principles. In other words, what this bill attempts to do is to prohibit and then except. I don't think you are going to get a bill that works in this legislature. If you try to prohibit and then except because the exceptions are always going to leave the door open to the

kinds of potential loopholes that we won't be in agreement on, that the press and others and the public will continue to speculate upon, and therefore, won't protect the member and won't protect the public. One example, I know the Attorney General (Mr. Romanow) is aware of this particular example, but one example of a major kind of loophole is a company is set up with share capital of \$15,000. As the Attorney General said today, there isn't a private sector corporation in the province of Saskatchewan that has issued share capital amounting to \$15,000, or if they are, they are so few and far between it's beyond comprehension. The vast majority of private sector corporations issue share capital of \$100 — the vast majority. And usually the founding partner gets 60 per cent and 20 per cent goes to one employee and 10 per cent goes . . . (inaudible). But the total issued shared capital, the total, is usually \$100 worth, or at the most \$1,000 worth. Now that exempts just about every private sector corporation in Saskatchewan. How can you agree on those rules? I think there are rules that we can all agree upon, that do not attack each member's right to be a private citizen, but at the same time protects the public from any member using his individual position to further his own personal ends. But I think we're going to have to do so by creating a bill, and I think this bill can be doctored if you like or amended as the Attorney General has suggested, to bring about this situation. I think we'll have to create a bill that does not prohibit and then except. So all I can say is that first of all I think that we can agree as a legislature that the public has the right to be assured that members are not going to use their positions to their own ends. Secondly we can agree that we must protect ourselves as well as individual members from unwarranted attacks by others on our personal affairs. If we can agree on that and I think the Attorney General certainly in his opening remarks appeared to leave the door open to suggestions, and I certainly congratulate him for that. I think it's the right approach to a bill like this. I think we can agree on a bill that will make this possible and will accomplish those two goals.

So, in order not to embarrass the Attorney General of having to stand this bill time after time over the next few days, I beg leave to adjourn debate.

Debate adjourned.

HON. R. ROMANOW (Attorney General) moved second reading of Bill No. 92 — An Act respecting the Establishment of the Meewasin Valley Authority.

He said: Mr. Speaker, we have before us today a bill to establish the Meewasin Valley Authority, thanks to the considerable assistance of the Minister of Finance (Mr. Smishek). I have been associated, together with other members of the cabinet including the Minister of Finance, Minister of Municipal Affairs (Mr. MacMurchy). Saskatoon MLAs and others, for over one year with this project and it gives me a great deal of pleasure to see the work of a number of committed people from the R.M. of Corman Park, Saskatoon City, University of Saskatchewan and the provincial government, culminate by the introduction of this legislation in the House today.

I am confident that most members know what the Meewasin Valley Authority project is since a number of you attended the special briefing which was organized last month. However, I would like to briefly outline the history of the project before I describe in general terms some of the legal aspects of the bill.

Mr. Speaker, the citizens of Saskatoon and Corman Park have been aware for many years that an unusual community enhancement opportunity exists for this and future generations along the South Saskatchewan River. Local interest groups and councils have proposed many times that the preservation and development of this area should

be the subject of long-range planning and appropriate development. This concern for the protection of the natural environment associated with the river has its origins from the original settlers. The Temperance Colonization Society, which founded Saskatoon and settled the region in the 1880s in an act of unusual foresight, reserved the river bank as a public park, thus forestalling its acquisition for residential or commercial purposes.

Mr. Speaker, the same concern was reflected by those individuals who, a few years later, established the University of Saskatchewan. Its campus is recognized as one of the most beautiful settings of any university in Canada.

Saskatoon is not a city whose areas of natural beauty have been lost to residential sprawl and commercial industrial development. Over the past 20 or 25 years there has been an unofficial policy that development in the vicinity of the river must be strictly controlled. nevertheless, in recent years, there has been concern that some of these unofficial policies are not good enough to prevent the deterioration of the river edge environment. These shared concerns led city council, in September of 1974, to pass a resolution requesting the province to enter into an agreement for the development of the river within, and adjacent to, the city of Saskatoon. Within a few months this request resulted in a joint project funded by the provincial and federal governments to undertake a preliminary study of the potential. The consulting firm of Long, Maille and Associates was commissioned. They completed their work in May, 1976 and it was a valuable beginning to process. Included in the report was a recommendation that a river edge authority be established, similar to the Wascana Centre Authority in Regina, to exercise stewardship over the river edge land. This report led to further discussions among the province, the city, the university and the R.M., and in December of 1977 it was agreed to explore the possibility of setting up such an authority. The result was the allocation of \$20,000 in last year's budget to develop a 100 year master conceptual plan and to draft legislation as you see it before you, to create an authority.

Mr. Speaker, in March of 1978, the distinguished Canadian architect, Mr. Raymond Moriyama, was contracted to prepare the master plan. It has been completed and accepted by all four parties and has been well received by the public.

The legislation we have before us today will create a body-corporate which will take the master plan prepared by Mr. Moriyama and over a period of years develop the project along the lines envisaged by him.

This act has, in many ways, been patterned after The Wascana Centre Act, a piece of legislation that has operated well for over 17 years, to the satisfaction of the government, the city of Regina, and the University of Regina. Differences do exist from time to time, one such being the existence of a considerable amount of privately-owned property within the area of the new Lawson Valley Project.

While the owners of this property will not be affected in most respects, with respect to their property, some consequences might follow. Further, the existence of the South Saskatchewan River flowing within the area of the project . . . (inaudible interjection). . . and I'm pleased to see that I have the strong support of my colleagues behind me in this rousing speech!

SOME HON. MEMBERS: Hear, hear!

MR. ROMANOW: — Further, the existence of the South Saskatchewan River flowing within the area of the project requires co-operation from the federal government to carry out the administration of the project. Constitutionally the control of motor vessels on the river is a matter of federal jurisdiction. In this respect, co-operation has been discussed and regulations are expected to facilitate and control the regulation of boating and other water sports.

Mr. Speaker, the Meewasin Valley Authority will be a body corporate comprised of 10 individuals, three each appointed by the province, city and university, and one appointed by the rural municipality. The common cost of the authority will be shared as follows: 40 per cent from the province, 30 per cent from the city, 29 per cent from the university, and 1 per cent from the rural municipality.

The total annual levy on the participants collectively will be a sum equal to five mills on the assessments of land and buildings in the city, which in 1978 was equal to approximately \$1.75 million.

Mr. Speaker, the boundaries of the project extend from Beaver Creek in the South to the Clarksburg crossing in the North, a distance of roughly 80 kilometres as the river flows. The total area encompassed by the new authority is about 416 square kilometres divided into two zones: the so-called control and the so-called buffer zone. Within the control zone the authority will decide permissible land use and its approval will be required for all improvements. Within the buffer zone the authority's advice must be sought before changes in land use or improvements can be authorized by the governing jurisdiction. The authority is empowered to construct improvements on its lands and public lands; that is lands owned by any of the participating parties.

These developments, over the course of time, will include such things as parks, sanctuaries, conservation areas, scenic drives, recreation complexes, educational and interpretive centres.

The authority will also be empowered to regulate traffic, provide policing and firefighting services, to protect animal, aquatic and bird life, to protect public health and prevent pollution, to prohibit excessive noise and other nuisances, and generally to protect persons and property.

Mr. Speaker, perhaps it would be helpful to members if I outlined, very briefly, some of the aspects of the bill. In many respects, these powers of the bill are similar to those exercisable by council and rural municipalities. The similarity ends, however, in that the jurisdiction of Saskatoon, the University of Saskatchewan and the rural municipalities make laws with respect to the areas within the jurisdiction, which would be inconsistent with the actions of the authority. As an example, the traffic controls of the city of Saskatoon would remain in force in that area of the city which is included in the project. The authority however, has power to pass by-laws controlling traffic, and if it did so, making more restrictive traffic control within the project, then the by-laws of the city in this respect would be modified to the extent of the terms of the by-law made by the authority.

Mr. Speaker, the authority will have power to provide police services like the Wascana Centre Authority, and fire protection. With respect to law enforcement, the police department in Saskatoon will have jurisdiction throughout the entire project and the bill will provide that the authority may appoint special constables to supplement these services.

The authority is empowered to secure fire fighting equipment and engage the necessary staff for that purpose, which will complement the responsibility of the fire fighting force of the city, which will be responsibility for fire prevention measures within the city, of the project situated within the city. However, all powers of the authority must be exercised and all activities undertaken according to the master plan. To ensure that this occurs and to assist the project, the legislation provides for one or more committees on which architects and community planners will act. In this way, professional and technical advice will be given to the authority to assist them in determining whether improvements proposed within the project will be in accordance with the master plan.

In order to guarantee adherence to the master plan insofar as activities carried on, or to be carried on in an area of the project which are authorized under certain other acts, the approval of the authority will be required, in addition to any formal type of approval contemplated by any area of the other acts. As an example, a proposal to take water from the river under The Water Rights Act requires an approval under that act, if the proposal to take water relates to an undertaking situation within the area of the project and the right to the waters to be exercised at that place.

The authority would be required to be approached for its approval before the right of the water could be granted. It should be repeated that these measures are necessary for the activities and the use of lands and the river flowing in the project to follow within the overall scheme and outline of the long-term master plan.

Mr. Speaker, the act contains a number of other detailed provisions which I think, really can be dealt with best in Committee of the Whole. I have attempted to give only a general overview of the history and the major provisions of the bill.

In closing, I would like to say that this act is a result of lengthy and detailed negotiations and discussions with the city of Saskatoon, and may I say, people within the city of Saskatoon, interested groups who have participated, the University of Saskatchewan, and the Rural Municipality of Corman Park. It is patterned after a success story, the Wascana Centre Authority, but modified to the specific situation of the Saskatoon and Corman Park area. All three local parties have, by official resolution, endorsed this legislation and join with the government in anticipation of its becoming law so that the Meewasin Valley Authority will be a reality.

Mr. Speaker, I move second reading of Bill No. 92, the Meewasin Valley Authority Act.

SOME HON. MEMBERS: Hear, hear!

MR. COLLVER: — Mr. Attorney General, what, under this legislation, happens to the property taxes for privately owned land within the authority?

MR. ROMANOW: — Mr. Speaker, there is no change in the mechanism of levying or payment of taxes, but I would like to take further notice of that and have a specific response in Committee of the Whole for the Leader of the Opposition.

MR. COLLVER: — If the Attorney General doesn't mind, when he is taking cognizance of that fact, the minister will be aware that many of the private rights of ownership for private land within this authority are being withdrawn, and it would seem a little strange to require private owners of property within the area to pay the same kind of taxation

level. Would you check to see what the effect of the bill would be on that and provide it to us in committee?

MR. ROMANOW: — Yes.

MR. R. KATZMAN (Rosthern): — Mr. Speaker, the bill is lengthy. First of all, I would thank the Attorney General (Mr. Romanow) for a year ago allowing me to be part of the planning of this authority by having some input. I thank him for being allowed to talk with the consultants about some of my concerns and taking some of the ideas which I recommended which I now see coming within the program.

I'll send this over to the Attorney General. It's a list of the parks within the city zone and a list of parks outside the city that are owned by the city of Saskatoon. Could you tell me if these are located in schedule A in the back of this bill? I would also ask if your people, before they come to the Committee of the Whole, could give us a map indicating everything under schedule A and where it's located? That's all legal definitions of property and land locations and I would like to be able to run it down following the south to the north plan of the water.

Let me first of all indicate that as far as our caucus is concerned with the Meewasin authority, we are very pleased with the idea, the project and its far-ranging ideas (as you indicate, 100 years). I think that there are key people who should be recommended a keen vote of thanks and they are those on the A committee who did all the hard work to plan this study, as well as some individuals who are not mentioned within the study who have predicted rare finds that will be indicated later as they study goes on. I refer to the Medicine Rock area and other areas, I think, the Attorney General will be aware of. But within the plan, several things concern me.

First of all, there is an indication that the SPC (Saskatchewan Power Corporation) will be shutting down the hot water that it pumps into the river which keeps the river in Saskatoon open year round. I would like the Attorney General to comment on whether SPC has agreed to shut that water off so the river will be used as the plan indicates?

Second of all, is it the Department of Highways or who that is going to pay for the bridge that is going to be coming across the city of Saskatoon? I assume by the plan that the Government of Saskatchewan is basically going to be picking up approximately 70 per cent of the 42nd Street Bridge because it indicates 29 per cent of U of S, 40 per cent from the province, which will mean that the city will only have to pay 30 per cent. Now, I'm not sure if that is the intent, but I would question the Attorney General to let me know if it is still 50:50 or if there has been a change of heart on the financing of the 42nd Street Bridge.

As I go through the map and the concerns of the local people, and I go, of course, to the obvious statement (and I wish I could find another place to make this statement, Mr. Attorney General), but I would request that the Attorney General, once again . . . When the authority was announced and I made my one comment there was a quick denial from many members of the cabinet benches and yet in the next day or two the Attorney General admitted that I was correct. I would suggest to the Attorney General, when we are talking about a project that we all agree on, that he doesn't get politics too far in as he did with my comment when I referred to the lake area on the northern portion. It will be flooding part of the land that the government under SEDCO is trying to option on behalf of a third party.

The Attorney General and I could get into a lengthy debate on that issue but I will leave that alone for today. Let me suggest to the Attorney General that during Committee of the Whole there are many areas on the schedule A that I am concerned about. It is interesting, as I hear the chat between our leader and the Attorney General, where they talk about the Bessborough Hotel. You know that is a good point, because this bill seems to indicate that the Bessborough Hotel is no more part of the city of Saskatoon. It now seems to be in the Meewasin Authority area. I am questioning what is going to happen if the Attorney General would ever check that particular park that surrounds the Bessborough, who owns it and what the title says to it, he will discover he is into some interesting situations. Because it one of the few titles that says that the property goes right out to water, which is totally different . . . (inaudible interjection). . . middle of the river. Well the taxation, Mr. Attorney General, which you do not seem to have an answer on yet . . . (inaudible interjection). . . the controls are all within this body.

As I wrap up the debate on this, I suggest we should do most of the discussions in Committee of the Whole. I would ask the Attorney General, on that list, to give me an idea on the responsibility of that are. The other portions that concern me are what happens to all the employees when you form this Meewasin Authority, to all the employees of the city of Saskatoon, the Corman Park people, the city police? Do they have their own police force as with the Wascana? What are the answers to those kinds of questions? Over how many years are you going to be taking over within the authority any of the facilities, like for example, the rinks, the swimming pools, that will fall within this boundary? And if they are rented back and the city of Saskatoon runs them, what's the financial obligation of the other partners to supply the benefits they need, for example, the parking areas and so forth at Riversdale Pool area which is protected? How does the federal law that says the RCMP are responsible for all water treatment protection areas affect this bill because that falls within the designated area? I repeat, the employees and the facilities, and I refer to the swimming pools and the hockey rinks and so forth. I would suggest that when the Attorney General knows, I spend many years in the city of Saskatoon in the parks division and the recreation side. I am concerned about some of the problems I see here in the Wascana Authority. There were arguments of who is responsible for this and who is responsible for that, who makes this decision. We don't want those kind of problems with this upcoming set up and hopefully we can cure those in advance and have some suggestion of how it's going.

Mr. Speaker, I, like all the Saskatoon MLAs (I would assume) on the government side and Mr. Cowley, who are the MLAs affected by this, welcome this project. I'm certain they will. It will be a betterment for the people of the area and the community. I think it might even get rid of Eldorado for me.

I thank you, Mr. Speaker. We'll be supporting this bill.

MR. P.P. MOSTOWAY (Saskatoon Centre): — Mr. Speaker, I just want to say a few words in regard to this bill. But before I go on I just want to say that I certainly wasn't aware that the hon. member for Rosthern Mr. Katzman was a member of the planning committee because any time I had anything to do with it, as an outsider looking in, I certainly didn't come across you. You probably were in the back room working on papers, drawing up blue prints and plans, etc. So I certainly commend you for anything that you have done that I'm probably not aware of.

I just wanted to say that having been brought up in Saskatoon and having played on the

river bank, I think this is a marvellous idea. I just want to say that this was a campaign promise on behalf of the Saskatoon NDP MLAs and candidates a few years ago. At that time there were six Saskatoon NDP MLAs. We made this a campaign promise. We now went and Saskatoon voted a full slate of NDP MLAs and now we have action. It shows you that Saskatoon NDP MLAs do come through with their promises. Mr. Attorney General you should be commended. You don't get too many commendations in this House and you certainly are entitled to them so here's one. I commend you for it and I know that everyone will be backing this one up including the opposition who have said that they would be supporting your good bill.

SOME HON. MEMBERS: Hear, hear!

Motion agreed to and bill read a second time.

HON. R. ROMANOW (Attorney General) moved second reading of Bill No. 94 — **An Act respecting the Saskatchewan Code of Human Rights and its Administration.**

He said: Mr. Speaker, it is my privilege to move today second reading of the Saskatchewan Human Rights Code 1979.

Seven years ago, Mr. Speaker, this government brought forward legislation to establish the Saskatchewan Human Rights Commission to administer the human rights legislation in this province. Since that time, much has happened in the field of human rights. Commissions have been established in nearly every province and now by the federal government.

The federal government, with the approval of every province, is now a party to the International Covenant on Civil and Political Rights and the International Covenant on Social, Economic and Cultural Rights. Both these covenants require the signing parties, over a period of time, to amend their own legislation to meet the international standards set out in those covenants. A number of other provinces have already broadened the number of prohibited, discriminatory practices.

Mr. Speaker, the time has certainly come to revise and codify our own human rights legislation here in Saskatchewan. In drafting the new human rights code, we have been guided by a number of factors.

Human rights laws in other provinces. In recent years, other Canadian provinces have codified their human rights laws and added new grounds of prohibited, discriminatory practices — B.C. in 1973; Alberta, 1972; Manitoba in 1974. Wherever possible, considering the number of people who come from province to province, it is desirable to have close, if not uniform, legislation.

We've been guided by representations made by groups in Saskatchewan. Here we have consulted widely about the content of the new human rights code. Many groups and individuals have come forward to present their views to myself and to the Human Rights Commission. We have not been able to accommodate all points of view but we have given careful consideration to all opinions presented to us.

Thirdly, we have taken into account our own experience in the field of human rights. Mr. Speaker, I am proud of Saskatchewan's record in the field of human rights. The past chairperson, Her Honour Judge Taylor and the present chairperson, Professor Ken Norman, have both carried out their duties vigorously and skillfully. This experience

has enabled us to determine where our laws need improvement.

For all these reasons, therefore, we are moving to strengthen the human rights laws of this province as proposed by this bill, something which I'm sure will be welcomed by all members of this House.

Mr. Speaker, I now want to have a very brief discussion of the provisions of the bill, first of all, the basic scheme. This bill brings together into one act all the legislation administered by the Saskatchewan Human Rights Commission. This includes The Fair Employment Practices Act, The Fair Accommodation Practices Act, the Saskatchewan Bill of Rights, The Blind Persons Act and The Saskatchewan Human Rights Commission Act. There are major changes in two areas; the functions of the Human Rights Commission and the Heads of Prohibited Discriminatory Practices. The Human Rights Code will have primacy over other legislation, subject only to specific statutory exemptions. The new act also incorporates the section in existing legislation binding the Crown by its provisions. What are the prohibited grounds of discrimination? Under present legislation, subject to qualifications in certain areas, discrimination is prohibited on the basis of race, creed, religion, color, sex, nationality, ancestry or place of origin. The prohibited heads of discrimination under this bill will be broadened to now add and include, marital status, age, and physical disability. Age will be a prohibited ground of discrimination as it applies to the purchase of property, the use of public facilities, employment, the use of employment application forms, and professional associations, trade associations, and trade unions. Age is defined as being 18 or over and less than 65. There is a special statutory exemption dealing with, for example, the present discrimination of age on drinking. That remains unchanged.

Discrimination on the basis of physical disability will be prohibited with respect to the right to engage in occupations, the right to purchase property, the right to lease commercial space and housing accommodation, the use of public facilities, the right to education, the right to employment, and the right to membership in professional associations, trade associations and trade unions. Marital status has been added without qualification. The definition of sex has been broadened to include pregnancy and pregnancy related illnesses. This will not affect maternity leave as provided for in The Labour Standards Act. There are certain exemptions to the prohibited discriminatory practices set out in the act. For example, discrimination on the basis of age and the use of public facilities is subject to statutory exemptions such as legal drinking — I've mentioned that already. Similarly, discrimination in employment situation on the basis of sex, physical disability and age is exempted where there is a reasonable occupational requirement or qualification which would permit of, or demand of, that discriminatory practice.

I know that the member for Wilkie (Mr. Garner) will be particularly interested in my comments respecting The Human Rights Commission and Boards of Inquiry as proposed in this bill. Under present law, the Human Rights Commission performs both investigative and judicial functions. The commission will continue to investigate and conciliate complaints of discriminatory enactment, but if conciliation efforts are not successful, an entirely independent board of inquiry will be appointed by the Attorney General. I must say, Mr. Speaker, I'm gratified by the tremendous support I am receiving by my colleagues on this side of the House today on my speeches.

SOME HON. MEMBERS: Hear, hear!

MR. ROMANOW: — The commission will have the carriage of the complaint before the Board of Inquiry. This procedural change will make Saskatchewan law identical to that now in force in many other provinces in Canada.

Affirmative Action Programs; both boards of inquiry and the Human Rights Commission will be able to order affirmative action programs to help prevent discrimination respecting any group of individuals and to improve opportunities for groups of people in the areas of services, facilities, employment or education.

Remedies and enforcement — an order of a board of inquiry can be registered in the Court of Queen's Bench and becomes enforceable as a court order. The act provides for fines of up to \$2,000 for individuals and \$3,000 for corporations.

Now, Mr. Speaker, in closing I want to say that I am confident that we will have with the passage of this bill not only a vastly improved human rights bill and laws for the province but a commission and a system better able and set up to administer these very important and sensitive areas of law. I therefore move second reading of Bill No. 94.

MR. COLLVER: — I thought the Attorney General's remarks today, Mr. Speaker, were interesting for what they said. I would, first of all, like to say that we on this side of the House support this bill very much. It does take a step forward in terms of human rights legislation, certainly from the standpoint of the handicapped in our province. It does much for a great many handicapped citizens of our province and to a lesser extent those senior citizens who feel that they still have a great deal to contribute and whose companies feel they have a great deal to contribute and who, due to mandatory retirement legislation which has been in place before, were no longer to make those contributions. I think this bill certainly takes significant strides forward in this area.

I thought, Mr. Speaker, that the Attorney General's remarks were particularly significant for what they did not say. It is not often in this House when a member of the opposition can say that he influenced the thinking of the government members. So you will pardon me, Mr. Speaker, if just briefly I say to the members and especially the members opposite that for the first time since I have been in this Legislative Assembly, the government has reacted to something which I have said at the start of a session. Mr. Speaker, it is interesting to note that the NDP itself called for the inclusion of, if you like, gay rights in this legislation. The NDP resolution passed. Mr. Norman, himself, called for the inclusion in this legislation of that section. The way things were going here a couple or three months ago, the way the Attorney General was talking in speeches that he gave in Saskatoon, in speeches that he gave here in Regina, it seemed that the government was going to listen to its party and was going to listen to Mr. Norman and they were going to include a very onerous section in the human rights legislation, a section that just didn't belong in the human rights legislation of our province.

I think, Mr. Speaker, because of the remarks . . . As a matter of fact, the Attorney General himself said on CBC television Friday evening that one of the major reasons they didn't proceed with the NDP resolution on gay rights, and they didn't proceed on Mr. Norman's recommendations on gay rights, was the fact I had raised at the start of this session, a question that had been raised outside this Assembly by a leading gay rights spokesman pertaining to the government.

So, I must say that because of that remark and because of the subsequent actions of the gentleman in Saskatoon, I came under a considerable amount of flak for raising it, not the least of which came from within my own party. I must say, Mr. Speaker, that for one

time in my political life I am proud to have done something and had a contribution to make to the government because the inclusion of that kind of legislation in the human rights legislation in the province of Saskatchewan would, in fact, call into question the whole area of human rights legislation in the minds of the people of the province of Saskatchewan.

It would, if you like, remove the good work that has been done by a great many organizations in the province of Saskatchewan, a great many organizations over the last number of years, not just NDP years, but the last number of years, to make certain that discrimination did not exist in our province, discrimination against a person because of their sex or their race or their creed or their color and to work hard to enforce that legislation. But had you included this resolution in this legislation, quote:

A call for the Saskatchewan government to enact a law prohibiting discrimination on the basis of sexual orientation, highlighted the final day of the three-day provincial NDP convention Sunday. (This is from the Leader Post, November 20, 1978). On a counted show of hands vote, the approximately 750 registered delegates approved the resolution asking for amendments to human rights legislation forbidding discrimination on the basis of age, marital status, sexual orientation or handicap.

That, of course, was left out. The point is, Mr. Speaker, that had that been included in this legislation all of the human rights legislation in the province would have been called into question, and I'm quoting the Attorney General in his remarks on TV the other night, it would all have been called into question. Thank goodness, it was raised at the start of the session and raised enough of a furor at the start of the session that the Attorney General and the cabinet and the whole caucus of members opposite had to listen to the people of the province of Saskatchewan. They had to listen to the people of the province who refused to accept that kind of lowering of the moral standards and the moral fibre of our province.

AN HON. MEMBER: — . . . (inaudible interjection) . . .

MR. COLLVER: — I'm glad that the member has raised that. I to point out earlier the entire spectrum of thought which was coming up — the passage of this legislation, the recommendation at the NDP convention and the Attorney General's remarks. It's interesting to note, Mr. Speaker, that the Attorney General still doesn't rule it out. He just says, at this time the people aren't ready for it. There are more press clippings here, 'Battle call at Convention' and 'Battle call in human rights legislation', 'Sexual Orientation.'

The member for Thunder Creek (Mr. Thatcher) has asked me to read this into the record and I quote:

The convention decided that human rights legislation should prohibit discrimination on the basis of sexual orientation. Despite comments that such laws would spell trouble for school boards trying to deal with homosexual teachers, the delegates ruled that a person's private sex life is irrelevant to his rights as a human being. (That's what the delegates ruled, but the government overruled. Why? Because they started to listen to the real thoughts of the people and that that's not human rights at all.)

Blakeney said he wanted to see what protection already exists for

homosexuals. (Now they themselves called for the inclusion in this human rights legislation, but Blakeney said he wanted to see what already existed.)

The problem in dealing with human rights, he told reporters, was in deciding the balance between the rights of one group against another. Enshrining rights for one usually means restricting rights for another.

Well that's true and that's true for all human rights legislation and I am glad to see, quite frankly, that the members opposite in their discussions overruled their own convention and overruled their own appointee to the Human Rights Commission and excluded that legislation even though the Attorney General was attempting to back it for the last three or four months. Even though he was attempting to play both sides against the middle, even though he is still trying to pick up support from this side and that side and say, well gosh, we just left it out because it is the wrong time.

Maybe the Attorney General would listen to the individuals in Saskatchewan who say that there are other rights, there are rights of children to be free from this kind of moral degradation. There are rights of schools to determine whether or not that kind of degradation is to be taught to their children. There are other rights, and those rights of those individuals are just as paramount as these so-called rights.

MR. THATCHER: — Anyone want to disagree with that over there?

MR. COLLVER: — Mr. Speaker, I want to say that for the first time in my political life, something that I have done has made them listen. Something that I've done has made them leave it out. The issue, by the way, was raised by a leading spokesman for gay rights in Saskatchewan, on the air, on CKOM radio, with no answer from members opposite — none whatsoever, Mr. Speaker. It was raised, and in the meantime, the Attorney General is talking about these rights and how it's important to include them, and the convention is bringing the rights forward, and so on and so forth. This man suddenly says, well, heavens, there's one in the cabinet as well, which is designed to bring about a feeling in the people. Well, it's just automatic, we might as well include it. And I say to you, Mr. Speaker, I'm proud that I brought this to the attention of the House. I'm proud that the Attorney General, as a result, heard from the people. I'm proud that the other members heard from the people to include it.

I have some more to say on this entire matter and I beg leave to adjourn debate.

Debate adjourned.

HON. E. COWLEY (Provincial Secretary) moved second reading of Bill No. 76 — **An act respecting Non-profit Corporations.**

He said: Mr. Speaker, in 1977, The Business Corporations Act was passed to provide a comprehensive and modern law of governing corporations with share capital, whose object was the making of profit for the benefit of its members. This year, it is my pleasure to bring forward a bill to provide a comprehensive and modern law of governing corporations without share capital, whose purpose excludes pecuniary gain for its members.

Non-profit corporations are engaged in a wide range of activities. Such corporations promote art, science, research, culture, religion, charity and many other useful functions. They provide housing, nursing homes, hospitals, transportation, fire

protection, legal aid, health clinics, amateur and professional sports (an example would be the Saskatchewan Roughriders), recreational facilities such as buildings, parks and swimming pools. Some also provide cemeteries and funeral services (for example, the Kindersley Funeral Home). Others provide funds such as our United Appeal organizations. There are over 3,000 non-profit corporations in Saskatchewan at the present time, and about 500 are being incorporated each year. Some of these carry on extensive programs with a very substantial budget. The trend in Saskatchewan and throughout Canada indicates the non-profit corporation is a vehicle with increasing practical importance and impact upon society. Nevertheless, Saskatchewan has never had an act to adequately accommodate non-profit corporations or the type of concern such organizations may experience. As a result of limitations and restrictions in its laws, some 230 found it necessary to incorporate under The Companies Act. Others found it necessary to proceed by way of a special act of the legislature. In some cases, provision has been made for incorporation under another act such as, for example, The Agricultural Societies Act.

The aim of the bill is to provide sufficient flexibility so that any type of non-profit corporation may operate under it. A non-profit corporation is clearly empowered under this bill to carry on business and to earn profits subject to the condition that none of the profits flow through to its members but instead are applied only to furtherance of its activities. The bill recognizes two basic kinds of non-profit corporations; a charitable corporation and a membership corporation. In general, a charitable corporation and a membership corporation. In general, a charitable corporation is one that carries on activities primarily for the benefit of the public. It is therefore treated, particularly in respect of financial disclosure, as a public corporation which distributes its shares to the public. Whereas, a membership corporation is one that carries on activities primarily for the benefit of its members and is treated much like a closely held or private corporation.

The bill before you, like The Business Corporation Act which it parallels, sets out a legal system designed to be clear comprehensive and practical for all corporations. The bill parallels closely the corresponding provisions of The Business Corporations Act because the principles applicable to both types of corporations are basically the same: to establish a reasonable balance of interest between corporation's management and its membership.

The interest of a member in a membership corporation may be as important as the interest of a shareholder in a business corporation. Similarly, the public have or may have a vested interest in the proper functioning of a charitable corporation. The bill, though comprehensive, seeks to eliminate empty formalities and to provide a law that is workable. Its principal features are as follows:

1. A corporation may, subject to some qualifications, be formed with only one incorporator instead of five, as now required;
2. Incorporation has been simplified. The Societies Act, which is being replaced by this bill, is brief but because it is brief incorporators must, in effect, write a statutory code into their by-laws. Under this bill, by-laws take on a lesser function and therefore, need not be filed. Also, the objects or purposes for which a corporation is being formed need not be listed;
3. A corporation is given the capacity of a natural person subject only to any restrictions that may, in its articles, impose upon itself;

4. Where a non-profit corporation is liquidated or dissolved, if it is a charitable corporation, its remaining assets must be distributed to one or more corporations which have similar purposes. If it is a membership corporation, its remaining property must be distributed pursuant to its articles or, if there are no express provisions in its articles, then rateably to the existing members at the time of liquidation or dissolution;
5. A corporation may, in its articles, impose restrictions on the activities it may carry on or the powers it may exercise. In the case of a charitable corporation that solicits money or property from the public, court approval is required to alter these restrictions;
6. A membership corporation need have only one member and one director, but a charitable corporation must have not less than three directors. A majority of the directors must be resident Canadians and at least one director must reside in Saskatchewan;
7. Like The Business Corporations Act which it parallels, the bill establishes a reasonable balance of interest between a corporation's management and its members and, if sufficiently comprehensive, the by-laws need not be sent to the director. The filing of by-laws under present laws are a statutory requirement that is necessary because, as already stated, the statute lacks an adequate framework within which a corporation may operate;
8. The bill contains other provisions which parallel The Business Corporations Act such as provisions respecting directors, auditors, remedies for dissenting members of interjurisdictional transfer;
9. The bill introduces for the first time provision for registration of extra-provincial non-profit corporations under an act that governs non-profit corporations. At present such corporations may register only under The Business Corporations Act.

At the passing of this bill Saskatchewan will have a comprehensive and modern law governing not only business corporations but non-profit corporations as well. Therefore, Mr. Speaker, I move second reading of this bill.

MR. KATZMAN: — Mr. Speaker, the member that was going to respond is unable to be back in time to respond and, therefore, he wishes to make his comments at a later time in reply, so I beg leave to adjourn debate.

Debate adjourned.

HON. E. COWLEY (Provincial Secretary) moved second reading of Bill No. 79 — **An Act to amend The Liquor Act**

He said: Mr. Speaker, the amendments to The Liquor Act really concern two particular areas as members will see by reading through it.

First of all, it's changing from the present system to the metric system with respect to the measures that are found in the act. Secondly, in the case of returning officers being appointed for liquor votes, they have always in the past been municipal clerks and in the very odd circumstance we've found there has been a conflict of interest here where a municipal clerk will have an interest in the outcome of a particular vote. So, it will no longer be required although I would think in the vast majority of cases, we would use the municipal clerk, but in the event that the municipal clerk had an interest in the

April 23, 1979

outcome of the vote, for example, if his wife owned the hotel which the vote was about, then we would use someone else as the returning officer. I think it's a very small point. I don't see anything particularly controversial in this act and, therefore, I would move second reading of this Bill.

Motion agreed to and bill read a second time.

HON. E. COWLEY (Provincial Secretary) moved second reading of Bill No. 86 — **An Act to amend The Constituency Boundaries Commission Act**

He said: Mr. Speaker, the amendments are necessary because the present act provides for a commission to be established as soon as possible after the main census is taken every 10 years. The next main census will be in 1981. That will mean that a commission could not be set up until 1982 and there would not be sufficient time to establish new constituencies prior to the next general election.

The purpose of this bill is to provide for the setting up of a commission in 1979 and every eighth year thereafter. We believe that it's important for new constituencies to be established as soon as possible before the next election.

Under the present act the commission to report on constituency boundaries must be established for the main census taken every 10 years, 1971, 1981, etc. If the Lieutenant-Governor in Council considers it to be in the public interest, it may establish a commission every fifth year for the less exhaustive census, i.e. 1976 or 1986. These amendments provide that a commission must be established in 1979 and every eighth year thereafter.

If the Lieutenant-Governor in Council considers it to be in the public interest, a commission may be set up in every fourth year, i.e., the first opportunity for this to appear would be 1983. The commission will base its determination on voter enumeration. The clerk of the Executive Council will be required to obtain (a) for each provincial election, copies of the voters' lists sent to the chief electoral officer, and (b) for each federal election, a copy of the report of the chief electoral officer, since there is no requirement that voters' lists be sent to the federal chief electoral officer, which contains enumeration figures.

The commission will be required to determine population by referring to the most recent voters' list in the year in which it is established. For the commission established in 1979, this will be the list prepared for the last provincial general election. However, the commission may refer to the federal voters' lists available at the time of its deliberations. In this way we believe that the commission will have the best possible information before it in order to determine the population for the constituencies.

There are also some minor housekeeping amendments necessary to fix up some inconsistencies in the act.

Mr. Speaker, I am sure that all members will agree that it is important to complete the job of redistribution as soon as possible so that people will know which constituency they will be living in for the next provincial election. The voters list prepared for the provincial election last year, together with the lists currently being prepared for the federal election this year, will provide the commission with accurate current information on Saskatchewan's population.

It is our intention to establish a commission as soon as possible after this act is passed.

Mr. Speaker, I move second reading of an Act to Amend The Constituency Boundaries Commission Act . . . (inaudible interjection) . . .

MR. THATCHER: — Mr. Speaker, if the member for Regina Rosemont (Mr. Allen) feels that way, I invite the member for Regina Rosemont to come out and tackle me in Thunder Creek, and I invite you to borrow the \$100 for a deposit because I guarantee that I will take it. But feel free to come, nonetheless. Don't let me scare you off. Come and find out for yourself, or anybody else for that matter.

Mr. Speaker, is there some reason that members must put up with this sort of abuse?

MR. SPEAKER: — I think members are getting one step ahead of the legislation.

MR. THATCHER: — Mr. Speaker, we have some comments that we would wish to make in this regard. One of our concerns which we wish to express is to discuss the possibility of preserving Saskatchewan's character in its representation.

One of the problems (and this is certainly not unique to Saskatchewan, I believe it is unique to all parts of Canada) is that rural Canada is slowly but surely losing more of its representation in legislatures and the House of Commons as the years go on. Now certainly there is the argument of representation by population and it has a great deal of validity. No one will dispute that. At the same time I do not believe that members, regardless of your political stripe, will dispute the fact that rural Canada, rural Saskatchewan and rural Alberta also have their rights in the legislatures and the House of Commons. It may very well be time that we in Saskatchewan borrow something from the province of Quebec; perhaps the rights of the rural area in this legislature must be protected by statute. Now this raises some ramifications. We believe that it does not do this Assembly any harm to look at it in a non-partisan fashion. For that reason, Mr. Speaker, we have more to say in this area. We have some proposals which we wish to discuss with the government. Therefore, I beg leave to adjourn the debate.

Debate adjourned.

HON. G.R. BOWERMAN (Minister of Environment) moved second reading of Bill No. 85 — **An Act to amend The Water Supply Board Act.**

SOME HON. MEMBERS: Hear, hear!

He said: Mr. Speaker, I'm pleased with the responses that I am getting to this very important bill.

Mr. Speaker, the moving of An Act to amend The Water Supply Board Act is really just a matter of housekeeping in terms of the areas of responsibility and jurisdiction of the Water Supply Board. Members of the House will know that there have been other pieces of legislation in the Assembly this year and in previous years dealing with bringing many of the Crown corporations into line with the general provisions of the Crown Investments Corporation, bringing them into one of the areas of jurisdiction of responsibility more related to that body than they have operated in the past.

The bill really provides for the establishment of executive committees, which is not

new. The Crown Investments Corporation legislation a year ago made that provision so that executive committees rather than full board meetings would be required.

The second amendment provides for the flexibility in superannuation benefits which can accrue to members of the Water Supply Board. The provisions have been that they receive their superannuation facilities through the Saskatchewan Government Employees' Association benefits. Now if the employees so opt these can be provided through the benefits of the Crown Investments Corporation package.

The third amendment, section 5 of the bill, repeals the existing sections in The Water Supply Board Act relating to the financing and the operation of the corporation and replaces them with provisions similar to those found in most legislation creating the Crown corporations.

The introduction of a new section 12 (2) will also allow the legislature to review the overall funding of the corporation in a more meaningful way than currently exists, as the funding arrangements between the Department of Finance and the Crown Investments Corporation.

Finally, Mr. Speaker, the bill removes some sections in the existing act which have been made superfluous by the adoption of The Crown Corporations Act itself.

In summary, I don't think that there are any provisions in the bill which would not solicit the support of the members of the opposition with respect to the changes being made. As I indicated at the outset, they are really just amendments of a housekeeping nature and I am sure that they are non-controversial in the sense that they would require a great deal of attention by the members of the opposition. I would, therefore, move second reading of the bill.

MR. R. KATZMAN (Rosthern): — I can't resist to get up and say, we join with the minister in agreement on this bill.

SOME HON. MEMBERS: Hear, hear!

Motion agreed to and bill read a second time.

HON. E. TCHORZEWSKI (Minister of Health) moved second reading of Bill No. 97 — **An Act to amend The Saskatchewan Medical Care Insurance Act.**

He said: Mr. Speaker, I am pleased to have an opportunity to explain briefly amendments which are being proposed to The Saskatchewan Medical Care Insurance Act. As members will be aware, last summer the Saskatchewan Medical Association and the College of Physicians and Surgeons and the Medical Care Insurance Commission, agreed to establish a joint professional review committee. This committee, as I explained previously in this House, would review claims submitted by physicians to the Medical Care Insurance Commission when there are unresolved questions about their accuracy. It was agreed that the committee's work was essential to insure the public accountability of the medical insurance plan and I'm pleased to inform the House that arrangements are already being made between the Saskatchewan Medical Association and the Medical Care Insurance Commission to establish an initial meeting.

The proposed amendment is intended to provide legal protection to members of the

joint Professional Review Committee against possible libel charges from individual physicians. This protection is required because two of the joint Professional Review Committee members will be from the Saskatchewan Medical Association and two others from the College of Physicians and Surgeons. These non-government members will have access to classified Medical Care Insurance commission information on physician billings to the commission.

Further, the conclusions of the joint Professional Review Committee, along with the evidence in support of the conclusions and recommendations, will be shared by the board of the SMA (Saskatchewan Medical Association) and the council of the College of Physicians and Surgeons as well as with the Medical Care Insurance Commission.

While the Medical Care Insurance Commission and its officials are protected in law while performing their duties and responsibilities, similar protection is not given to the Saskatchewan Medical Association and the College of Physicians and Surgeons' officials. This amendment will correct that omission.

The second amendment relates, Mr. Speaker, to the direct billing of patients by physicians. In these instances the patient receives a bill from the physician and then submits the bill to the commission. The commission then reimburses the patient according to the Medical Care Insurance Commission's payment schedule. The physician's charge to the patient is a matter of contract between themselves and does not directly involve the commission.

In Saskatchewan this type of billing is commonly referred to as mode 3 billing, as members know. Under the present act the physician's only obligation in these cases is to furnish the patient with sufficient information to enable him to receive payment from the commission. The patient is not required to submit the information to the commission in any particular format. Any form of written statement will suffice so long as it contains the information required by the Medical Care Insurance Commission to pay the account.

The proposed amendment, Mr. Speaker, which is aimed at minimizing administrative costs, (and I have discussed this with the Saskatchewan Medical Association), will require physicians to furnish patients with the necessary information on a form approved by the commission for that purpose and which will be discussed with the SMA prior to that.

As I said previously, Mr. Speaker, physicians who directly bill their patients at present already provide this sort of information. The amendment will simply require that the information be provided in a standard form.

The third and last amendment concerns section 20 of the current act, which provides the commission with the authority to act as agent for a minister or a government agency in making payments to physicians for services rendered whether or not the services are insured. No provision, however, exists whereby a minister or a government agency can appoint the commission to act as its agent. In other words, the commission has the authority to act as an agent but a person or agency may not have the authority to appoint a commission to act as agent. Moreover, the act does not define the expression 'government agency'.

At present the commission acts as agent only for the Minister of Health in making payment to private physicians for services provided to cancer patients. In view

April 23, 1979

of the plans for a new cancer foundation, the bill of which has been introduced in this House, it was thought advisable to make the necessary amendments now to avoid future difficulties in this area. The proposed amendment will specifically authorize a minister of the Crown or an agency of the government to appoint the commission to act as its agent. Moreover, the term 'agency of the Government of Saskatchewan' will be specifically defined.

With that brief explanation of the three amendments, Mr. Speaker, I move second reading of this bill.

MR. R. KATZMAN (Rosthern): — Mr. Speaker, our critic for this area had to be away, unfortunately, and has asked me to stand the bill so that he can make his comments.

I ask permission to adjourn debate on the bill so that he can speak on it.

Debate adjourned.

MOTION

NIGHT SITTINGS

HON. R.J. ROMANOW (Attorney General): — Mr. Speaker, before we proceed to call it 5 o'clock, I move, by leave of the Assembly, seconded by the Minister of Labour, the Hon. G.T. Snyder, that on Wednesday, April 25, 1979 and on each Wednesday until the end of the session, Rule No. 3, subsection 3 be suspended so that the sitting of the Assembly may be continued from 7 o'clock p.m. until 10 o'clock p.m.

I think it is self-explanatory. I have done this as a result of some discussions.

Motion agreed to.

The Assembly recessed from 5 until 7 p.m.