

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Third Session — Nineteenth Legislature

Friday, March 27, 1981.

The Assembly met at 10 a.m.
Prayers

ROUTINE PROCEEDINGS

WELCOME TO STUDENTS

Mr. Lane: — Mr. Deputy Speaker, it gives me a great deal of pleasure to introduce through you to the Assembly some 68 grade 12 students from Notre Dame College, Wilcox, a college that is famous not only throughout the province but throughout North America. It is always a great honour to have the students and representatives of Notre Dame here in the Assembly. They are accompanied by their teachers, Jerry Scheibell and Dennis Ulmer. Mr. Deputy Speaker, as usual, it is a great honour for me to meet with them after the Assembly. We will be having refreshments and I look forward to meeting with them. I hope the question period is interesting; it usually is. I hope all members join with me in welcoming Notre Dame College of Wilcox to the Assembly.

Hon. Members: Hear, hear!

Hon. Mr. Gross: — Mr. Deputy Speaker, I would like to introduce 18 grade 7 students from Swift Current. The member for Swift Current isn't here today, so on his behalf I introduce them to you. They are accompanied by their teacher, Mr. Bill Shumay, and they're here to take part in the opening ceremonies of the legislature. I'm sure we want to wish them a pleasant stay while they are here today.

Hon. Members: Hear, hear!

Hon. Mr. Koskie: — Mr. Deputy Speaker, I would like to join with the member for Qu'Appelle in welcoming the students from Notre Dame. I had the pleasure of having a son attend Notre Dame, and I want to extend congratulations to Notre Dame on an outstanding achievement. They have once more won the southern division of the AA midget playdowns and will be commencing to the finals for Saskatchewan which lead to the championship across Canada. So I'd like to congratulate them on their achievements and wish them success in their hockey ventures.

Hon. Members: Hear, hear!

QUESTIONS

Proposed Program for Special-Care Homes

Mr. Swan: — My question this morning is to the Minister of Social Services. Last year in health and social services estimates, we discussed the concerns with the levels 1 to 4 system. Now you are announcing to different groups that you are coming forward with a new program and hope to have it revealed by July 1. The information I got last year from the Minister of Health was that he hoped this year, when we came to his estimates, he was going to tell us that they had that problem solved.

The Minister of Social Services, when he spoke last year to the Saskatchewan

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Association of Special-Care Homes, said that by the end of 1980 they would have their study completed and the problem would be solved. In a report given to a group just this week, you stated that maybe by July 1 you're going to have the problem solved. What are you going to do for levels 1 to 4 and when will the problem be solved? Can we have some answers that are straightforward?

Hon. Mr. Lingenfelter: — Yes, Mr. Deputy Speaker, I did indicate to a group that I spoke to yesterday or the day before (I believe it was), a group which is forming an association of home care boards, that we would be looking at a new formula for levels of care in Saskatchewan by July 1. The member says that we're not serious about this. I would like to inform him that, as of April 1, a freeze will be put on all increases in levels 1 to 3 in Saskatchewan; as well there is a roll-back on increases that have occurred since January 1 to rates that reflect a normal inflation rate. I think that this indicates to the members of the Assembly, and to all people in Saskatchewan, that our department in government is serious about doing something with the levels of care in Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. Swan: — Supplementary to the minister. I don't think it's a case of whether you're serious or not; I think it's a case of getting down to business and doing something. I can read to you right from the letter from the Southwest Nursing Home, if you like. It says:

Also I write to remind you of a promise you made at the annual meeting of the Saskatchewan Association of Special-Care Homes, that new policies would be announced in 1980.

Now, 1980 ended at the end of December and there were no new policies announced to the people. I want to ask the minister: when will the announcement be made? And what, indeed, are you prepared to tell the House now about the program that you are going to introduce?

Hon. Mr. Lingenfelter: — Mr. Deputy Speaker, I'll repeat myself once more. We are in fact doing something about the levels of care by imposing a freeze on any increases as of April 1. I'm not sure if the member is having difficulty hearing today or what, but we are doing something, and will continue to work toward having a new program for levels of care in Saskatchewan. We hope to have the program ready for July 1. The details of the program will be announced in due course.

Some Hon. Members: Hear, hear!

Mr. Swan: — Mr. Minister, I understand that it is your intention to move level 4 out of health and into social services. Is that the case?

Hon. Mr. Lingenfelter: — Mr. Speaker, I don't know whether my proposal is going to be the one that will directly influence the decision that is made. There are negotiations going on at the present time between the Saskatchewan Association of Special-Care Homes, the Saskatchewan Health Association, the Department of Health, and the Department of Social Services. I think it would be improper at this time to announce where those negotiations are at, but they are moving along very well, and an announcement will be made in due course.

Consultant Report on Home Care

Mr. Berntson: — Mr. Deputy Speaker, a question to the Minister of Social Services. I have here a letter from your deputy, Duane Adams, that indicates that the home care status review was being done and was to be filed with your department by April 1. It indicates also that it will be a confidential report and not made public. Would you inform the House as to whether this report has in fact been filed with your department? What recommendations are made in the report? And when can we expect some action on those recommendations?

Hon. Mr. Lingenfelter: — Mr. Deputy Speaker, the recommendations of that internal document, which was prepared by a consulting firm for use by the department, are available in the department, and the recommendations are being worked on at the present time. Mr. Duane Adams, who spoke to the newly formed association of home care boards, or the association that they are proposing, worked on some of the recommendations with them, and many of the recommendations and proposals are being implemented at the present time. I think that it's fair to say that the amount of excitement that was shown at that conference, which was held yesterday and the day before here in Regina at the Landmark Inn is an indication of the great strides that are being made in home care in Saskatchewan at the present time.

Some Hon. Members: Hear, hear!

Mrs. Duncan: — Supplementary to the minister. I have here a copy of that report, Mr. Minister. And it states here that the home care program is generally in good health, particularly at the field level. Would you not agree, Mr. Minister, that the efficiency and enthusiasm shown at the field level not only by civil servants, but also by the many volunteers who are involved in the home care program are directly attributable to the enthusiasm shown by one Elton Marshall?

Hon. Mr. Lingenfelter: — Mr. Deputy Speaker, it is true as the member for Maple Creek mentions that there is a lot of enthusiasm for home care in the province as shown by the number of boards that were represented at the conference here in Regina. It is true as well that the volunteers who work in the program, putting in 30 or 40 hours a week in their off time, are very important to the progress made.

The member also refers to a Mr. Marshall. That has been debated in the House over and over again with misstatements being made about the dismissal, that he was dismissed without notice — all sorts of accusations, falsely made. As well, I would like to comment that the home care program is such an important program that to play around with it in those terms, making false statements in the House, is unfortunate, but will be an indication to the people of Saskatchewan whose side we are on in this whole program.

Some Hon. Members: Hear, hear!

Mrs. Duncan: — A supplementary. one of the reasons for the dismissal of Mr. Marshall was stated in a letter by your deputy minister, and was that as manager of the home care program he had not assumed the management function of this program. Could you tell me, Mr. Minister, how that can be a correct statement when it is evident that the very people Mr. Marshall recruited, the very people responsible under Mr. Marshall, are the people who are getting this program under way?

Hon. Mr. Lingenfelter: — Mr. Deputy Speaker, the member for Maple Creek asks me once again in the House to comment on the dismissal of Elton Marshall. I do not intend to comment on it. The enthusiasm is there at the present time, and whether she

relates that to the dismissal of Elton Marshall or not, I don't quite understand the proposal she makes. The excitement and the enthusiasm that were evident at the conference, which was held the day before yesterday and yesterday were there without Mr. Elton Marshall. I am not sure how one relates to the other, but to comment on the dismissal of Elton Marshall, which has been debated and thrown around as a political issue by the members of the opposition, unfortunately, is not a matter to be debated in the House.

Request to Reinstate Mr. Marshall

Mr. Berntson: — Mr. Deputy Speaker, the fact is you fired Elton Marshall without notice. This confidential report to your department vindicates Mr. Marshall. Will you now do what any responsible person would do in your position, and that's reinstate Mr. Marshall?

Hon. Mr. Lingenfelter: — Mr. Deputy Speaker, it's unfortunate that the member for Souris-Cannington once again gets to his feet to make statements that are not quite accurate. He made a statement the last time he rose on this issue that Mr. Elton Marshall was dismissed on February 12, when in fact he was dismissed on February 24. He wasn't dismissed without notice; he was given a letter which stated clearly and precisely why he was dismissed. I think it is unfortunate that the member for Souris-Cannington is once again lowering the debate in the question period to that level.

Mr. Birkbeck: — Mr. Deputy Speaker, I would ask just one supplementary to the minister responsible for the Department of Social Services.

Mr. Minister, the fact of the matter is, since approximately two years ago when the in-home care program was initiated, you have fired, released, or turned over (whichever term you want) 80 per cent of the staff at the Department of Social Services level. Mr. Minister, I want to know if you would agree that the program in implementation of the in-home care program has been right at the top, right in your department, and not at the local level with regard to the locally elected boards. The association of home care boards has presented that very problem to you and you have not, to this time, answered any of their questions. They are expressing a grave concern. Are you not prepared to answer to those questions?

Hon. Mr. Lingenfelter: — Mr. Deputy Speaker, the member for Moosomin tried to explain that 90 per cent of the staff in home care has been dismissed or moved. I would like to inform the House and the people in the press that that's completely false. It is untrue, and I think it does a discredit to the in-home care program in Saskatchewan, much the same as does the member for Souris-Cannington when he indicated that the people working in in-home care were hacks of the government. The facts are that the in-home care program is based on a voluntary program and many of the people in the communities are working 30 and 40 hours per week to put the program in place.

Flying Creek Special Planning Commission

Mr. Lane: — A question to the Minister of the Environment. On Tuesday night, approximately 300 very angry farmers and townspeople and landholders in this Qu'Appelle Valley met in Lumsden and they expressed a great deal of dissatisfaction with the operations of Flying Creek special planning commission.

Now without attributing motives, the fact is that the Flying Creek special planning commission has not had a very easy existence. I wonder if the minister would be prepared today to announce a freeze on the activities of the Flying Creek special planning commission until such time as a public inquiry can be held to determine whether the planning commission is the best route to go.

Hon. Mr. Smishek: — Mr. Deputy Speaker, the special planning areas and the commissions are under the jurisdiction of the Department of Urban Affairs. As the hon. member may know, the special area planning commissions were created to provide a co-ordinated approach to planning along the Qu'Appelle Valley, as part of the Canada-Saskatchewan Qu'Appelle Valley agreement.

I might inform the hon. member that there are six special planning area commissions functioning. The majority of the commissions are in support of the program. It is true that in the case of Flying Creek, there are some differences. We believe that those differences are healthy and I am satisfied that, given an opportunity over a period of time, the problems and the concerns will be worked out in the interest of the overall agreement.

Mr. Lane: — I would like to direct a question back to the Minister of the Environment. You indicated in a reply to earlier questions on your departmental program to put the town of Lumsden on stilts or raise the individual houses 4 feet to 12 feet above neighbouring houses, that you were going to acquire land in the Lumsden valley floor. Will you give the assurance to the people of the Qu'Appelle Valley that, should the Government of Saskatchewan acquire land, it will only be done by purchase between a willing buyer and a willing seller, and that the Government of Saskatchewan will never use its expropriating powers to take land from landholders in the Qu'Appelle Valley?

Hon. Mr. Bowerman: — Mr. Deputy Speaker, what I said the other day with regard to Lumsden and other flood-prone areas of the Qu'Appelle Valley, was that it is part of the agreement (the Qu'Appelle agreement) that where there are flood-prone lands, the offer to purchase and take those lands out of use, or out of building, farming or whatever, is a possibility.

We have never, to this point in time, exercised any expropriation powers. I don't think that is our objective. It certainly isn't at the present time. There is no provision, to my knowledge, which says that the people in Lumsden can't build in the flood-prone area. The only thing is that they can't obtain assistance from the federal government to do so under CMHC (Canada Mortgage and Housing Corporation). They can build, and if they do, they take the consequences of a flood and they can't then put the responsibilities on insurance, or on the flood, on the federal government, or otherwise.

All I indicated to the hon. member is that the agreement has had a good deal of favourable response, not only in Lumsden, but in other areas of the Qu'Appelle valley as well.

Mr. Lane: — A final supplementary to the minister. I regret that the minister is making light of a very serious situation, and the minister's refusal to give a no guarantees against expropriation.

Would the Minister of Urban Affairs now be prepared, as it pertains to the Flying Creek special planning commission, to change the system so that the commission members are elected? If you're not going to do anything about the commission, and you're not

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going to go with elected commission members, will you reconsider your position and have a public inquiry and withhold further action by the commission until the residents are satisfied and confident in the operations of the commission?

Hon. Mr. Smishek: — Mr. Speaker, the hon. member may perhaps not be aware that the majority of the representatives on the special area planning commissions are elected people. They are elected from the rural municipalities and from the urban municipalities. They are appointed by the municipalities; they are elected people. Some special people, like the wildlife association, are appointed on the recommendations of our urban governments and our rural governments.

We are presently reviewing what is going to be the role and future plans and programs of the special planning areas. Certainly the whole program is currently under review and I might advise the hon. member that the majority of the special planning area committees and commissions have submitted their proposals to us, and have urged me, as minister, to carry on and continue the program. Admittedly there are some differences and those are being considered. I have confidence in our local governments to come up with the kind of ideas and concepts that will be beneficial to the whole Qu'Appelle Valley project and to the people of Saskatchewan.

Some Hon. Members: Hear, hear!

Sedco Collateral Demands re Arm River Motel

Mr. Muirhead: — Mr. Deputy Speaker, a question to the Minister of Industry and Commerce. Thank you, Mr. Minister, for this report concerning Circle 4 Feeders, and I thank you for taking the responsibility for it being 10 months late in getting to me. In this report, you admit that there is nearly a half million dollar loss. To be exact, it's \$407,000 and some. Mr. Minister, this has to be the fault of Sedco for the lack of collateral.

My question takes me to another incident which is an urgent matter. with you permission, Mr. Deputy Speaker, I'll give you a short explanation. Eighteen months ago, Sedco loaned \$115,000 to the Arm River Motel at Craik. The value of the business at the time of the loan was \$200,000. To secure their loan, Sedco requested an additional quarter section of land to be returned to the owner after one year if the business were well-managed and payment were up to date. I hold a letter here from your project officer, Bill McKenzie, confirming everything is in order for the first 18 months of business.

Will you, Mr. Minister, advise this Assembly why your department has refused to release this quarter section of land when requested to do so by the Arm River Motel, so the owner can use the title to obtain some additional land? Will you also explain your inconsistency in obtaining collateral by comparing Circle 4 Feeders, with approximately a 10 per cent down payment collateral and the Arm River Motel, where you hold 250 per cent collateral for a down payment?

Hon. Mr. Vickar: — Mr. Deputy Speaker, to answer the first question first, the report on ?Circle 4 Feeders, which was submitted to the hon. member, was submitted to the Crown corporations committee chairman on November 28, last year and it was not 18 months late. So it is not the fault of the Sedco people.

To follow up on the second statement that the hon. member made, I am not in a position

at this point in time to remember any of the details or know them. I would suggest to the hon. member that he could ask that question in Crown corporations, if he wishes, where we will have a further and more detailed report for him.

Mr. Muirhead: — This being a very urgent matter, and so that this man can complete his land deal within days, will you look into this matter immediately, please?

Hon. Mr. Vickar: — Mr. Deputy Speaker, I can assure the hon. member that had he brought this to my attention at any point in time before. I no doubt would have looked into the matter. I can't do it at this particular time.

Key Lake Project — Tendering

Hon. Mr. Cowley: — Mr. Deputy Speaker, yesterday I was asked a question by the member for Rosetown about tendering in northern Saskatchewan on the Key Lake project. I responded to the member, but I indicated that I would check it out. I simply want to inform the member that the answer is as was stated.

Mr. Swan: — The contractors bidding on those jobs tell me that your answer is not as was stated yesterday. My question to you is: if they guarantee to use a high-percentage of northern residents in their workforce, do they then become eligible to receive the contract if they are low bidder?

Hon. Mr. Cowley: — Mr. Deputy Speaker, as I said, we give preference to northern contractors, and I mean northern contractors, not southern contractors employing Northerners.

Overtime re Correctional Workers

Mr. Hardy: — Mr. Deputy Speaker, my question is to the Minister of Social Services. As you are aware, there are now six personnel and training correctional divisional camps in Saskatchewan. These are the rehabilitation centres for young people. My question to the minister is: does the minister know that there are approximately 30 to 40 people who are working in these camps under the SGEA agreement of September 30, 1979, who are classified as Correctional Worker I, who have not been paid their overtime work since the signing of this agreement?

Hon. Mr. Lingenfelter: — No, I am not aware of that information. Whether or not the overtime has been paid to each individual in the department, I am not sure. I am sure it is the policy of the department to pay overtime when it is supposed to be allocated. I will assure the member that we will make every effort to make sure that continues.

Mr. Hardy: — Mr. Deputy Speaker, one of these camps is the White Gull camp, north of Smeaton, which has 12 to 15 correctional workers. They have approximately \$225,000 in overtime coming; the six camps overall have over \$0.5 million in overtime and back pay due them. Would the minister now be prepared to assure these workers and the members of the Assembly that these workers will be paid their overtime, which is long past due?

Hon. Mr. Lingenfelter: — Mr. Deputy Speaker, I am not sure of the facts. You always have to wonder about them when the members opposite get up and quote numbers, or stand up and read somebody's mail. It is difficult. We will be looking at the discrepancy between the numbers that the member for Kelsey-Tisdale gives, and the ones our

department has.

Mr. Katzman: — Supplementary question to the Minister of Labour. Is it not a fact when a department schedules employees to be on duty in excess of eight hours a day, or a period of 40 hours a week, or 160 hours in a grouping of four weeks, that overtime must be paid, as the member for Kelsey-Tisdale has indicated? These employees are scheduled employees. Their timetables are available. They have not been paid the overtime. As well, your department has a letter asking for the overtime to be paid. What will you do about that?

Hon. Mr. Snyder: — It is clear, Mr. Deputy Speaker, that the provision of The Labour Standards Act requires that overtime payments be made when the employee is required to work in excess of eight hours in any day, 40 hours in any week. The determination that has to be made from the point forward is whether the person in question is an employee as described by The Labour Standards Act. I am not quite prepared to determine that at this stage without knowing all of the circumstances surrounding it. But obviously, the member is presuming correctly, if the working person is an employee as described by the Act.

MINISTERIAL STATEMENTS

Drought Committee Report

Hon. Mr. MacMurchy: — Mr. Deputy Speaker, I wish to report to the Assembly on the situation in the province with respect to water and feed conditions and the measures this government will take to respond to the emerging situation. I might indicate, Mr. Deputy Speaker, I provided a copy of my statement to the Leader of the Opposition.

Yesterday, the minister's drought committee met to review the situation facing Saskatchewan farmers. The committee, consisting of representation from the Saskatchewan Association of Rural Municipalities, Saskatchewan Federation of Agriculture, Saskatchewan Wheat Pool, Western Canada Cow-Calf Association, National Farmers' Union, and Saskatchewan Stock Growers' Association, concluded that:

1. Livestock producers are facing an extended dry feeding period in all areas of the province because of depleted pasture conditions.
2. Native pastures are in acute condition. forage stands are in serious condition, but will recover more quickly when it rains.
3. Availability of feed is an issue. In many cases, what is left is of poor quality. There is a good deal of straw and there ought to be a good deal of green feed, but the quality is not there. Hay for the dairy industry, for example, is currently being imported from the province of Alberta.
4. Water supplies are acute in some areas but not in all areas. For example, strangely enough, in the Maple Creek-Cypress Hills area, there is sufficient water for livestock use. There is an area east of Regina, it is reported, that has adequate water — the Whitewood-Wapella area. But shallow wells and dugouts in central Saskatchewan, particularly eastern central Saskatchewan, are drying up.
5. Pumping equipment has been active since February 1, responding to producers'

requests. That gives an indication of the water situation. Within the last three weeks, 25 applications have been received for the rural municipal well program. I report that since the municipal well program was established last year in May, there have been a total of 75 applications — 25 of those in the last three weeks. So, the water situation is a serious one.

The committee recommended:

1. Feed transportation assistance should be extended to carry producers over the current dry feeding period.
2. The emergency fencing program should be extended to make use of any stubble or potential pasture areas.
3. The listing program to provide producers with immediate information as to location of feed supplies, including fodder and feed grains, should be extended.
4. The dugout pumping program should continue as is.
5. The rural municipal community well program should continue.
6. There should be assistance for individual producers to develop wells.

Last Wednesday, March 25, Dr. Gartner, deputy minister of agriculture, accompanied by Hans Seitz, vice-president of SFA (Saskatchewan Federation of Agriculture), and Boyd Anderson, president of SARM (Saskatchewan Association of rural Municipalities), met with the federal deputy minister of agriculture in Ottawa. they presented Saskatchewan's 10-point proposal to serve as a basis for a long-term agreement between the federal and provincial governments on drought. The proposal included 50-50 cost sharing on all programs, provincial administration, with local councillors and reeves providing liaison and communication as drought chairmen in each municipality.

The federal government was non-committal, but it indicated that it would respond in writing in two weeks. Obviously, the deputy minister of agriculture has to make a presentation to his minister and, hence, to cabinet.

Mr. Deputy Speaker, I am pleased to announce, in keeping with the recommendations of the drought committee yesterday, that the province of Saskatchewan will:

1. Reappoint local reeves and councillors as drought chairmen for an extended two-month period — April and May.
2. Extend the 1980 feed transportation assistance program until May 31, 1981. This program provides transportation assistance of \$25 per ton for fodder movements over 50 miles, and \$5 per ton for feed grain movement. The maximum assistance available per producer will be extended, for those who have reached the ceiling of \$3,500, to \$4,000 for beef producers. For the dairy producers, the \$7,000, which is the ceiling, will be extended for those who have reached the ceiling to \$8,000 for the two-month period.
3. Extend the emergency fencing program, which was previously terminated November

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30, 1980, to May 31, 1981. This program provides 50 per cent of the cost of materials purchased to fence new pasture to a maximum of \$300 per producer.

4. The listing service for fodder feed grains, seed grains, through the provincial drought co-ordination centre, will be extended.

5. The current pumping program will continue.

6. The province will offer to cost share with the federal government the extension of the current rural municipal well program to May 31, 1981. An agreement currently exists with the federal government to cost share 50 per cent of the costs of developing rural municipal wells. There is no ceiling on this program. The province will ask that this program be extended and offer to continue our 50 per cent share.

7. The province will offer to cost share an individual well development program. The province is not presently involved in this program. PFRA (Prairie Farm Rehabilitation Administration) provides \$1,500 per individual for farm well development, but the program is scheduled to terminate March 31, 1981.

Negotiations will be undertaken with PFRA to develop an enriched individual well program for 1981-82. If demands extend beyond the existing well drilling equipment, other sources of equipment will be looked into, as was talked about in the legislature a few days ago.

The area we are attempting to address here, with PFRA, is to get the ceiling of \$1,500 off, and cost share the development with the individual on a 50-50 basis, regardless of the depth of the well.

I might report to the Assembly that the committee was not enthusiastic about deep wells. There is concern about the condition of the water that you get in the deep wells, and the problems created for the farmer when you get a well over 4,000 feet when something goes wrong. But they said, "It's an alternative that we may well have to be prepared to pursue, therefore, the attempt to negotiate with PFRA of cost-sharing of this particular individual well for farm development."

8. The province will immediately establish a program to be known as the "ground water search program." The program will provide assistance of \$1.50 per foot toward the costs of drilling and E-logging.

We believe test drilling is necessary in well development, but it is unpredictable. E-logging provides valuable information as to the location of aquifers, and assists in preventing major expenditures in dry holes.

Cabinet has established a drought committee, made up of the Minister of Rural Affairs, the Minister of Urban Affairs, the Minister of Finance, the Minister of Environment, and Minister of Agriculture — with the Minister of the Environment as chairman of the committee.

I report to you, finally, Mr. Deputy Speaker . . . It's a fairly long statement but, I think, an important one. The agricultural drought committee will meet again in mid to late April. We hope that by that time we will have an answer from the federal government. Of course, we will then reassess the situation at that time.

Mr. Thatcher: — Mr. Deputy Speaker, we are pleased that finally the government is acknowledging that we have a very serious problem in this province. It is true that a couple of inches of rain, or a foot of snow, could alleviate that problem very quickly. And, fortunately, I'm glad to note that the province is taking some steps and not leaving everything to chance.

Mr. Minister, I would like to respond to some of the comments you made in the form of your recommendation. You indicated that you are going to increase the assistance available to beef producers from \$3,500 to \$4,000. I suggest to you that that is a paltry and inadequate amount. That should be a minimum of \$10,000. The \$7,000 to \$8,000 per dairy producer should be, at least double that, probably \$20,000. I say that very candidly, Mr. Minister, because further in your statement you say you are going to continue to make listings available as to where the feed is.

Mr. Minister, the feed is in Alberta — lots of it. They had lots of rain last year, and it is very cheap right now. It is cheap, and the province should perhaps be considering seriously the strong possibility of going in there, purchasing feed and stockpiling it. You have been doing that all winter with straw. You have been taking straw from the southeast part of the province, hauling it, and putting it at your sheep operation at Caron. You have been doing this all winter long. I wonder why you really are not considering the possibility of purchasing large volumes of feed from Alberta, where at this point in time (and I emphasize, at this point in time today), it is relatively cheap and abundant and not that far into Alberta.

I suggest that the amount of money involved by putting these limits to \$10,000 for beef producers and \$20,000 for dairy producers, in terms of overall dollars, is really not that much. I say that it should be at that amount, Mr. Minister, for a very serious reason. I don't believe that the volume of breeding cattle in this province is as high as many government statisticians would put it. I base that maybe on an old down-home formula based on the bull sales. At these bull sales you get people from all over the province who talk to people from all over the province. Their information is simply (and if you or your officials have attended any of them, Mr. Minister, maybe you will agree with this) that the volume of cows is simply not there. The number of bulls at the bull sales has been down sharply and the demands for them is also down sharply. Mr. Minister, I think all factors point to a very serious deterioration of what we already have in our breeding-cow livestock industry. I suggest to you that what is there should be treated as a very, very important resource, because many of our herds have been built up over generations. Simply, I don't think the government can sit by and allow them to be destroyed. For that reason, Mr. Minister, you should consider doubling the limits that you are proposing in your second point.

Mr. Minister, point three is extending the emergency fencing program. I suggest to you that many parts of the province last year became entangled in sheer bureaucracy. I know there were areas in my constituency which had difficulty even communicating with somebody in the Department of Agriculture who knew anything about the program. I know, on occasions, I tried to find things out as an MLA and I experienced extraordinary difficulties. Be that as it may, I hope that you have that in place. I suggest to you that whatever was available to be fenced was probably fenced last year. But even if it wasn't the maximum of \$300 per producer is paltry and inadequate, and makes it hardly even worth having the program in place. Anybody who has done any fencing knows that \$300 is not even going to buy half the posts for the first half mile, never mind your wire, and you know what the cost of wire is. I suggest that \$300 is a pittance compared to the cost of fencing a quarter section. You might as well keep it. It is costing

you more to administer the thing than what it is to put it out. It is almost an insult to those who are going to have to put up a fence.

Mr. Minister, the number four is that you are going to provide that listing service. Well, as you acknowledge throughout your report, that really doesn't mean very much, because there simply isn't that much feed in Saskatchewan — perhaps the odd, isolated, little town or region, but nothing that is going to provide anything of any great significance to the livestock industry in this province. The feed is in Alberta. It is there. They have lots of it, and it is cheap. Therefore, I think you should be encouraging people to make their purchases now. Notwithstanding that, perhaps it is time for the government to go into Alberta and purchase these stockpiles, as I indicated earlier. I acknowledge that a couple of inches of rain or a foot of snow may make that thing impractical after you've done it, and you may very well take a loss due to Mother Nature. But perhaps taking a loss in the light of excess moisture in this province alter on outweighs the potential disadvantages of leaving it sit there until the price escalates dramatically, which it will if the drought continues in Saskatchewan.

Mr. Minister, I had a note made on no. 7 that the discussions with the PFRA appeared to be only discussions. I am glad to see that you elaborated on that. I hope you're successful on what you're proposing with the PFRA, because that one (as you explained it outside of your notes) does have some promise.

I don't know, Mr. Minister, whether you were attempting to cover yourself, because of the proposal made by the member for Souris-Cannington, about the kind of water that comes from deep wells, but I suggest to you, Mr. Minister, that when there's nothing else, any kind of water looks pretty good. So, consequently, that deep well thing is something that they have done in Alberta years ago; it's something that we should have done in Saskatchewan many years ago, but the government incentives weren't there. My compliments to you on this point, and I hope your negotiations with the PFRA are successful.

Mr. Minister, point 87, your \$1.50 per foot toward the E-logging and the costs of drilling. I put in the same category as your costs of fencing — inadequate, unrealistic, and not really an incentive to do it. At the very minimum, Mr. Minister, it should be \$3 per foot. For any of you over there who have ever done this, you know very well that \$3 per foot doesn't even remotely come close to it. It should be a minimum of double that.

Mr. Minister, I may be vulnerable to those saying, "You're throwing around money like a drunken sailor here; double this, double that." I say, Mr. Minister, that I think our livestock industry is in a very critical stage. We have lost our feedlot industry to eastern Canada for a variety of reasons. I suggest that our breeding herds are in a more serious condition than what was reported by government agencies over the winter.

I suggest to you, Mr. Minister, that very serious expenditures are necessary to protect what has been built up over the generations. Our breeding herd in livestock must be protected at all costs. When I say, double what you have here, the cost isn't that much. I suggest that you are restricting individual producers to a level that really isn't going to help them that much. You can say that it's \$1.50 per foot here or this or that, with a maximum, but your maximums are unrealistic and unsatisfactory.

Mr. Minister, I think a suggestion made by the member for Souris-Cannington has been one of the most valid ones to be made in this Assembly this spring. Taking some of these unused drilling rigs in the oil industry and putting them to work finding some deep wells

is one of the most constructive suggestions that has been made, because the ramifications of that are long-term. Even if, by some miraculous event, our ground water or our subsurface water should suddenly come back to its normal level, those wells will be there and will be used in future years. I think this is an area that we should get into now; we should have gotten into it before.

Mr. Minister, I cannot help but go back to one that I have raised many times in this Assembly, and that is the issue of screenings. I cannot think of anything that is more wasteful than allowing the screenings, in the normal course of the grain trade, to leave this province, to go out to the terminals, and to be given away to be used by livestock people out in B.C. or in Ontario or wherever else. The screenings that go out every month, every year, were they taken out of that grain before they left this province, would feed the entire livestock industry in the course of any given year. Mr. Minister, I am amazed that you allow your personal bias in this area to colour your thinking in what is the most obvious feed resource for the livestock industry. B.C. uses it to base their livestock industry; Ontario uses it as an integral part of their livestock industry and it's all screenings from Saskatchewan. Mr. Minister, I ask you to consider making that program point 11 in this statement.

The Deputy Speaker: — Order. I just point out to all hon. members that the statement by the Hon. Minister of Agriculture was unusually long, as was the reply but I think the subject was important enough to give it that kind of time. The hon. member for Qu'Appelle.

Mr. Lane: — Before orders of the day, I would ask leave to revert to notice of motions and questions, Mr. Deputy Speaker. I was paying attention to my students and did not bring a notice of motion.

The Deputy Speaker: — The member asked leave to go back to notices of motions and questions. No? Orders of the Day? Are there any other subjects before orders of the day?

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 46 — An Act to amend The Highways Act

Hon. Mr. Long: — Mr. Deputy Speaker, before I move second reading of Bill No. 46 — An Act to amend The Highways Act, I'd like just to give a few comments and explanations why the Act is necessary at this time. This Act will increase the statutory limit of advances through the highways advance account from \$50 million to \$80 million. The Highways Act presently specifies that funds advanced from the Minister of Finance for operation of the highways advance account shall not at any time exceed \$50 million.

An appraisal of future funding requirements indicates the level of the highways advance will have to be increased to meet needs for the forthcoming fiscal years. The fund level of the highways advance account is established by the cash flow needed to finance the activity in short and on the long-term basis. On the long-term basis, Mr.

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Deputy Speaker, we have involved in that particular area, the purchase of equipment. I want to say that the cost of equipment has increased dramatically under the pressures of inflation, and these increases will rise 15 to 20 per cent this year, with replacement costs of four to six times the original purchase.

The interim financing is related to services rendered to other agencies and departmental activities. The interim funds extended are recovered from other agencies and other appropriations, Mr. Deputy Speaker, at this time I would like to move second reading to Bill No. 46 — An Act to amend The Highways Act.

Motion agreed to, Bill read a second time and referred to a committee of the whole at the next sitting.

Bill No. 47 — An Act respecting Dental Therapists

Hon. Mr. Rolfes: — Mr. Deputy Speaker, it is my pleasure to explain the purpose and the major provisions of the proposed dental therapists Act. This new Act is a major revision of our existing Saskatchewan Dental Nurses Act. The Saskatchewan Dental Nurses Act was passed in 1973 in anticipation of the implementation of the Saskatchewan Dental Plan for children in the following year.

At that time, dental nursing was a totally new health discipline in Saskatchewan so there was naturally no professional association or other organization to represent dental nurses. Furthermore, the initial intention was that dental nurses would be employed in this province only by the provincial government, either in a service program or in a dental nurse training program at Wascana Institute. For these reasons, the only possible mechanism for licensing dental nurses and for regulating their practice was a government-appointed dental nurses board with dental nurses in a minority role.

Since The Saskatchewan Dental Nurses Act was passed eight years ago, dental nursing has developed rapidly in conjunction with the expansion of the Saskatchewan Dental Plan. This development has been accompanied by two other important events.

First, in 1979, it was concluded that the supply of dental nurses in the province had become more than adequate to meet the needs of the dental plan. Accordingly, the Act was amended to allow dental nurses to be employed in private dental offices as an alternative to working in a government program.

Second, as dental nurses steadily grew in numbers, they established a Saskatchewan Dental Nurses' Association to represent and promote their common interests in the professional development of dental nursing.

Mr. Deputy Speaker, we now have over 300 registered dental nurses in Saskatchewan. They are no longer restricted as to the way they are employed. They can work for the Saskatchewan Dental Plan for children or in the adolescent dental program. They can work in the dental programs operated by the Department of Northern Saskatchewan and by the federal government. They can also be dental-nurse instructors in the training program in Regina or they can work for a private-practice dentist. Clearly, we have reached a point where it is reasonable and desirable to amend The Saskatchewan Dental Nurses Act so as to give the dental nurses a greater degree of control over their own affairs and to facilitate their future development.

I would like to explain how the new Dental Therapists Act will accomplish these

objectives. The most obvious change in the new Act is in terminology from dental nurse to dental therapist. This is being made for two reasons: first, because there already exists another professional association whose title includes the term "dental nurse." The Saskatchewan Dental Nurses' association could not be legally incorporated with this name. Second, the term "dental therapist" is consistent with terminology now in use in other countries, notably Great Britain and New Zealand. Under the new Act, registration and disciplinary authority will be vested in a Saskatchewan Dental Therapists' Council in which dental therapists will be in the majority. A council will consist of eight dental therapists elected by the association plus five or six additional individuals appointed by the Lieutenant-Governor in Council. These will include one person employed in connection with the training of dental auxiliaries, one faculty member from the college of dentistry, one private-practice dentist, one official of the Department of Health, one or two public representatives.

I would like to emphasize that the new Act includes a number of features to ensure that the council exercises its regulatory powers reasonably and in the public interest. All regulations made by the council, other than minor administrative regulations, must be approved by the Minister of Health and published in the *Saskatchewan Gazette* before becoming effective. The Minister of Health may request the council to make new regulations or to amend or repeal existing regulations where he deems them to be in the public interest. Where the council fails to comply with such a request from the minister, the Lieutenant-Governor in Council may carry out the request. And lastly, all regulations passed by the council and approved by the Minister of Health must be tabled in the legislature.

I should mention that similar control mechanisms have been included in a number of other health professional acts passed by the legislature in recent years. I would also like to point out two features about the registration provisions in the new Act.

1. All dental nurses who are registered under the existing legislation will automatically be registered under the new Act.
2. Section 20 of the Act provides for the mandatory registration, in certain cases, of individuals who do not meet the full requirements for registration but who have completed a course in dental therapy in Canada approved by the Minister of Health. This provision is intended to allow the registration of persons who have graduated from the dental therapy school in Fort Smith, Northwest Territories, and who are to be employed in the northern part of the province. The Fort Smith program is operated by the federal government to train dental nurses needed to provide services in the remote areas, particularly for natives.

The dental therapists association will be allowed to retain exclusive control over legitimately private professional matters. To this end a dental therapist elected to the council by the association members will constitute a dental therapist committee which will have authority to make regulations pertaining to the administration of the association and the promotion of dental therapy. Regulations made by the committee will not be subject to ministerial approval.

Mr. Deputy Speaker, I am confident that The Dental Therapists Act will give dental therapists in Saskatchewan the powers they need to look after their professional affairs, while at the same time providing adequate control to safeguard the public interest.

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The Saskatchewan Dental Nurses' Association has reviewed the proposed legislation and is in agreement with it.

Therefore, Mr. Deputy Speaker, it gives me great pleasure to move second reading to a Bill referring to dental therapists.

Some Hon. Members: Hear, hear!

Mr. Taylor: — Mr. Deputy Speaker, I listened with interest to the words of the minister. This is a rather substantive piece of legislation. I think, on first perusal, it looks to be quire in order, but I would like to have the opportunity to talk to some of the people in the dental nursing profession and to study this further. In view of that, I would beg leave to adjourn the debate.

Debate adjourned.

Bill No. 48 — An Act to amend The Residential Tenancies Act

Hon. Mr. Koskie: — Mr. Deputy Speaker, as members are aware, The Residential Tenancies Act, as passed by the legislature of Saskatchewan in 1973, introduced a concept of security deposit into the Act. Upon entering into the tenancy agreement a security deposit was required from a tenant by the landlord. The purpose of the security deposit is to ensure that upon termination of the tenancy agreement the landlord has some form of protection should the suite or the premises not be returned in the same condition as the tenancy agreement was entered into, excluding normal wear and tear.

In 1973 it was considered that \$75 was a reasonable amount for a tenant to place as a bond with his landlord. Since then costs have increased considerably and this amount will cover far less repairs than it did in 1973 and takes no account of the significant inflation experienced since. Therefore, Mr. Deputy Speaker, we propose that the security deposit be increased to a maximum of \$125. This does not mean that every security deposit will be increased to that amount. The amendment provides that the landlords may take security deposits to a maximum of \$125, or one-half of one months rent, whichever is the lesser.

We recognize that the increase in the amount of the security deposit required places a burden on tenants entering into the tenancy agreement for the first time, and, accordingly the agreement provides that a tenant may be required, in the first month of the tenancy agreement, to pay up to \$100, with the balance of the security deposit to be paid within the second month of the tenancy agreement. This, we feel, will alleviate any hardship that may be placed on tenants by increasing the security deposit.

The other significant amendment, Mr. Deputy Speaker, is to provide a benefit to tenants on the increase of interest on the security deposit. Security deposits are retained by landlords in interest-bearing trust accounts. It is proposed that a change in legislation be approved by providing that the amount of the interest be set pursuant to regulations. As members are aware, the interest rate is presently set at 5 per cent of the security deposit. I am sure you will agree that this does not reflect present market conditions, inflation and the prevailing interest rates in this country.

There is one other minor amendment, Mr. Deputy Speaker, and that is the provision whereby the landlord, on the request of the tenant, is to provide a receipt for the rent. This is to enable the tenant to make application for the rent rebate program.

Mr. Deputy Speaker, I am pleased to move that Bill No. 48, An Act to amend The Residential Tenancies Act, be now read a second time.

Mr. Rousseau: — Thank you, Mr. Deputy Speaker. Just quickly looking at the Bill, there are a couple of points I would like to make on it. first, I think the minister will, no doubt, agree that \$125 today will not buy what \$75 did in 1973. I feel that perhaps this amount should be reviewed and given some consideration.

The second point I would like to make is on the deposit interest charge. It is very interesting to note that deposits held by the Saskatchewan Power Corporation, which amount to some \$6 million (I stand to be corrected on that), bear a 5 per cent interest rate. I haven't heard the government members opposite indicate that they might increase that 5 per cent as being a little low in the tenancy Act, and they are talking about increasing that one. I question the inconsistency of the regulations on that point.

There are a couple of other points, Mr. Deputy Speaker, that I want to review on the Bill, and I would ask leave to adjourn debate.

Debate adjourned.

Bill No. 49 — An Act respecting the Consequential Amendments resulting from the change in the name of the Department of Consumer Affairs to the Department of Consumer and Commercial Affairs

Mr. Koskie: — Mr. Deputy Speaker, members have been provided with copies of the proposed amendments.

I note again, for members, the creation of the Department of Consumer and Commercial Affairs involved the amalgamation of six separate departments and agencies, and the consolidation of services presently provided by these agencies. Accordingly, it is necessary to amend the legislation relating to the agencies or departments involved.

Amendments to the Department of Consumer Affairs have already been presented to the members of this Assembly. The departments or agencies which were brought together to form the Department of Consumer and Commercial Affairs, in addition to the former Department of Consumer Affairs are: the provincial mediation board, the offices of the rentalsman, the rental appeal commission, the securities commission. In addition, it will assume the corporations branch, the insurance and real estate branch from the Provincial Secretary and film classification.

I will not go into the many good and valid reasons for the creation of the department. I have done that at length on a previous occasion. However, I do wish to emphasize that the laws which protect the consumer shall not be divorced from the laws which regulate business, a basic reason for combining the two departments.

Mr. Speaker, the list of the amendments is fairly lengthy because of the number of agencies involved, and the amalgamations of services of the number of acts administered by these agencies. The amendments may be properly described as housekeeping in nature. For example, any reference in the legislation to the Provincial

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Secretary will be changed to the minister, by the amendments.

I bring the members' attention to the series of housekeeping amendments to various professional acts, previously administered by the Provincial Secretary. These amendments deal with the legal requirements to filing provincial by-laws, and maintaining memberships lists formerly with the Provincial secretary, now with my department. therefore, Mr. Deputy Speaker, I am pleased to move second reading of Bill No. 49, an Act respecting the Consequential Amendments resulting from the change in the name of Department of Consumer Affairs to the Department of Consumer and Commercial Affairs.

Mr. Lane: — I would just like to presume to give the cabinet minister some advice that he could probably take from his more senior colleagues on the front benches, and that is, quit while you're ahead. We indicated we are prepared to agree with this and support the Bill.

Motion agreed to, Bill read a second time and referred to a committee of the whole at the next sitting.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion to the Hon. Mr. Snyder that Bill No. 19 — **An Act to amend The Trade Union Act** be now read a second time.

Mr. Katzman: — Mr. Deputy Speaker, I spoke on this Bill on December 11, when it was moved. I will repeat some of the things I said. It is interesting to note that on December 20, 1979, the Premier of the province stated, and is quoted in the *Leader-Post*:

Blakeney said the government is not considering amendments to The Trade Union Act because of the court ruling. He said the legislation requiring a 50 per cent vote of the entire membership to approve a strike has been in effect for 10 years, and it has not caused any difficulty until now.

Yet, we see a Bill to change it. I don't know why the Premier makes one statement and the legislative arm of the government seems to do another, totally opposite thing. It is interesting to note, Mr. Deputy Speaker, that the CLC (Canadian Labour Congress) has suggested that any union that went on strike with less than 50 per cent of its total membership voting in favour of the strike is not a responsible union and is not being responsible to its membership. Yet you hear people who represent SGEA (and I refer strictly to Mr. Larry Brown in this case) indicate that they want this changed. They say that the members of this Legislative Assembly are not elected with 50 per cent of their total constituents voting on their behalf. Mr. Brown is totally correct when he says that the members of this House are not elected by 50 per cent of their total constituents.

The difference is that even though we are not elected by 50 per cent of our total constituents voting on our behalf, there is equal opportunity guaranteed to them by legislation in this province to make sure the vote is democratic and they have the opportunity to vote.

It's interesting in the liquor board strike we just had a short time ago, the efforts that SGEA group went through to make sure that everybody had a chance to ballot and be heard from. To my knowledge, the SGEA strike which caused the change in clause 11(2)d to come before this House has only happened in one particular union which is a massive union and I would, therefore, assume that it has some political clout.

I must say, Mr. Deputy Speaker, while we bring in these changes that a majority of those who vote shall make the decision, I do not see any safeguards as we see in The Election Act. The Election Act allows for extra days to vote, a proclamation of when you can vote and the hours for voting. I realize that to use such a lengthy process would be a totally harassed burden upon the union. So there must be another method found to guarantee democracy within the union to guarantee that all those who wish to vote have the opportunity, and all those who wish to vote make the final decision.

Now that's a fine line, Mr. Deputy Speaker, between what we have as the amendment and what I feel is needed. I would agree with the Minister of Labour when he says it's impossible to get 100 per cent of the membership out to vote on every issue of a strike. That's normal and I agree with him. But there must be something in legislation to assure that the ample opportunity is there for all members to vote; that's my concern. It must be by the regulations of the union within their own by-laws, which the membership can put forward at union meetings, as some unions have done, suggesting that 60 per cent of the membership must vote in favour of a strike. Then there is some guarantee in their own by-laws.

We are now faced with a different kind of problem with this particular amendment in one particular union, as that union has caused this legislation to come about. We do not see in their by-laws or regulations the guarantee of democracy, that everyone will have an opportunity to speak, either by secret ballot, a show of hands or whichever method they choose. I do realize that the legislation suggests that for a strike, it must be by secret ballot.

Therefore, Mr. Deputy Speaker, it leaves us a group of choices. One would be that we use what is called The Trade Union Act, the officer who conducts votes for certifying a union. But is that the best answer? It's one possibility.

The other possibility is to suggest to the Department of Labour that this amendment, which we are about to bring in, only affects unions who have within their by-laws a way to guarantee all employees an opportunity to vote. I refer to "opportunity." That's the key. We have heard of employees during the SGEA strike who were told that they had to sit for the meeting before they could vote. We have heard of SGEA employees who said, "I have to go to university to finish my class. I'm trying to upgrade myself for my job." Therefore, he lost his vote.

I must refer to Mr. Brown's statements because they're really the basis of the whole argument that we are into here. We must refer to the Premier's statement. The Premier says, "It has worked very efficiently for more than 10 years." I understand that this particular clause has been in since 1966, so that would make it 14 years. This clause was not changed from the old Trade union Act which was changed during the Thatcher government years.

Mr. Deputy Speaker, this particular Bill catches me in a dilemma. Let me explain why. I believe that a union should be independent and have the right to democracy. I believe that it is important that we look at that when we bring legislation in. I cannot understand

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why we give them one portion of the rights, but don't suggest to them some responsibility. To me, democracy says that you have a right, but you also have a responsibility. We give them the rights, but we don't say to them, as we do to the chief electoral officer, as we do to ourselves . . . We put a ruling on ourselves that we must have X amount of days of notice and X amount of days of pre-ballot or advanced polls. We put those kinds of rules on ourselves. Most unions I am aware of put on some kind of regulation along that line.

The CLC (Canadian Labour Congress) president says:

Any union that goes on strike with less than 50 per cent of its total membership in favour of a strike is not a union representing its employees.

Those aren't my words. They're his words. He believes that any union which would go on strike with less than 50 per cent of people voting in favour of one is not responsible to its membership. They're not my words; they are the president of CLCs.

The SGEA union and some other groups want 60 per cent, in some case, to vote in favour before they'll go out. Some unions make sure that the ballot is mailed out. They bend over backward making sure. Those unions should be complimented. They should be complimented for trying to make sure that everybody has the opportunity to vote.

What will this cost? Will we now start to see everybody say, "Hey, we can have a ballot. We don't have to worry about everybody voting" — that's my concern. I agree with the Premier who says that the present legislation has worked excellently. I can't understand why the Premier's party is going to change it now. He said on December 20, as quoted in the *Leader-Post*, that it's working well and he doesn't think it needs changing. Yet, the Minister of Labour brings in a change.

Mr. Minister, as I've indicated, I've wrestled with this one, being a trade unionist myself. I can't understand the change unless we include with this change some responsibilities to make sure that it's democratic. And yes, I believe a union should be autonomous and make its own decisions. But we, as legislators, must have some rules. We put rules on boards of directors through some of the Canadian corporations; we put rules on a lot of other organizations. But this is sacred; I don't know why. I think if we have the right to put rules on boards of directors, on all kinds of corporations, that we should at least have the right to say to these people, "Make sure you do your best to make sure you represent your membership the best."

Let's be honest, Mr. Deputy Speaker, the membership has another choice. At the time of an election of a new executive within their union, they could boot them out. They have that choice and the minister may say that's how democracy works, "If you don't like him, you boot him out." Well, that's what is going to happen to your government in the next election so let's just leave it there.

Mr. Deputy Speaker, I wish that we could find some amendments to this to improve it, to allow it to be that in a union, if sufficient numbers of the membership do vote, they make the decision. But that sufficient group should have all the opportunities available to vote that are possible for the union to give. And because of that clear point, I must oppose this piece of legislation. It does not in any way say by regulation, or by an method., "Fellows you're getting your amendment, but make sure you bend over

backward to give all your people the opportunity to vote."

You know, Mr. Deputy Speaker, I usually enjoy getting the barb from the Minister of Labour from his seat, but today I would like to stay on the highroad on this issue and not get into the gutter that he likes to get into. So, Mr. Deputy Speaker, let me comment as I wind up my statement that it's unfortunate that the Minister of Labour with his amendment, cannot follow what the Premier of the province suggested. He is going in total opposition to his own Premier in what he is doing, unfortunately. It is going to be interesting to see how the Premier votes when the amendment comes before the House. Therefore, Mr. Deputy Speaker, I can't support it. It's unfortunate that there are no requirements with it, only freedoms.

Some Hon. Members: Hear, hear!

Mr. Mostoway: — Mr. Deputy Speaker, I would like to say a few words in support of this Bill. But, first of all, I would like to make a few comments in relation to the comments made by the hon. member for Rosthern. The hon. member for Rosthern states that the CLC says that if you don't get 50 per cent of the total membership of a union voting in favour of a strike action, and then they go out on strike, that that union is irresponsible. Well, I would suggest that yesterday we had such an exhibition on the part of the members opposite. I know full well, Mr. Deputy Speaker, that the majority of that crew yesterday did not want to go out on strike, but they did. They went out on strike and, if you follow the logic that the hon. member for Rosthern tried to give to us, I would suggest that would prove to this House that those members were irresponsible yesterday.

The Deputy Speaker: — Order! Does the member want to speak on this particular Bill?

Mr. Mostoway: — Yes, sir, I certainly do want to speak on this Bill and I also want to remind the hon. member for Rosthern that he knows full well what the Premier meant when he said that it has worked well in the past. He knows full well what the Premier meant and there's a distortion on his part relative to the Premier's comments.

Mr. Deputy Speaker, I am pleased that the government is proceeding with this amendment to The Trade Union Act. It will improve and clarify the Act to better protect the working people of Saskatchewan. Mr. Deputy Speaker, it is section 11(2)(d) of The Trade Union Act which this Bill would amend. All members will recall that it was this section of the Act which figured prominently in the news a little over a year ago when a court decision put an end to the Saskatchewan Government Employees' Association strike. The decision by Mr. Justice F.W. Johnson of the Saskatchewan Court of Queen's Bench to declare the SGEA work stoppage illegal was based on the court's interpretation of the meaning of section 22(d). That interpretation differed greatly from what it was intended that section 11(2)(d) should mean when it was originally written in 1971. Hon. members opposite, and all members in this House know that.

When The Trade Union Act was drafted in 1971, it was the intention of the government to provide that a simple 50 per cent plus one majority of those taking part in a strike vote would determine the outcome of that vote. Now, the decision by Mr. Justice Johnson on December 17, 1979, however, has established a new interpretation, one that differs from the one that was given when the legislation was passed, one which holds that a majority is that the entire union membership be required to vote in favour of strike action in order that there would be a strike mandate.

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Now, this would not create a problem in many instances, because unions very often do not undertake strike action unless there is a substantial majority of the bargaining unit in favour. But in cases like the SGEA stoppage of November and December 1979, a clear majority of those who voted favoured a strike, but the majority of the total membership had not expressed support with strike action. Members will recall that about 60 per cent of the SGEA membership voted. Of those who voted, 62 per cent wanted strike action and a strike was called. The Court of Queen's Bench ruling, however, pointed to the fact that only a little under 40 per cent of the total membership had expressed support for a strike, and the strike was declared illegal.

Mr. Deputy Speaker, when the Minister of Labour moved second reading of this Bill on December 10 of last year, he pointed out that very few of us would be here in this Assembly today if the clear majority of the votes of all the eligible voters were required to elect members of the Legislative Assembly. In fact, I believe only the premier would have been elected in October 1978 if that system had been in effect. I should point out that Premier Blakeney received over 70 per cent of the votes cast. Now, that is a practical indication (one, we, as politicians, can understand) of how difficult it is to achieve a majority vote if all the potential voters are included in the count. We do not saddle ourselves with such an unworkable system, and we should not require the labour movement or any other movement to be stuck with it either.

Mr. Deputy Speaker, this amendment is in keeping with the trend in labour legislation which has developed since 1971 here in Saskatchewan . . . (inaudible interjection) . . . I hear the hon. member saying something. I don't know exactly what he is saying. If he would be a little more clear and a little more specific at the appropriate time, I am sure that we will be listening to him. I think what he is saying (just like the hon. member for Rosthern is saying) is they should get out and vote. The world is full of "shoulds." People should be doing this, and this, and this, and this. But that is not reality. If you face reality, let's forget about all the "shoulds." We know that. Let's look at what really happens.

Well, in so far as labour legislation in this province, I just want to mention a few of the highlights in the trend — the trend toward better labour legislation in Saskatchewan. First, we repealed Bill 2, the compulsory arbitration law of the late Premier Thatcher, the reduction in hours to a universal 40-hour legal work week, with no reduction in wages when the hours were reduced. We set up the most advanced occupational health and safety legislation in the world. And I emphasize "in the world." That has been told to us and to all members of this Legislative Assembly by labour leaders in Saskatchewan, Canada, and throughout the world, and also business leaders and community leaders.

Our minimum wages has been, year after year, the highest in Canada, and we have ended the discrimination against rural and younger workers. The minimum wage is now \$3.85 and will move to \$4 on July 1 . . . (inaudible interjection) . . . What has it got to do with it? Well, it's laying the groundwork so that you can better understand why members on this side are not going to be opposing labour, Mr. Hon. Member.

We passed a new Trade Union Act which provides for free collective bargaining, freedom of choice in selecting a union, and increased union security. We now have nine statutory holidays with pay. Our workers' compensation is being greatly improved, providing injured workers and their families with decent coverage.

An Hon. Member: — You have to be kidding.

Mr. Mostoway: — I am not, kind sir, and if the hon. member, who certainly represents the business community in Regina, feels that workers are not decently covered, I suggest that he, personally, do something about it.

Saskatchewan now, Mr. Deputy Speaker, has legislation protecting employees from loss of employment because of technological change. Government employees' wages have increased on average by about 150 per cent since June 1971, when Premier Blakeney's government took office.

Now, those are just some of the highlights of the past decade, Mr. Deputy Speaker. It is a magnificent record of achievement, and that's what irks the member opposite. It will stand as a lasting testament to the New Democratic Party of Saskatchewan. We have treated working people well, and it's obvious . . .

Mr. Taylor: — I fail to see the relationship between what the member on the other side is saying and the debate and the discussion that was taking place between the member for Rosthern and the Minister of Labour previously on this Bill.

The Deputy Speaker: — Order, order. I think the member's point of order is well taken. I was going to rise myself in a minute or two, but I knew that the hon. member for Saskatoon Centre was just setting the scene for talking about this Bill. I'm sure he's going to get to it right away rather than deliver a budget speech or a throne speech.

Mr. Mostoway: — Mr. Deputy Speaker, you are so right, and I fully appreciate the fact that some members in this House do not like to listen to the glowing record of this government as far as labour legislation is concerned. And I also appreciate the fact that some cannot see the relationship between this record and this Bill which is before us in the House today. Mr. Deputy Speaker, the Saskatchewan record stands in stark contrast to that of other provinces. The Conservative government of Nova Scotia has a typically Tory record. Now it recently helped Michelin Tire stay union-free by blocking . . .

The Deputy Speaker: — Order, order. You can't talk about Michelin Tire and what it is doing unless you can relate it in some way to the amendments to The Trade Union Act. I'd ask the member to stay in order.

Mr. Mostoway: — Mr. Deputy Speaker, what I'm trying to show is that if hon. members opposite have their way and this Bill is not passed in this Legislative Assembly, we could have a nightmare such as was experienced by the Michelin workers in Nova Scotia only recently.

Some Hon. Members: Hear, hear!

Mr. Mostoway: — Well, we know that recently, the Tory government there helped Michelin Tire stay union-free by blocking the legitimate certification bid at one plant and adding another plant to the potential bargaining unit. The Buchanan government has also helped Irving Oil break a union among its fuel truck drivers after a four-year struggle.

The Tory Ontario government has a similar record. Bill 89 passed last year amends the Labour Relations Act of Ontario to actually make the use of strike breakers more likely.

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Now this despite the bitter fighting which has already taken place where strike breakers were involved at the Fleck, Blue Cross and Radio Shack strikes. Alberta, like other Conservative provinces, denies the right of free collective bargaining to its civil servants, and has held wages down by way of guidelines modelled on the old federal anti-inflation board.

In fact, Mr. Deputy Speaker, the International Labour Organization, the ILO, which protects the rights of workers around the world, ruled in early January of this year that the Alberta government is violating an international convention, which Canada has signed, by denying 45,000 unionized provincial employees the right to strike. Public employees in Ontario, Nova Scotia, and Prince Edward Island are also denied their right to full collective bargaining, and the ILO, which used to spend its time criticizing the regressive regimes throughout the world, is now looking at these Tory provinces of Canada.

The hon. gentleman seems to be riled. We, on this side, are always accommodating and I certainly will terminate my remarks. Mr. Deputy Speaker, I want to keep Saskatchewan a good place in which to work and live, so I will be supporting the Bill.

Some Hon. Members: Hear, hear!

Mr. Dyck: — Mr. Deputy Speaker, I want to voice my support for the proposals which are before us on the initiative of the Minister of Labour, and also support the very succinct comments made by my colleague from Saskatoon Centre. This is our opportunity, as members, to address ourselves to the principle of this proposal and this Bill.

As I see it, the principle involved here is the guarantee of the freedom and the right of working people to organize themselves in labour unions of their choice, and to establish for themselves a proper framework to have a say in the price of their labours. That freedom and that right, Mr. Deputy Speaker, is one which members of this side have defended vigorously over the years, and we can do no less now. I think my colleague from Saskatoon Centre emphasized that point.

Most members will be aware that the need for this legislation arose from a court ruling on December 17, 1979. The court at that time, acting within its own competence, made an interpretation of section 11(2)(d) of The Trade Union Act of Saskatchewan, which, of course, we didn't anticipate. As you know, they ruled that the statute meant a majority of union members had to be in favour of a strike in order for that strike to be legal, rather than only the majority voting having to be in favour to establish that mandate.

Now, I wouldn't want my remarks to be interpreted as favouring low participation by trade unionists in their organizations, or as favouring callous manipulation by any officers of any votes conducted in those organizations, because I favour neither one. But neither do I favour having to dictate to these organizations how they should run their internal affairs. Mr. Deputy Speaker, we in this legislature need only set some broad principles and statutes, and I'm sure the people in the organizations themselves will have the maturity and the responsibility to conduct themselves and their internal affairs in a manner which befits their important and responsible place in our society.

That's why I favour the proposal before us which would make it clear that it is a majority decision of those participating in a vote which establishes the outcome of that vote, just

as is the case in any other democratic institution. Mr. Deputy Speaker, if it is the will of any free trade union to establish for itself stricter or more stringent provisions, this legislation certainly would not prevent it from doing so.

Mr. Speaker, while we are debating the principle of this Bill, in other words the guaranteeing of the freedom and the right of working people to organize themselves, and to establish for themselves a framework to have a say in the price of their labour, I feel compelled to express my concern about the protection of that freedom and those rights in the future.

In this example we have seen where a court interpreted a statute which we, as legislators, placed on the books. I'm not saying the courts acted improperly in any way by its interpretation of our words, although that argument has, and could be, mounted. But fortunately, we, as legislators, can move to make our intentions more clear and we can restore the statute to what we believe it ought to be and to what we expected it to be. We can do it here in this Assembly through a fairly uncomplicated procedure, and in a democratic fashion as befits our democratic and parliamentary tradition.

We can do that now, Mr. Deputy Speaker, but I wonder for how long we will have that power to act. I am raising that question, and members of this Assembly should be asking that question. Trade unionists should be asking that question. All people who believe in parliamentary democracy should be asking that question. I believe it's proper to raise the issue in the context of this debate.

I raise the question, and suggest it is a concern as a consequence of actions currently in progress in the parliament in Ottawa. I am referring, of course, to the actions of the Trudeau government to ram through parliament their constitution resolution, including their hastily-put-together charter of rights. Let me explain why I believe this to be a legitimate concern to raise in the context of this debate.

Mr. Deputy Speaker, trade unions today derive their place in our society based on statutes of federal or provincial parliaments and our heritage of British common law.

The charter of rights proposed by Mr. Trudeau will, because it is intended as a constitutional law, override statute law. As part of our constitutional law, it will be subject to interpretation of our courts and our supreme court.

Because the charter by its nature emphasizes the individual rights at the expense of collective rights, it is possible to envision court decisions which would impair our ability as legislators to legislate as we see fit, respecting the place of trade unions — as we seek to do in this instance in this Bill. That, to me Mr. Deputy Speaker, is a dangerous course to set out upon and one which should be opposed by all members of this Assembly.

Mr. Deputy Speaker, I want to cite one possible scenario to demonstrate my point. Section 2(a) of the charter declares the fundamental right to 'freedom of conscience and religion.' Article 2(e) declares the right to "freedom of association." These are freedoms with which we can all agree and identify and enjoy as individuals. They are freedoms and rights we ought to promote, that ought to be used positively in the further civilized development of our society. But, I wonder, and raise the question: is that their only possible application? I think the answer is no.

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We saw, in the December 17, 1979, Saskatchewan Court of Queen's Bench ruling, which gave rise to the Bill we are now considering, how it is possible for the courts, by a technical interpretation, to change the intent of the legal draftsman and legislators.

It is not difficult to imagine some future court decision (relying on the sections of the charter I identified, and applying those section), to strike down the concept of the closed shop in spite of the fact that a trade union has been established by the free majority decision of the people involved in the workplace. And the court could do it by a process of what amounts to a negative interpretation of the freedom of association clause, in effect saying that the closed-shop concept interferes with one employee's freedom of association by forcing his or her membership, while perhaps 200 other employees wanted that association. I say that is a distinct possibility and I say it is anti-democratic. I say it goes against our entire British parliamentary tradition and, as it relates here, is against the principle of this Bill and is dangerous.

Mr. Deputy Speaker, I could cite other possible scenarios just as worrisome flowing out of Ottawa's current actions. But I will not do so on this occasion. I only raise the matter to signal my serious concerns in this context. We, in the future, as legislators, possess the power to change the Act. I would want to continue to have that power. And an argument guaranteeing that freedom, the right of working people to organize and to have a say in the establishment of the framework by which they can have some say in the price of their labour, is a very important principle for us. It is a principle which I hope all members of this Assembly can and will support.

Because of the comments I have made, Mr. Deputy Speaker, I will be supporting this Bill.

Some Hon. Members: Hear, hear!

Mr. Skoberg: —Thank you, Mr. Deputy Speaker. I had rather hoped that the hon. member for Rosthern would have remained in the House for a moment or two. I know he just slipped out and he will be back. I appreciate the fact he had a reason for leaving momentarily.

I think the points which have been made, up to this stage in the debate, are quite valid. The point that there should be 100 per cent participation in the strike ballot (or very close to that amount) is not consistent with the facts of life. I can cite a situation that happened not that many years ago, when I was working with the Canadian Pacific Railway. A strike vote was being taken at that time. The membership was called, the meetings were organized and we still did not get enough people out to give us what we considered to be a reasonable strike vote. It then happened that the local chairman of the organization of which I was a member went to every household to try to get that strike ballot and the vote taken.

I am suggesting that in this modern day of communication, there is no need for individual union people to have to try to tell their membership that they must vote if they desire not to be a participant. I am suggesting that with the advertising which is going on in so far as memberships are concerned, every member has ample opportunity to indicate his desire whether or not to vote. All this amendment does, actually, is provide that the majority of those wishing to vote will make that decision.

It is rather interesting to listen to the hon. member for Rosthern say that he is really suggesting that the individual unions do not have the right of self-determination. I am

suggesting that we had an example where the individual members opposite had a right of self-determination last evening, whether or not to stay out of the House or to come in. I am suggesting that the membership of an organization has exactly that same right. Whether or not they wish to vote, is entirely up to them. Whether or not they wish to go to a meeting convened for the taking of a strike vote or the expression of opinion is entirely up to those people.

I am also suggesting, Mr. Deputy Speaker, that as I listened to the hon. member for Rosthern, I couldn't help but pick up the letter that came from an organization called Good Government in Calgary, Alberta, signed by Rob Logan. Many advertisements were put in local newspapers, but there is no question, in reading it, that the hon. member for Rosthern is now recognized as the labour critic for the Conservative Party opposite and, as such, he is completely in favour of a closed union shop and right-to-work laws. There can be nothing further from the truth, and I will quote from this particular letter, to sort of substantiate that position.

The letter is dated, of course, February 20, 1981. It's a form letter, and I presume the hon. member for Rosthern has made sure that as many people as possible in his constituency and elsewhere in the province have received this form letter. But it starts out "Dear (whomever you're going to address it to)" and I presume it is going either to Mr. Katzman or, possibly, to the Minister of Labour, and I quote:

Thank you for your letter concerning our advertisement on the right to strike. It is gratifying that at least a few people are concerned enough about their freedom to want to know more and do more on the specific issue with respect to strike voting.

The essence is set out in the newspaper, and we can only encourage you to bring it to the attention of as many people as possible, and have them write to the Minister of Labour, with a copy to Mr. Katzman, the labour critic for the sitting opposition Conservative Party.

The important part, Mr. Deputy Speaker, is this:

Send your letter to the Legislative Building, Regina, Saskatchewan.

Then it states, and I quote again:

We are preparing more information on closed shop unions and right-to-work laws, which we hope will be ready in a month or two.

And it concludes by saying:

We hope to organize a formal group in Saskatchewan to further our freedom efforts, and will contact you on this as soon as possible. Sincerely, Rob Logan, from Good Government, Calgary, Alberta., Box 3127, Station B.

Mr. Deputy Speaker, I can only suggest that with this clear indication from the labour critic of the Conservative Party it is a pure indication of its opposition to the right of self-determination by the trade unions.

He is really saying that we have the right to self-determination in this House, but if the trade union movement, and a group of employees who want to become certified,

decide to set up a constitution giving them the provisions of how they shall vote, the percentages, or whatever it may be, then that is wrong.

We have two standards, I presume, in this country — one for those working people, and one for us, in this House, in this Legislative Assembly. I'm suggesting that the hon. member for Rosthern is saying that he believes in the type of attitude espoused here by Good Government, Rob Logan, from Calgary, and he should stand in this House and say so.

If that member opposite believes in right-to-work laws (and we won't get into that because surely most people here recognize that — even the hon. member for Regina South probably recognizes right-to-work laws) . . . I would suggest that we should have a determination in this House whether or not we believe that the majority of those wishing to vote shall make the decision.

In my mind, the amendment we have before us clearly indicates that people, who have the initiative (the membership that has the initiative) to go to the meetings where the decision making is about to be formed, have a responsibility to their organization for that strike vote, or to at least let the membership and the officials of the organization know their position.

It is absolutely foreign to our system of government (as far as I am personally concerned) to think for one moment that we should have to pass legislation saying how many people shall vote, whether the constitution of an organization is valid, whether we wish to challenge, as a government, the constitutions of the various unions, because all unions have different provisions in their constitutions.

Mr. Deputy Speaker, I am more than in support of the amendment. I have some reservations on the basis that we are providing some restriction on the provision of self-determination, is so far as the majority of those who wish to vote will make that determination. But at the same time, it fully clears up the situation that was evident here this past year.

I am also very, very concerned that the hon. member for Rosthern will single out an organization that has been certified in this province and is recognized under the law of the land, and that's the Saskatchewan Government Employees' Association. He has named Mr. Larry Brown on more than one occasion, as he did in his remarks today. I again say to that hon. member and to those opposite that surely the Saskatchewan Government Employees' Association has the right of self-determination. They themselves can decide what is right for their organization. They do not need some politician opposite, the hon. member for Rosthern, to make up their minds for them. If he wants to be a defender of the weak, then I'm sure that he can find a better horse to try to ride upon — if he can find a saddle.

All I'm suggesting, Mr. Deputy Speaker, is that this amendment does provide a wherewithal that will be fully clarified in the laws of the land, that 50 per cent of the majority of those who are voting will make the determination as to their future. With that I will be supporting the amendment.

Some Hon. Members: Hear, hear!

Mr. Prebble: — Thank you, Mr. Deputy Speaker. I would just like to make a few

remarks in support of this Bill. I think it was clear that the decision which was handed down by the court of appeal on section 11(2)(d) of The Trade Union Act was really a major setback to collective bargaining, both in Saskatchewan and across Canada. Basically what it did was make a strike illegal which, in my view, should never have been classified as illegal in the first place. That decision not only affected the SGEA strike but also has been limiting the right to strike of all trade unions in this province since the decision was made.

I think that clearly, as has been said by the Minister of Labour, the interpretation which the courts put on the original section 11(2)(d) of The Trade Union Act, was not an interpretation that had been intended by this government. That was clearly reflected by other pieces of legislation that we already have on the books, most notably, The Construction Industry Labour Relations Act, which makes it clear that the intention of this government has always been that a strike should be legal if 50 per cent of those voting in the trade union vote in favour of strike action.

What this Bill clearly does is bring The Trade Union Act back in line with the original intentions of our government. As other members have already mentioned, it also brings it in line with other standard procedures for elections conducted in the province of Saskatchewan. Whether you're looking at municipal elections, provincial elections, or those standard procedures used by most voluntary organizations with respect to conducting elections, you'll find that the simple procedure is that electoral results are based on the majority of those who vote.

Therefore, Mr. Deputy Speaker, I believe that the introduction of these amendments are basic to preserving the rights of free collective bargaining in Saskatchewan. I am surprised and very disappointed that members opposite are opposing this piece of legislation. I am surprised because the procedure that the Government of Saskatchewan is now proposing, and has always advocated with respect to the conducting of strike votes, is a procedure which has been adopted by most other provinces in Canada as well, who have followed Saskatchewan's lead. Now, we see a situation where in most provinces in Canada, the strike votes and their results are based on the results of the majority of people who vote. It is therefore surprising to see that members opposite are choosing, at this point in time, not to support a policy which, in fact, many other Conservative governments in Canada have now adopted following the original lead of Saskatchewan.

Mr. Deputy Speaker, all I want to say in closing is that I think the amendment is long overdue. I would have liked to have seen it introduced sooner and more quickly. Part of the reason that it has been held up, of course, is because members opposite refused to give it support in the December session of the legislature. I wish that we would have been able to bring it in last year. I'm happy that we are bringing it in now. I hope that all members in this House will support it.

Some Hon. Members: Hear, hear!

Mr. Rousseau: — Thank you, Mr. Deputy Speaker. I had not intended to speak on this Bill but, after listening to the rhetoric and the garbage which I heard this morning, I think it's about time somebody said something on it which made a little sense.

The point of this Bill is that it is not a Bill which was written by the minister's department. This Bill is a Bill which was written by one Larry Brown. This Bill was written by Larry Brown for the very simple reason that, obviously, this man has more influence with that party than does the Premier of Saskatchewan. The Premier of Saskatchewan, as my

colleague for Rosthern has indicated this morning, has said on record that this Bill was not necessary and there was no need to change the legislation. But Larry Brown thought otherwise. Larry Brown is not concerned about the workers of Saskatchewan. Obviously, he has instilled that idea into the mind of the Minister of Labour for the very simple reason that the Bill will call for the control of the workers by the few people whom he will have in his hip pocket. They have to do his bidding because that's where that party gets its funds to run its organization and political party. There's no other reason. The Premier, himself, has indicated repeatedly that there was no need for this kind of legislation. Yet, the Department of Labour, under this minister, because of the influence of one Larry Brown and others like him, has indicated that it is necessary.

You talk about rights. That's exactly what you've taken away from the workers of this province — their right to be able to determine their needs and their destiny by having a vote which means something, not only by a handful of the executive who want it their way.

I would just like to add one more comment about a reference which was made by the member for Saskatoon Centre expounding the virtues of the workers' compensation board. If the workers' compensation amounts were sufficient, Mr. Member, let me tell you that the minister in charge wouldn't have filing cabinets full of complaints from people who are trying to draw and live on decent earnings from the workers' compensation board.

Let me cite you an example which the minister is well aware of. You have most of the workers' compensation people today living far below the poverty line. You know of the example, Mr. Minister. A member of a union — CNR — was injured 25 years ago. At the time, engineers' wages were somewhere around \$600 per month. The man received a \$350 per month lifetime pension. (I stand to be corrected for a few dollars.) After fighting for every increase which he has had in the last 25 years, you finally have him up to \$683, when all of the engineers on the job today are making \$2,800 to \$3,000. That's a \$683 pension for life. You can turn around and say that he can live on that? He's not allowed to earn another nickel, as well, otherwise it comes off that income. You and your members over there can expound the virtues of the compensation given to the workers of this province on 100 per cent disability who are expected to live on that amount of money.

Mr. Minister, if you want to make some legislative changes in this assembly, I would suggest that you take the concerns of the individuals and not the concerns of the union executives and one Larry Brown or people like him. Think about the people of the province who are living below the poverty line and not the people who are paying dues to keep the NDP in operation.

Mr. Thatcher: — Mr. Deputy Speaker, I will be relatively brief. I don't purport to be an expert on the trade union movement, but some comment is appropriate on this Bill, because I think the member for Regina South has hit the nail right on the head when he suggests that much of this Bill was prompted by the unfortunate confrontation of about one and one-half years ago between this government and the SGEA. Mr. Deputy Speaker, on that occasion a union leader, which in his case was Larry Brown, took his union out on strike in what was ultimately demonstrated to highly questionable circumstances. There was a great deal of bitterness over the workings of that from within the SGEA. The member for Moose Jaw North made a very valid point. People should stay out of the affairs of the SGEA. I couldn't agree with him more. I suggest that he might even expand that comment and suggest that the Department of Labour, which

is sponsoring this Bill, might do likewise.

Let's not kid anybody. This Bill is in place and has been introduced to satisfy the top management of the SGEA, namely, one Larry Brown. In other words, it makes his position tenable again. I am sure the Minister of Labour is making some very vitriolic notes as usual and we can expect him to come back in his usual fashion. But while he is at it, I would like the Minister of Labour (who probably is going to speak next) to make it very clear why the Premier of this province, who sits a couple of seats away, said on Thursday, December 20, 1979, in the Regina *Leader-Post*, and if I may quote, Mr. Deputy Speaker:

Blakeney said the government was not considering amending The Trade Union Act because of the court ruling. He said the legislation requiring a 50 per cent vote of the entire membership to approve a strike has been in effect for 10 years or more and has caused no difficulty until now.

Mr. Deputy Speaker, those words are self-explanatory. They are by the Premier of the province, leader of the party. Is the Minister of Labour, through this Bill, now saying that the Premier of this province did not speak for the government at that point in time? The *Leader-Post* went on to say:

It's a rare action for a union to call a strike without having a 50 per cent affirmative vote of all members, Blakeney said.

Mr. Deputy Speaker, those aren't my words; they are not the words of the member for Rosthern and they are not the words of the member for Regina South. Those are the words of the Premier of this province. But through this Bill the Department of Labour is in effect saying that he does not speak for the government.

Mr. Deputy Speaker, I think it's a fair question. In light of the Premier's comments, why do we have this Bill? I suppose that is the issue, Mr. Deputy Speaker. I respectfully suggest to this Assembly that the member for Regina South was right on stream when he suggested, for whatever reason, that Larry Brown had to be propped up in the SGEA. I support fully the comments of the member for Moose Jaw North in saying that this side of the House should stay out of the affairs of the SGEA. You are correct. Let them do it. It is their business what they do. But it is their membership's business. It is not the top two or three levels. It is their membership's business.

Some Hon. Members: Hear, hear!

Mr. Thatcher: — Far be it from any of us to tell them what to do. At the same time, I don't think it is the right, and we don't think it is the right of the Department of Labour to tell that union how to run its affairs. You know, Mr. Deputy Speaker, we have been joined in that position by Premier Allan Blakeney (I apologize for using his name) the Premier of this province. With those comments, I am going to sit down as I await the usual uplifting comments from the Minister of Labour. I sincerely hope you will explain that strange contradiction that the members on this side of the Assembly are on side with the Premier of the province and the Department of Labour, for whatever reason, is at odds.

Some Hon. Members: Hear, hear!

Mr. Nelson: — Mr. Speaker, I am literally amazed at members opposite as they set

themselves up in judgment of people. They walk into this House and attack people who have no ability to defend themselves within the Chamber. I do not think it is the position of government or members of legislature to set themselves up in judgment of people or organizations. It is for those organizations themselves to set themselves up in judgment of their own organizations.

Members opposite talk of freedom. They talk of big government. they say, "Give people freedom." On the other hand, they want to deny freedom. They want to deny the freedom of that organization to go out and set its own rules for itself. They say, "Don't control organizations." Mr. Deputy Speaker, I say they are talking out of both sides of their mouths.

You see, Mr. Deputy Speaker, the next thing it comes to is (as the member for Saskatoon-Sutherland said): what other organizations must be included for which you must control the voting procedures? Is it the Red Cross? You said, "Well, naturally not, because after all that doesn't affect the bread-and-butter issues of the people of this province." But, Mr. Deputy Speaker, they get public money. They do certainly affect the bread-and-butter issues of people around the world. So, if we must set the patterns for unions, we must also then set it for other organizations, like the Red Cross, and many other organizations like them. Well, Mr. Deputy Speaker, the Salvation Army does the same thing. Who else must we go to? To other church organizations? Where do we stop? The suggestion of controlling an organization by legislation is an infringement on the freedom of that organization, be it the Red Cross, the Salvation Army, or a union. We, on this side of the House, Mr. Deputy Speaker, do not set ourselves up in judgment of any organization. As I said at the beginning, that is the position of that organization, be it the Red Cross, the Salvation Army, or a union.

Mr. Deputy Speaker, as the member for Saskatoon Centre said, the people of a country and also of a province vote and certainly we do not insist that the majority vote or that everybody must vote to get everybody in. The people in this country, the people of this province, are the highest judges in this world. It is not for us to interfere with the judgment of those people, whether it is the people voting for a government or people voting for their union.

Mr. Deputy Speaker, if people do not like what the government of their country is doing, it is their duty to get like-minded people together to see that government removed. If the people want to see an idea put forward, it is their duty, their right, to get like-minded people together to see that that government or that union or that organization carries out the wishes of the majority. It is not the duty of a government or of members opposite to set themselves up in judgment of those organizations.

It is interesting to note that the Conservatives speak loud and clear against this amendment. Yet in Alberta, the law strictly says that 560 per cent of the people voting validates a strike. It says so clearly. I say, Mr. Deputy Speaker, again they are speaking out of both sides of their mouths. I say it is a political posturing and if they were honest about the situation, they would also be supporting the Bill, as I will.

Some Hon. Members: Hear, hear!

Mr. Taylor: — Yes, I have been sitting here this morning listening to the debate on this Bill. I must say that on both sides of the House there were some fairly strong points

made. I was especially pleased with the speech on democracy in the labour union that my colleague for Rosthern gave. I thought it was probably one of the best speeches regarding labour unions and democracy that I have heard in this Chamber. I thought it was an outstanding presentation. As well, there were some very valid points made by a couple of the members from the other side of the House. I must say I was rather embarrassed at the speaker for Saskatoon Centre, who tried to divert from the high level of debate. I think it takes away from what we want to achieve. I congratulate the other members who got on with the substantive issues. We want to keep the debate and the thrust of it going in this Chamber.

I have one question, however, that is bothering me a bit (and I think my colleagues have alluded to that). The member for Saskatoon Centre didn't really handle this well. He said "And you all know what he means by those comments." You know, to get up and say you are distorting it, then fail to give the explanation, doesn't make an awful lot of sense to me. Therefore, I would challenge any member on the other side (perhaps the minister will be able to do this when he gets his opportunity to speak) to explain to us if the Premier was correctly assessing the situation or if that situation has changed and the Premier was wrong, which means the introduction of this Bill.

I would like to spend some time, as well as other members on this side, analysing and looking at the comments of the member for Saskatoon Mayfair and also the member for Moose Jaw North who, I think had some very valid points. In view of this, I beg leave to adjourn the debate.

Debate adjourned.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Koskie that Bill No. 26 — **An Act to amend The Mechanics' Lien Act** be now read a second time.

Mr. Taylor: — Mr. Deputy Speaker, I understand that this Bill has some serious implications for the construction association. I believe that they were not contacted on this and my colleague for Qu'Appelle is waiting for communications from them regarding this Bill. It affects their livelihood quite strongly and we want to see what they have to say on this, and then we would be ready to proceed with that Bill. However that communication has not been received by my colleague, so therefore we would have to adjourn the debate on this one.

Debate adjourned.

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Romanow that Bill No. 39 — **An Act to amend The Department of Intergovernmental Affairs Act** be now read a second time.

Motion agreed to, Bill read a second time and referred to a committee of the whole at the next sitting.

COMMITTEE OF THE WHOLE

Bill No. 30 — An Act to amend The Vehicles Act (No. 2)

Sections 1 to 6 inclusive agreed.

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The committee agreed to report the Bill.

Bill No. 28 — An Act to amend The Department of Consumer Affairs Act

Sections 1 to 9 inclusive agreed to.

Section 10

Mr. Lane: — I wonder if you would just give a quick explanation of 10 please.

Hon. Mr. Koskie: — Section 10, the existing provision reads:

. . . having committed an offence or who is alleged to have committed an offence against this Act, or any Acts that have been administered by the Minister of Consumer Affairs, or against the regulations or orders made under those Acts.

What it does is add the Minister of Consumer and Commercial Affairs, so it's just an addition recognizing the new department. So all it does is add the terminology.

Section 10 agreed to.

Section 11 agreed to.

The committee agreed to report the Bill.

Bill No. 37 — An Act to amend The Non-profit Corporations Act

Sections 1 to 14 inclusive agreed.

Section 15 as amended agreed.

Section 16

Mr. Lane: — My only question is on the notification of the appointment and discharge of receivers, receiver-managers, etc. Will there be a public record kept of these?

Hon. Mr. Koskie: — Yes, there is a record kept. It is available to the public.

Mr. Lane: — Well, I wouldn't mind if the minister would agree to supply the Leader of the Opposition with a copy of all appointments and discharges.

Hon. Mr. Koskie: — I think that can be done.

Section 16 agreed to.

Section 17 agree to.

The committee agreed to report the Bill.

Bill No. 44 — An Act to amend The Consumer Products Warranties Act

Sections 1 to 3 inclusive agreed to.

The committee agreed to report the Bill.

Bill No. 31 — An Act to amend The Saskatchewan Insurance Act

Sections 1 to 3 inclusive agreed.

The committee agreed to report the Bill.

Bill No. 11 — An Act to amend The Lloydminster Municipal Amalgamation Act, 1930

Sections 1 to 3 inclusive agreed.

The committee agreed to report the Bill.

Bill No. 43 — An Act to amend The Department of Tourism and Renewable Resources Act

Sections 1 to 3 inclusive agreed to.

Section 4

Mr. Hardy: — I would like to ask the minister a question. It says: "the amount of money equivalent to the portion of fees collected for each hunting licence." Could you explain to me what is meant by that?

Hon. Mr. Gross: — Mr. Chairman, the clause the member refers to is a clarification of the working concerning the money which normally goes to the wildlife development fund. This clarifies it from The Wildlife Act. It was not legally sound the way it was before. This clarifies that a portion of all money collected on all hunting licences will go to the wildlife development fund.

Mr. Hardy: — I would like it clarified a little more. Before it said "equivalent to," but now it says, "the portion of" — do you mean there will still be equal amounts, or is there just going to be a portion of?

Hon. Mr. Gross: — Mr. Chairman, the amount of money which will go to the wildlife development fund is the same amount of money which will go to the fund.

Section 4 agreed to.

Section 5 agreed to.

The committee agreed to report the Bill.

Bill No. 33 — An Act to amend The Water Power Act

Section 1 agreed.

Section 2

Mr. Lane: — I would suspect, Mr. Minister, that this particular provision is going to

have consequences similar to your oil royalty policies. In fact, if any of the power companies are affected by that, you are going to lose before the Supreme Court of Canada as you did on the oil taxation case. I suspect that you are right into the position if you act under this section. That is unconstitutional and the precedent has already been established.

Hon. Mr. Bowerman: — With due respect, Mr. Chairman, I think that it doesn't seek to do what the hon. member suggests. We, in the Department of the Environment, charge a fee for the use of water, and because the contracts or agreements are long-term — 20 or 50-year agreements, the use of water and the provisions that are now in the Act for the collection of a service fee, if you will, are not related to the current issues with respect to the economics of the day. Therefore, it provides the Department of the Environment with the opportunity to deal with the power developer — Saskatchewan Power Corporation, Eldorado, or Hudson Bay Mining and Smelting — to negotiate agreements for water service charges, in addition to what we now have. For example, I understand that the revenue the department receives, about \$800,000 or \$900,000, for the services provided in maintaining the authority of The Water Power Act, and that we can negotiate increases in these service agreements in the interim, during the time of the agreement. I think that's what it provides for.

Mr. Lane: — I'll get back to my opening statement and ask: are you by this legislation changing your long-term agreements or getting the right to change those long-term agreements (as you indicated) because the fee structure doesn't represent today's times? That's rather an arbitrary principle that you're bringing before this House — that it is quite correct and proper for the government, although it signed a long-term agreement, to turn around and break that contract because it doesn't feel that the rates negotiated at the outset are fair today.

Now, I just ask the minister to look at the ramifications of the principle he is bringing forward. It certainly argues that you could come in on a land bank lease, and say, "No, we're going to change it. We've done it before; we've got that power; that lease doesn't mean anything."

I think all members should be very concerned about any government that takes upon itself the right by statute to come in and just cancel, change, or terminate leases or agreements that the parties have made in good faith. I don't think it is fair in this case to blame the power companies, because the government, at the time it made the agreement, thought it was getting a good deal. Now, of course, it feels that the revenues are not adequate. I might be quite prepared to agree that in today's times the revenues are not adequate, and if you were negotiating today, you would come to an altogether different rate structure. But to arbitrarily ask this House for legislation which gives you the right to break contracts is dangerous for all of us. And it is not a principle that members of this House should accept.

Hon. Mr. Bowerman: — Mr. Chairman, I think we now have the authority to set or to change the rates. I refer to the existing provisions under section 16 of the regulations — section 16(1)(j).

Now, what we are asking for is the authority to change those rates, not only to fix them as we have the authority to do in the first place, but we have the authority to make changes in those rates. I think that's what the provisions of the amendments are seeking to do. The water power rental rates are not being set under the water power regulations, and the proposed subsection 1(1) makes explicit the legislature's intention

that the rates charged to existing water power licences may be changed from time to time by the amendments to the regulations. and I think it does what the hon. member says. It provides us the latitude or provides us with the permission to make the changes. That's what we're seeking to do. And we are seeking to do that on the basis of the changed economic situation in which we now find ourselves. I think there has been agreement. In fact agreements have been made between the power generators and us for changes up to now. There have been reciprocal understandings, agreements, and undertakings; but I thin in order to bring that in line with legislation, or to bring the legislation in line with the practice, we are now asking for the provision now.

Mr. Lane: — You don't need the permission of this Assembly, if you and the power companies are agreed on a change in rates or a change in the agreement. Any two parties to a written agreement, a verbal agreement, can agree to change it. Any two parties can. You don't need the legislature for that. But you certainly need the legislation for an arbitrary, unilateral change to a contract because you are dissatisfied. And even more dangerous is subclause 2 which says that if you make this arbitrary change, then no action lies against the government, or any agent, or member of the Executive Council or any officer or employee of the Crown for damages or compensation.

Here you are taking the right to arbitrarily change contracts, and then you are taking away any legal right from those individuals for legal redress if your action was illegal. You are saying that that's not what we're here for. We are not here to allow any government to exempt itself from the laws of contract or fairness or equity. We're not here to give any government the right to arbitrarily change contracts while the other, harmed party can't even go tot he courts to get a redress.

I don't think the minister understands the import of this piece of legislation, and I'm sure cabinet doesn't because that has not been a practice. You know, there have been situations in this House where the government has broken or changed contracts, but it has been debated in this Assembly and there has been a policy reason for it. But I don't think it's an everyday practice that should be condoned.

What I'm going to suggest to the minister in all fairness is that we adjourn debate on this today, and that you go back to those power companies that are affected. If you can mutually agree on changes in rates, that's well within the law for any individual in any government. It's a proper and correct procedure. That's the effort that should be made. I don't think it's going to be a great number of people. But I certainly don't accept that whenever the government is dissatisfied with rates, it should take upon itself the power to cancel, change any rentals, royalties, fees, dues and charges, and do it arbitrarily and capriciously, and then also take upon itself the right to prohibit the same individuals, companies or whatever, who are affected, to have any redress to court for a fair hearing. I'm sure the hon. minister doesn't subscribe to that principle and I say that in fairness.

I just think this is a very, very serious action that is being taken, and frankly, I'm not sure the minister or cabinet understands the import of it. I beg leave to adjourn debate.

Hon. Mr. Bowerman: — Mr. Chairman, the hon. member is right. It is the decision which has been made that we propose to proceed on the basis as I think the hon. member understands it.

The reason we are doing so is because many of the kinds of original agreements in

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which we entered into have 50-year periods of time, or 20 years, or 30 years. It has brought us to the point that there is a particular situation, a particular contract, with which we want to deal. I'm prepared to adjourn the committee if you wish and bring back my own officials so we can bring the contract with which we are having some difficulty and struggle. But, yes, you're right. That's what the legislation seeks to do. It seeks to do it because of the fact that the periods of time are so long. If we couldn't reach agreement, then obviously the people of Saskatchewan are going to suffer for the fact that we cannot deal with a contract which has a 50, 25, or 30 year life span. Therefore, the rates which that corporation or company may be required to provide to the people or to the revenues of the province of Saskatchewan are totally out of step with the times, with the agreement and so on.

Mr. Chairman, I would be prepared to stand the committee and come back with our problem if you wish to do that. I don't have it with me here today.

The Chair: — The committee agreed to stand Bill No. 33.

The committee reported progress.

THIRD READINGS

Bill No. 30 — An Act to amend The Vehicles Act (No. 2)

Bill No. 38 — An Act to amend The Department of Consumer Affairs Act

Bill No. 44 — An Act to amend The Consumer Products Warranties Act

Bill No. 31 — An Act to amend The Saskatchewan Insurance Act

Bill No. 11 — An Act to amend The Lloydminster Municipal Amalgamation Act, 1930

Bill No. 43 — An Act to amend The Department of Tourism and Renewable Resources Act

Bill No. 37 — An Act to amend The Non-profit Corporations Act, with amendment.

The Assembly adjourned at 12:58 p.m.