

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Third Session — Sixteenth Legislature**  
**44th Day**

**Friday, April 17, 1970.**

The Assembly met at 11:00 o'clock a.m.  
On the Orders of the Day.

**WELCOME TO STUDENTS**

**Mr. Speaker:** — I wish to introduce a group of students situated in the Speaker's gallery: 22 students from Success school in the constituency of Swift current represented by their Member, Mr. Wood. I'm sure all Members of the Legislature will wish to express the sincere wish that they will find their stay here educational and enjoyable and wish all their drivers and teachers a safe trip home.

**Hon. Members:** — Hear, hear!

**MESSAGE FROM LIEUTENANT GOVERNOR**

**Hon. D.G. Steuart** (Provincial Treasurer): — Mr. Speaker, I have a message from the Lieutenant Governor.

**Mr. Speaker:** — The Lieutenant Governor has been informed of Further Supplementary Estimates of certain sums required for the service to the Province for the 12 months ending March 31, 1970, and recommends the same to the Legislative Assembly. Signed S. Worobetz, Lieutenant Governor of the Province of Saskatchewan.

**Hon. C. P. MacDonald** (Minister of Welfare): — Mr. Speaker, I move seconded by the Hon. Mr. Thatcher that:

His Honour's message and the Further Supplementary Estimates he referred to the Committee of Supply.

Motion agreed to.

**STATEMENT BY MR. WILLIS**

**RESIGNATION AS MEMBER**

**Mr. Speaker:** — Before the Orders of the Day I wish to thank the Member for Melfort-Tisdale (Mr. Willis) for having given me prior notice of his desire to make a statement before the Orders of the Day. I call on the Member for Melfort-Tisdale.

**Hon. Members:** — Hear, hear!

**Mr. C.G. Willis** (Melfort-Tisdale): — Thank you, Mr. Speaker, for this opportunity of making the announcement before the Orders of the Day. As many of the Members know my health has been of concern to me for more than a year. My condition has worsened in the past six months to the point where I feel that I must relinquish my duties as MLA.

Accordingly, Mr. Speaker, I wish at this time to announce my resignation as Member for Melfort-Tisdale effective at the end of the current Session. This step has caused me some concern as I have throughout the years from 1952 enjoyed my duties as an MLA and the fellowship which has been exhibited by all to me. I have consulted with my constituency executive who have agreed that my health comes first. When I first prepared this statement I said in it and I quote: "It is my hope that the Government facilitates the election of my successor if they call a by-election before the end of 1970." With the recent announcement of the amendments to the Legislative Assembly Act I realize that Melfort-Tisdale will disappear as a constituency with the dissolution of the present Legislature and that the Government would in all probability be reluctant to call a by-election to fill a temporary position. I regret that Melfort-Tisdale will be unrepresented for a period, but my regret is tempered by the knowledge that my neighbouring colleagues to the west and to the east of Melfort-Tisdale will be encouraged to extend their constituency boundaries to assume immediately the duties of the Members for Melfort-Kinistino and Tisdale-Kelsey. I have consulted with both of the MLAs of Kinistino and Kelsey and have their assurances that under the circumstances they would be glad to take on these new duties. This I can say is appreciated by me and would be further appreciated by my Melfort-Tisdale constituents. In resigning I am assured then that my constituents will be in good hands.

In conclusion may I say that it has been an honour to have served as Member of the Legislature for Melfort-Tisdale for the period from 1952 to 1970, some 18 years. My thanks go to my constituents for the privilege that has been accorded me and I wish to express of thanks to my fellow Members on both sides of the House for the consideration and kindness during the present Session. Further, Mr. Speaker, I prepared a letter stating my resignation for health reasons addressed to you and saying that it has been an honour to have served my constituency continuously since 1952. I can assure you that it is with a great deal of regret that I take this step. I'll give this to you, Mr. Speaker, for your records.

**Hon. Members:** — Hear, hear!

**Hon. W.R. Thatcher** (Premier): — Mr. Speaker, I am sure that Members on both sides of the House will have learned of this decision with some regret. I think it has been rather well known in the past few weeks that the Hon. Member for health reasons felt that he was obliged to take this step. I would like to say that the Hon. Member has served this House and the people of Melfort-Tisdale long and faithfully. I have differed with him very frequently in this House as he knows, but I have never doubted his sincerity in trying to serve the people of Saskatchewan.

May I, on behalf of the Government Members, wish him the very best in his retirement at the Coast.

**Hon. Members:** — Hear, hear!

**Mr. W.S. Lloyd** (Leader of the Opposition): — Mr. Speaker, the Member for Melfort-Tisdale indicated to me a couple of months ago that it was his intention to take this action. While I learn of it with regret, I particularly learn of it with regret because of the health reasons which have

moved him to make the decision. I may say that I was present at the meeting of his constituency executive when he discussed with them officially his intention. One of the gratifying parts about it was the very warm response from the members of that executive and the reaffirmation, (although it wasn't necessary), of the very high regard in which he is held by those whom he has been most closely associated in that part of the province. I've known the Member for Melfort-Tisdale for a number of years. Before he came into the House he was a member of the school unit board at Melfort when I was Minister of Education and I had the opportunity to know him then. I've been associated with him in the Legislature when he was a private Member. Later on we were both Members of the Cabinet, later on he was in the Cabinet when I was Premier and more recently in our years in Opposition. He has shown an extraordinary, I think, dedication to those things in which he believes, and it is because of this of course that he has had such great respect and affection for many people in his constituency. I share with the Premier the appreciation for his very great service to this Assembly and to this Province and to his constituency. Certainly we will all wish that his relief from some of the heavy duties of a Member of the Legislature will be beneficial so far as his health is concerned and that he will have the opportunity to enjoy many fruitful and well deserved years of retirement.

**Hon. Members:** — Hear, hear!

**Mr. Willis:** — Thank you, Mr. Speaker, for those kind words of the Premier, of the Members and the Leader of the Opposition.

**Mr. Speaker:** — I wish to acknowledge receipt of the communication from the Member for Melfort-Tisdale (Mr. Willis). In acknowledging the receipt may I also express the appreciation of myself personally for the very warm association for the years in which we have both been Members of this Legislature.

### **WELCOME TO STUDENTS**

**Mr. Deputy Speaker:** — I would like to introduce to the Members of this Legislature the following students: in the Speaker's gallery there are a number of students from St. Chad's Girls' school from the constituency of Regina south East represented by Mr. Baker. On behalf of the Members of the Legislative Assembly I would like to welcome the students here. We hope their stay is enjoyable and educational and we wish them a safe trip home.

**Hon. Members:** — Hear, hear!

### **MOTION**

#### **MRS. SCOTT'S RETIREMENT — SECRETARY LEGISLATIVE COUNSEL**

**Hon. D.V. Heald** (Attorney General): — Mr. Speaker, I wonder if I might by leave of the Assembly move a motion at this time and before I move the motion I would like to say a few words.

As many Hon. Members will know, at the end of this Session of the Legislature we will be losing the services through retirement of Mrs. Edna Scott who has worked in the Legislative Counsel Office for all Members of this Assembly since 1954.

Mrs. Scott is seated in the Speaker's gallery this afternoon, to the left of the clock, and I wonder if she would stand up for a minute so everybody can see her.

**Hon. Members:** — Hear, hear!

**Mr. Heald:** — Mrs. Scott first came to the Government on the 17th of November 1941, where she was employed in the Local Government Board and she remained with the Local Government Board until November of 1954. Since that time she has been employed as a secretary to the Legislative Counsel. Now, Mr. Speaker, everybody will realize, I'm sure, that we have many dedicated public servants who do retire from time to time and we can't honour them all in this fashion, but I felt and I think all Hon. Members will agree that this is a particular occasion because Mrs. Scott has been a servant of this Assembly, not of the Government alone, but of this Assembly. She has been a servant of all Hon. Members who have been in this place since 1954. I know that I speak for all of them when I express to her on behalf of the Government our best wishes for a happy retirement. She has been a dedicated and tireless worker. I know that Members will realize that when the Legislative Assembly is in session, the people who work in the Legislative Counsel's Office, the Legislative Counsel, the assistant and the stenographic staff don't have any hours at all. They are at the beck and call of all Hon. Members on a 24-hour a day basis. I want Mrs. Scott to know that we all appreciate this very sincerely and therefore I would move, seconded by Mr. Lloyd by leave of the Assembly:

That the Members of this Assembly wish to record their deep appreciation for the long and loyal service rendered by Mrs. Edna Scott to the Government of Saskatchewan and to the Legislature as clerk stenographer in the Office of the Legislative Counsel and Law Clerk.

**Hon. Members:** — Hear, hear!

**Mr. W.S. Lloyd** (Leader of the Opposition): — Mr. Speaker, just to identify myself and those of us on this side of the House with the comments that the Attorney General has made and with the Resolution which is before us. As the Attorney General has said it is very easy to forget the people who work in the other rooms and whom we don't see very often. Yet if we pause to think about it we will realize just how big a contribution they do make in making it possible for us to get through all of the various and sometimes length work that is here. We want to join in the appreciation that has been stayed to Mrs. Scott and the good wishes to her.

I had the pleasure of living in the same community with Mrs. Scott's mother for a number of years — that doesn't make me old enough to be her father, may I say — and I do know something of the background of one more of these pioneer families who have given a lot to the country and Mrs. Scott has carried on that tradition in the public service. We do indeed thank her, we do indeed wish her well.

**Hon. Members:** — Hear, hear!

**Mr. Speaker:** — May I join with others in expressing the very best wishes to this charming lady on the occasion of her retirement.

**April 17, 1970**

**Hon. Members:** — Hear, hear!

Motion agreed to.

## **SECOND READINGS**

**Hon. D.G. Steuart** (Provincial Treasurer) moved second reading of **Bill No. 87 — An Act to amend The Election Act.**

He said: Mr. Speaker, this Bill No. 87, an Act to amend The Election Act is necessary, although I'm sure the Members often question whether it was necessary or not, but having passed the Redistribution Bill it is necessary because certain Northern seats, that is, Shellbrook or certain seats that extend into the far North of the Province, Shellbrook, Athabasca, and Prince Albert East-Cumberland are dealt with under The election Act to allow the returning officer to set up polls in a certain manner in the northern unorganised territory of the province. Since the name of Prince Albert East-Cumberland has been changed to Prince Albert East it necessitates a change in The Election Act, inserting the new name of Prince Albert East rather than Prince Albert East-Cumberland. That's the only change made in The Election Act, there are no other changes. It has no other implication merely than naming Prince Albert East rather than Prince Albert East-Cumberland.

Motion agreed to and Bill read a second time.

## **ADJOURNED DEBATES**

## **SECOND READINGS**

The Assembly resumed the adjourned Debate on the proposed motion by the Hon. D.V. Heald (Attorney General) that **Bill No. 1 — An Act to amend The Farm Security Act** be now read a second time.

**Mr. E. Whelan** (Regina North West); —Mr. Speaker, when I was speaking on this Bill before, I had begun to discuss Section 7 of The Farm Security Act and I was pointing out that the exemption was being allowed in advance. I had said that the farmer anxious to obtain the private mortgage and looking forward to many prosperous years readily accepted the idea of an exclusion. Now his protection has gone and he has no money to meet his obligations. Therefore I question the principle of allowing an exclusion in advance. It seems to me that the exclusion should be decided when and if mortgage foreclosure action is taken. I would like the Minister to indicate when and how many of these advance exemptions were allowed and in what category. Perhaps he would give us the information when we deal with the Bill in Committee. In summary, Mr. Speaker, the principle of the Bill is a good principle, but the wording of the legislation and the amendment are outdated and impractical because of the few contracts in this category in force at the present time.

Second, I recommend to the Minister that the principle regarding crop failure apply when there is a market failure; three, that in consultation with farm organizations the limitation protection to the home quarter be reviewed; four, and finally, that the practice of excluding the home quarter in advance, although it is permitted by the present legislation, be discontinued because present circumstances prove the folly of such an advanced exclusion. It is my contention that the protection

written into the legislation of holding the home quarter secure is defeated, unless the Board deals with the decision only when the homestead is threatened by cancellation or foreclosure. Each day more and more all of us are concerned with the security of our farmers. Since this Bill was introduced the LIFT program with payment to the farmer for summer fallow has changed the picture and emphasized the need for protection of the farmer. For instance, I ask the question: is the \$6 payment for summer fallow which costs \$3.50, a crop failure? I say it should be spelled out and I invite comments from rural representatives. This Bill could have said that it was. The definition of crop failure in the Act reads as follows:

Crop failure means failure of grain crops grown in any year on mortgaged land or on land sold under agreement for sale due to causes beyond the control of the mortgagor or purchaser to the extent that the sum realizable from the said crops is less than a sum equal to \$6 per acre sown to grain in that year on the land.

Now that the figure is the same with or without a crop, \$6, what is the farmer's position? Is he protector or not? I say it should be in this Act. The amendments are satisfactory and not controversial but even if we have to stay a little longer at this Session, Mr. Speaker, I urge the Minister to burn the midnight oil if necessary and bring in a new definition of crop failure. There is a desperate need for it. The LIFT program payments for summer fallow put us under the gun.

I should like to point out — and if I may digress for a moment — the need for redrafting all of our farm legislation was emphasized by this Member and the Member for Kelsey in 1968 in another debate, on page 1,079 on March 15, 1968. At that time we urged the updating of the legislation. That is two years ago or more than two years ago. The Hon. Member for Kelsey said and I quote, *Hansard* page 1,080:

We find that there are much much more volumes of money being borrowed and in much greater quantities, and the entire economics of agriculture is no longer the way it was when this first Securities Act was brought into this Legislature.

Mr. Speaker, at this time and at that time, I urged study by a legislative committee. It may be too late for this immediate problem for the situation is serious and urgent.

In conclusion, Mr. Speaker, I know that the Minister shares my concern. His amendment suggests just that, but unless the trend changes there is a desperate need for extensive change in the original Act. In the interests of our rural population I urge immediate further updating and rewriting perhaps The Farm Security Act.

**Some Hon. Members:** — Hear, hear!

**Mr. J. Messer** (Kelsey): — Mr. Speaker, I will not be opposing the second reading of this Bill but as it has been explained by the Attorney General (Mr. Heald) it is a housekeeping Bill with respect to existing legislation. However, I should like to take this opportunity to make some general comments on the area of farm security as it relates to the present crisis in Saskatchewan.

In effect I am asking the House to question the relevancy of the present statute and other related statutes in the area of farm security. Firstly, directing my attention to the Bill that is to be amended, I should like to observe that it appears to be hopelessly out of date and needs a thorough revision. A few examples to the legislation will make the point. The Act states that where the value of grain grown per acre in a year is less than the value of \$10, then the purchasers of what have you are able to present a tax certificate to the vendor and what have you and the effect will be to stall the obligation of payment pursuant to the agreement of sale or mortgage. The theory behind the legislation seems to be that a farmer may have a drought year or a poor crop, and if he is unable to meet his obligations under the agreements and mortgages, the Act will give him security by alleviating his duty to pay. This is worthwhile legislation. However, it does not take into consideration situations which we have in the Province of Saskatchewan today. Today often the farmers are blessed with grain grown that is away in excess of \$10 an acre. However, they are unable to move the grain because of the glut on the market. At the same time, many of the farmers still are obliged by contract to make payments pursuant to agreements and mortgages. It does not stand to reason that the farmer in this type of predicament should be forced to meet his payments while the same farmer who is hauled out or otherwise financially insolvent is given relief. What we are saying is that the Act does not seem to consider the modern day problem of Saskatchewan. Farmers are full of grain, but yet it would not surprise me if they are in many cases unable to make their payments and the like.

Another example is Section 6(1)(b) which defines what is meant by a crop failure. A crop failure is a crop that is unable to realize the sum of \$6 per acre own. The definition is careful to note that this does not occur due to causes beyond the control of the farmer under mortgage or contract or sale. It would be an interesting argument to submit to a court that there is a crop failure in Saskatchewan and many rural areas because of the inability of a farmer to realize \$6 per acre. It is clear to me that the Statute was designed to protect the farmer who simply did not have and not the farmer who has a crop failure in the midst of plenty. I do not feel that the modern day farmers would be able to get the protection of this Act under the present situation where the bins are full. Furthermore, I doubt if many farmers will today agree that the figures of \$10 and \$6 an acre are realistic figures with respect to the break-off point. The fact is that, because of the cost price squeeze, many farmers are broke at a figure substantially higher than those stated in the Act and consideration should be given to raising these figures. All of these comments are made in support of the argument that the Government must look immediately at an overall of the farm security legislation in Saskatchewan. This Act has to be updated and made more modern. It must reflect a variety of situations where the farmer is unable to meet obligation and faces further legal action. Also the legislation seems to be very unclear and very complicated. The language is not conducive to farmers being able to readily appreciate their rights. The references to the Provincial Mediation Board may be obsolete and no longer meaningful. Perhaps we have to look to some speedier and more effective remedies. I would also commend to the Attorney General that there be an overhaul of all legislation for protection of the farm and farmer, such legislation as land contract action and the like. Perhaps they may be consolidated in one Bill more simplified and more meaningful for

farmers. I urge the Government to bring into the forthcoming Session of the House if not this Session, positive farm security legislation which incorporate the best features of all of these Acts. In my mind, there is a need for a general Provincial debt moratorium legislation to meet the present prices on the farms in Saskatchewan. There is a need for the Provincial Government to assure farmers that those matters within the power of the Provincial Government will be dealt with in such a way that the farmer does not have to worry in this crisis. Thus I call on the Provincial Attorney General to launch a full-scale review of this type of legislation within his Department and the presentation to this House of immediate and long-range protection for Saskatchewan farmers.

**Mr. Heald:** — Mr. Speaker, the hour is late and I don't want to make a lengthy speech. I don't disagree very much with what either of the Hon. gentlemen has said. I would only remind them of one thing. The Farm Security Act can't do all of the things that they are advocating be done. I agree with what they said. As a matter of fact I made a speech here yesterday on the Resolution of the Hon. Member for Regina North West in which I advocated Federal enabling moratorium legislation which would enable a province like Saskatchewan to set up a Provincial Moratorium Board. That is what is needed. But we can't do it in The Farm Security Act because we haven't got the constitutional power to do it. The Farm Security Act was a very touchy thing when it was first introduced and it stood the test in the courts and it went to the courts, but you can't go very much further in The Farm Security Act and still be within the constitutional competence of the provinces. You have got to have Federal legislation, you have got to have interest legislation which is Federal, you have got to have basic bankruptcy legislation which is Federal. The only way you can do it is to have a Federal Act setting up Provincial Moratorium Boards. you can't do it in this Act. We can't really do very much more than what we are doing by these amendments, except an attempt to update to some extent. I agree with the Member from Regina North West that instead of having crop failure, we should have market failure, but again I think that is moratorium legislation and it can't be done by a Provincial Legislature.

Motion agreed to and Bill read a second time.

The Assembly recessed from 5:30 to 7:30 p.m.

#### SELECT STANDING COMMITTEE ON PUBLIC ACCOUNTS AND PRINTING

**Mr. G.G. Leith** (Elrose): — Mr. Speaker, during consideration of the Report of the Special Committee on Standing Orders and Procedures of the Assembly, the Hon. Mr. Guy moved a Resolution which pertained to the recommendation regarding the Select Standing Committee on Public Accounts and Printing and which I ruled to be in order on the grounds that this specific matter had not been decided by the Assembly in the present Session.

Mr. Dewhurst appealed my ruling.

Ruling of chairman confirmed on the following recorded division.



**YEAS — 31**

Thatcher  
Howes  
McFarlane  
Boldt  
Cameron  
Steuart  
Heald  
McIsaac  
Guy  
Barrie  
Loken

MacDougall  
Coderre  
Larochelle  
MacDonald  
Estey  
Hooker  
Gallagher  
Heggie  
Breker  
Leith

Radloff  
Weatherald  
Mitchell  
Gardner  
Coupland  
McPherson  
Charlebois  
Forsyth  
McIvor  
Schmeiser

**NAYS — 22**

Lloyd  
Bowerman  
Messer  
Wood  
Blakeney  
Davies  
Romanow  
Dewhurst

Meakes  
Berezowsky  
Smishek  
Thibault  
Snyder  
Michayluk  
Brockelbank

Baker  
Pepper  
Matsalla  
Wooff  
Kwasnica  
Kowalchuk  
Byers

**MOTION**

**SATURDAY SITTING**

**Hon. D.V. Heald** (Attorney General): — Mr. Speaker, I move seconded by Hon. J.C. McIsaac (Minister of Education, by leave of the Assembly:

That notwithstanding Standing Order 2, on Saturday, April 18, 1970, the Assembly shall meet at 10:00 o'clock a.m. until 10:00 o'clock p.m. and there shall be two-hour recesses at 12:30 o'clock p.m. and 5:30 p.m., the Order of business on Saturday to be the same as on Friday.

Motion agreed to.

The Assembly adjourned at 10:00 o'clock p.m.