

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Third Session — Seventeenth Legislature
20th Day

Wednesday, February 21, 1973

The Assembly met at 2:30 o'clock p.m.
On the Orders of the Day.

WELCOME TO STUDENTS

Mr. Loken (Rosetown): — Mr. Speaker, before the Orders of the Day I should like to introduce to you and to the Assembly a group of 55 Grade Eight students attending Division III school at Rosetown. They are accompanied by their principal, Mr. MacIntosh, teachers, Mrs Wicket and Mr. Bromwell, also two attendants, Mr. Wicket and Mr. Rysavy. I know the Assembly will join with me in wishing them a pleasant afternoon and a safe journey home.

Hon. Members: — Hear, hear!

Hon. Mr. Kramer (The Battlefords): — Mr. Speaker, I should also like to add words of welcome to the Rosetown students, being that Rosetown is a suburb of North Battleford. I want to congratulate them and their teachers on that brilliant group whom I had the pleasure of speaking to and answering questions. Their questions were more pointed than some of the questions from across the floor and I welcome them and I hope they have a good trip home.

Hon. Members: — Hear, hear!

Mr. Thibault (Melfort-Kinistino): — Mr. Speaker, it gives me great pleasure to introduce a fine group of students from the Domremy High School. They left at 5:00 o'clock this morning. They are accompanied by their teachers and bus driver. The bus driver is Mr. J. Denis and the teachers are Miss S. Robert and Mr. W. Haugen. They have had a wonderful trip so far visiting the steel mill and the Museum of Natural History. I know that this trip here means a great deal to them and I hope this afternoon we'll be able to put on a demonstration of what democracy in action is really like. With this I want to say that I hope their trip is an educational one and wish them a safe journey home.

Hon. Members: — Hear, hear!

QUESTIONS

Work Stoppage on South Saskatchewan River Project

Mr. Steuart (Leader of the Opposition): — Mr. Speaker, before the Orders of the Day I should like to thank the Attorney General for telling me privately the increase in car rates will amount to \$2.5 million, the toughest increase probably ever hit the voters of this province. I would like to thank him.

Mr. Speaker, there was a news item and I want to mention it because just to preface my question to the Minister of Agriculture

(Mr. Messer). One of the senior officials of the Department of Agriculture in Alberta, Mr. Shopmeyer has recently stated that Alberta will increase its production of irrigated vegetables from the irrigated land by something like \$3 million to take advantage, to quote him, of markets available in Saskatchewan and British Columbia. In view of this and in view of the fact that the province received a windfall from the Federal Government of \$25 million, and we are losing markets. Will the Minister of Agriculture change and rescind his decision to stop irrigation work on the west side of the South Saskatchewan River Project?

Hon. Mr. Messer (Minister of Agriculture): — Mr. Speaker, I know nothing of the statements that this Leader of the Opposition (Mr. Steuart) refers to. I should like to say to the Members of this House as I have in the past that we have exhausted all efforts in regard to finding the possible plants that are needed in an irrigated area in order to make an irrigated area a viable one for farmers. We have had no success in that nor have some other provinces in regard to expanding the base that they now have. I will certainly take into consideration the remarks of the Leader of the Opposition that someone is in fact knowledgeable of perhaps expanded acreage in irrigation that it would bring about some processing industry and if, in fact, there is some truth in that we would consider it. But to our knowledge there is certainly no potential expansion in that area in Canada at the present time.

Mr. Steuart: — Supplementary question, Mr. Speaker. I wonder if the Minister is aware, if he isn't he had better check with his Department, that the Province of Alberta has recently concluded a deal with the Federal Government to have the Federal Government support them to the tune of about \$70 million to help them revitalize and beef up their irrigation system in Alberta. Is he aware of this?

Hon. Mr. Messer: — Mr. Speaker, I certainly am aware of that and I have had some extensive discussions with the Minister of Agriculture in Alberta in regard to that. And the very fact that they have had to ask and require \$70 million from the Federal Government to reconstruct and update their works shows that in fact, the irrigated projects in Alberta have not been able to pay their way and they still continue to be subsidized by the Provincial and Federal Government.

Mr. Steuart: — As a matter of fact, Mr. Speaker, what it shows is that the Government of Alberta got its toe . . .

Mr. Speaker: — Order, order! We have had one supplementary question, we can't pursue that item any further at this time.

Increase in University Grants

Mr. MacDonald (Milestone): — Mr. Speaker, I should like to direct a question to the Minister of Education (Mr. MacMurchy). Has the Minister of Education decided to re-evaluate his decision and increase the grants to the University of Saskatchewan? They have just

received a bonanza of some \$26 million from the Federal Government. In view of the fact that it was to be directed toward education and it will prevent the dismissal of a large number of professors and most important of all prevent a large increase in the tuition fees to students attending the University of Saskatchewan.

Hon. Mr. MacMurchy (Minister of Education): — Mr. Speaker, no, we have not re-evaluated our position with respect to the grant to the University. With respect to the increase in tuition, amounting to about \$50, I indicated to the Member during the debate on the Budget that we had provided additional funds for a good bursary program which will meet the needs of the students who are in need of those kinds of funds to attend university and to attend a technical institution.

Mr. MacDonald: — A supplementary question, Mr. Speaker. Does the Minister of Education realize that the increase of \$50 per student in the University of Saskatchewan and the increase of cost of tuition to the post secondary technical schools will cost the young people of Saskatchewan well in excess of \$1 million? He is, in fact, throwing an additional \$400,000 in the bursary program. In other words the young people of Saskatchewan will pay additional fees in excess of \$600,000.

Mr. MacMurchy: — Mr. Speaker, in reply to the supplementary question. I am not sure that I am aware of the figure he indicated. I think I did indicate that those students who do need assistance will have adequate assistance provided for them. This has been the case in the past. It was not the case under the Liberal administration, may I say.

Some Hon. Members: — Hear, hear!

Mr. MacMurchy: — May I say that it was only two years ago that we started a bursary program and we have increased that bursary program under the new basis from a maximum of \$500 to a maximum of \$850. Students will now receive from two years ago when it was \$1,400 maximum, a maximum of \$2,100, just in two years.

Some Hon. Members: — Hear, hear!

ANNOUNCEMENT

CRTC Hearing re French Radio Stations

Mr. Gross (Gravelbourg): — Mr. Speaker, before the Orders of the Day, I should like to inform the Members of this House of the recent CRTC hearing in Montreal.

On Monday we attended a hearing regarding the two radio stations in Saskatchewan, that being, CFRG in Gravelbourg, and CFNS in Saskatoon. Plans of the CBC are to centralize French network programming in Regina and purchase the two private radio stations, CFRG and CFNS. We do not feel that by this action, Gravelbourg in particular, would benefit culturally or economically. In keeping with the principles of our Government, we stand for saving rural community life and stopping rural

depopulation. The Government of Saskatchewan at that hearing, I think, got a sympathetic response from the CRTC. I trust all Members will appreciate that no decision has been reached on this matter and that we shall await with anticipation their decision. Mr. Speaker, could the Minister advise whether the Government filed a submission with the CRTC in this connection.

Hon. Mr. Tchorzewski (Minister of Culture and Youth): — Mr. Speaker, I am very glad that the Member for Gravelbourg asked that question.

Some Hon. Members: — Hear, hear!

Mr. Tchorzewski: — I should like to congratulate him. I think the Member for Gravelbourg should be congratulated on his interest in his constituency.

Some Hon. Members: — Hear, hear!

Mr. Tchorzewski: — I am very glad to be able to answer the Member that, yes, the Government did submit an intervention to the hearing of CRTC. We made an intervention regarding the proposed transfer of CFRG in Gravelbourg and CFNS in Saskatoon to the CBC. We expressed our support for the objective of an official languages extended service programming throughout Saskatchewan and throughout Canada. We expressed our concern about the adverse affect that it possibly might have on Saskatoon and on Gravelbourg in the light of the concern of this Government for rural Saskatchewan.

Some Hon. Members: — Hear, hear!

Mr. Weatherald (Cannington): — Would the Minister of Culture and Youth file the copy of the report and the submission that he apparently sent.

Mr. Tchorzewski: — Mr. Speaker, I will get a copy and I will have it filed.

Removal of Succession Duties and Gift Taxes

Mr. MacLeod (Albert Park): — Mr. Speaker, I should like to address a question to the Hon. Minister of Finance (Mr. Cowley). I inquire as follows; in view of the welcome announcement on Monday night that the Federal Government is eliminating capital gains tax on all transfers of the family farms between generations, has the Government now decided to remove entirely the tax threat to farms and to small businesses in Saskatchewan by removing Succession Duties and Gift Taxes entirely, or alternatively, have they decided to put the exemption at \$.5 million?

Hon. Mr. Cowley (Minister of Finance): — Mr. Speaker, if the question is, have we decided, which I assume the Member is asking in view of the Speaker's ruling yesterday. The answer is no.

CONDOLENCES

Mr. Steuart (Leader of the Opposition): — Mr. Speaker, before the Orders of the Day, I know it is customary in the following year, but I thought the House would pardon me if I brought this to their attention, I just heard this morning of the very unfortunate passing of Russ MacNutt, who was a Member, as you know, Sir, having sat with him in this Legislative Assembly for many years. His father, I think, was one of the earliest Speakers of this Assembly. I recognize that more appropriate tribute will be paid to the memory of Mr. MacNutt at a later time but I did think that the House would want me to bring this to their attention and express the regrets, I am sure, of all Members to his family and pay a tribute to his memory.

Hon. Mr. Blakeney (Premier): — Mr. Speaker, may I associate those on this side of the House with the remarks of the Leader of the Opposition. We had not heard this unfortunate news but we certainly join with him in tendering our condolences to the family, the MacNutt family are part of the history of this province. Many of the students who may have visited in the Library, will have seen a chair there that belonged to Mr. MacNutt, the elder, who I think was perhaps the first Speaker of this Legislature, indicating the long period of service of that family in the public life of Saskatchewan. Members, I know, will avail themselves of the opportunity at the appropriate time to extend more appropriate condolences on the passing of Mr. MacNutt.

SECOND READINGS

Hon. Mr. Romanow (Attorney General) moved second reading of Bill No. 14 — **An Act to amend The Law Reform Commission Act, 1971.**

Hon. Mr. Romanow: — Mr. Speaker, as the Leader of the Opposition (Mr. Steuart) would say, I just happen to have my music with me, on this one. This is Bill No. 14 — maybe I don't have the music. This is Bill No. 14, a Bill with respect to The Law Reform Commission Act and an amendment to this particular statute.

Mr. Speaker, although the amendment is a fairly minor amendment in terms of legislation because it only changes the composition of the Commission, I should like to say a word or two about the Law Reform Commission and what plans we have for it at this time on second reading.

Members of the House will know that in 1971 legislation was enacted to provide for the establishment of The Law Reform Commission of Saskatchewan. The duties of the Law Reform Commission include the taking and keeping and keeping under review all the laws of the Province of Saskatchewan including statute law, the law that we pass, common law and judicial decisions. With a view to its systematic development and reform and some other possible activities to include codification of the law, if possible, to eliminate anomalies that exist, to recommend the repeal of obsolete and unnecessary statutory enactments. Another function of the Law Reform Commission could be to advocate the reduction in the number of separate enactments and generally, Mr. Speaker, to simplify and to modernize the provisions of the law as it exists in the Province of Saskatchewan.

Now, Mr. Speaker, all Members of the House would readily agree with me I am sure that these are indeed very important functions for the Law Reform Commission. After all, in today's society especially when law comes under increasing scrutiny, when members of our society on a daily basis examine more carefully the relevancy of law to society's standards and demands today, it is very important that we as legislators keep up-to-date and keep pace with the changing mores and the changing attitudes. Furthermore there is the question of the nuts and bolts, if I may describe it that way, of day to day law reform.

The Commission is to receive and consider proposals by the Attorney General, the recommendations of agencies to carry out examinations of the law and other functions to be undertaken at the request of the Attorney General and to formulate proposals for law reform.

Mr. Speaker, the Commission was originally established to consist of five members appointed by the Lieutenant-Governor-in-Council. The chairman was to be the Chief Executive Officer and preside at meetings and hearings. And it is contemplated also that the Lieutenant-Governor-in-Council would appoint permanent officers and employees of the Commission as required for the proper conduct of their business. While the legislation was enacted in 1971, no moneys were provided for the establishment of the Law Reform Commission at that time. This year I am pleased to draw to the attention of the Members that there has been included in the Estimates of the Department of the Attorney General an amount of \$75,000 as it is felt the Commission should need this amount to start on a working and productive basis to get on with these objectives and tasks that I have outlined. In other words, Mr. Speaker, we are not leaving the statute as merely a piece of legislative theory only, but a working model of law reform. And so with the Estimate of \$75,000 that this House will be asked to approve at a later date, hopefully, we will be able to get on with the task of establishing a Law Reform Commission for the Province of Saskatchewan.

Now, Mr. Speaker, some research has been conducted to assess the manner in which this Law Reform Commission can best operate. It is felt by myself that the existing statute requiring five commissioners should be amended, reducing the minimum number of commissioners to three with a provision to increase the size of the Commission when more experience has been gained and if that experience dictates an increase in size. It is considered that a commission of three members would be more effective in its operation and less unwieldy with respect to the calling and holding of meetings and I think, even more difficult with respect to a commission of this nature, the matter of careful study of the law. If experience however, dictates that additional members would be desirable, the amendment then would allow their appointment without coming back to this House for further legislative enactment. However, I want to advise the Members of the House that assuming approval of the Estimates and assuming approval of this Bill, in the initial stages it is considered that three commissioners would be a more workable body and upon approval of the Estimates on April 1st, the commission will in fact be a three man body.

The chairman of the Law Reform Commission will, hopefully, be on a full time basis and there will be two commissioners on a part time basis. In addition provision has been made for the retention of various legal services, with the thought that

expertise in areas to be studied can be best obtained through the retention of solicitors from time to time on specific projects rather than the taking of it all into the hands of the Commission alone.

The permanent staff required in order to institute any law reforms is considered to include the chairman, who will be the chief executive officer of the Commission and one research director. In addition, there will be required a full time stenographer.

Mr. Speaker, the establishment and the activating of the Law Reform Commission is in line with the Attorney General's position, of wishing to institute proper research into the many areas of the law requiring study for the purposes outlined in that statute of 1971. And, further, it should be, I think, of great assistance as a liaison between the Government, Members of this House, the profession and the public as a whole that we can review and assess the laws of this province and hopefully modernize, codify and even reform that law for the benefit and improvement of all the people of our province.

Therefore, with those few brief words it gives me a great deal of pleasure to move second reading of Bill No. 14.

Some Hon. Members: — Hear, hear!

Mr. Lane (Lumsden): — Mr. Speaker, we note the comments of the Hon. Attorney General that the amendments are minor. I think that this modesty of the Attorney General is one of the more momentous occasions in this House and also a momentous occasion is the amendment that is presented to this House, Mr. Speaker.

First of all it is the first thing since June 23, 1971 that the Government has proposed that has gone down in number. In light of 457 new civil servants in the Budget, the number of defeated candidates hired, the increase in staff in just about every department it is interesting that the Government opposite sees fit to reduce the number of law reform commissioners.

Mr. Speaker, I join with the Attorney General in supporting the aims of the Law Reform Commission. I don't know whether there is a conflict of interest or not, Mr. Speaker, having drafted the piece of legislation that is now on the books. The goals of Law Reform Commission, of course, Mr. Speaker, are to maintain currency of the law and must maintain respect for the law. We join with the Attorney General in supporting the motion.

Some Hon. Members: — Hear, hear!

Motion agreed to and Bill read a second time.

Hon. Mr. Romanow (Attorney General) moved second reading of Bill No. 15 — **An Act to amend The Criminal Injuries Compensation Act, 1967.**

Hon. Mr. Romanow: — Mr. Speaker and Members of the House, this is a rather minor amendment in the sense of length but, I think, an important amendment in terms of policy with respect to The Criminal Injuries Compensation Act.

Now what this amendment does, very briefly, is to repeal clause (c), subsection (1) of section 10 of The Criminal Injuries Compensation Act. At present, Mr. Speaker, clause (c) of subsection (1), section 10 reads as follows:

The Board (referring to the Criminal Injuries Compensation Board) shall not make an order for compensation under Section 8.

And then (c)

where the injury or the death of a person in respect of which compensation is claimed, resulted from an act or omission of a member of the person's family living with him.

Now, at present 10 (1) (c) says that that is a form of compensation that cannot be fought before the Criminal Injuries Compensation Board.

What this amendment will do is to delete item (c) so that now, by the deletion, the effect of it will be: to grant compensation in appropriate cases where the injury or the death of a person in respect of which compensation was claimed resulted from an act of a member of the person's family living with him.

Many examples can readily come to mind. I think one of the most frequent examples is the question of assault and physical damage in a marital dispute. With the deletion of this amendment I can conceive of the Criminal Injuries Compensation Board in effect, the case having been made out, making an award for compensation to a wife who has alleged that she has been assaulted by her husband, for example, suffered a physical injury and thereby comes to the Board claiming compensation.

One other example might be in relation to child beating. This, as all Members of the House well know, Mr. Speaker, is perhaps an all too frequent occurrence in today's society. This, of course, does not serve to eliminate the illness that exists, but what it will do it will afford a remedy for that child, suing by way of a next friend, suing by way of some adult in society to get some compensation, again, assuming the fact of the case warranted and the damage of the case is such that compensation should be made available to that infant.

There are other examples, I am sure, that individuals can think of. I suppose what really gave the impetus for this amendment, Mr. Speaker, was the fact there was an unfortunate incident several months ago in the Province of Saskatchewan involving death as a result of a criminal act of the member of a family, leaving infant survivors. When an application was sought for compensation it was denied by virtue of the provisions of 10 (1) (c). The Government looked at this very carefully. I felt it was an improper provision and the Government has agreed and thus this amendment is before you today.

Mr. Speaker, while I am on this Bill I should also like to draw to the attention of the Members of the House, and I am sure there will be further questions on this in Estimates, that there is a new Criminal Injuries Compensation Board. Mr. James Eremko who was the former chairman of the Crimes Compensation Board, who would be looking at an amendment of this type of nature if he were still sitting, tendered his

resignation several months ago to the Government after five years of very dedicated and very able service to the Province of Saskatchewan and to the Crimes Injury Compensation Board.

Quite frankly I took the opportunity of the resignation of Mr. Eremko to discuss the matter further with the other members of the Board and the result is that we have a brand new Board chaired now by Mr. David Newsham, a prominent Saskatoon criminal lawyer.

The new Crimes Compensation Board, I think, is still relatively new, somewhat inexperienced, but I hope is working ably. I certainly hope that it works within the spirit and the intent of the statute, said spirit and intent being to provide compensation in cases where there has been injury as a result of criminal conduct by persons.

Well, Mr. Speaker, I welcomed the Bill when it was introduced by the former Government, in principle. At that time it was pioneering legislation. We congratulated them at that time. I think this principle expands the operations of the Board to a very significant and important degree. I think that we can say, in this area by virtue of this amendment that we are now opening up an avenue of opportunity to a whole new group of people that up until now have been denied that opportunity, and denied those remedies and privileges of the law.

Therefore, it gives me a great deal of pleasure to move second reading of Bill No. 15.

Some Hon. Members: — Hear, hear!

Mr. Lane (Lumsden): — Mr. Speaker, we have some concerns about the legislation proposed by the Hon. Attorney General, the amendments to The Criminal Injuries Compensation Act. As the Attorney General stated this legislation was passed by the previous Liberal Government.

The Attorney General gave a couple of examples where the amendment can have some affect, the first is in regard to marital differences. We can foresee the following situation arising, however, and that is in many marital circumstances, Mr. Speaker, if a criminal offence has taken place, what will happen is that the charge will be laid and then withdrawn by one of the spouses. We can see a potential for abuse in this particular aspect, Mr. Speaker, which concerns the Members of the Opposition.

We also have another example given by the Attorney General and that is the question of child abuse. The Attorney General suggested that perhaps the application on behalf of the battered child would be made by a guardian ad litem. In light of the difficulty of prosecuting such offenses there is an excellent possibility that the application can be made by the parent, who for a better word, assaulted or battered the child. You can't convince any Member of the House that if the application is made by the parent who battered the child, on behalf of the child, that the child is going to get the money for the damage. That concerns us and I think it is a legitimate concern.

We are concerned in this legislation. The Attorney General

did make it quite clear that this was pioneering legislation. It was only the third instance in the free world in the extent that it goes. We won't oppose the legislation, Mr. Speaker, but we want to make it clear to the Minister responsible for the Criminal Injuries Compensation Board that we will question, and will put questions on the Order Paper, next year to find out if the proposed amendment is being abused. We don't want to prejudge what's going to happen with this amendment, but we feel, in the Opposition, that the legislation is pioneering legislation and it is still pioneering legislation, but there is a potential for abuse with this amendment that could make a mockery of the plan and make a mockery of the Board. And if this happens we have no alternative, in the Opposition, but to propose amendments next year. There is a great potential for abuse and we are concerned. We don't want to prejudge it we want to see what will happen.

Some Hon. Members: — Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker, I acknowledge the concern raised by the Member from Lumsden with respect to the potential abuse. I grant to him the argument. I think it does exist there. I suppose that in legislation, in all forms of government programs, the potential for abuse exists.

Unfortunately we see it, for example, in cases such as the Saskatchewan Assistance Plan, as an example. I am sure my colleague the Minister of Social Services will not object to me saying that. So that there is potential for abuse I am sure throughout.

The important thing is, however, that the policy of a bill not be thwarted and the policy of this Bill No. 84, when it was passed in 1967, is to provide compensation to innocent victims of crime, regardless of the circumstances the policy being compensation to the person who has been hurt as a result of criminal conduct, not because of anything he has done at all.

If the principle of the Bill is that that person should receive compensation then it appears to me that a very logical extension is to the members own family. There is no reason, I don't think, where a wife, for example, using the same example over again, who suffers a physical assault on her should be forced to live in silence and not get any compensation on that. I agree that there are dangers for abuse and certainly I would hope that the Board would not have to deal with such a situation as cited by the Member for Lumsden on the battered child. If such a situation develops we will be the first ones to bring in appropriate remedial amendments to make sure the abuse is stopped.

But in terms of the principle of the Bill, Mr. Speaker, I am glad to see the Member for Lumsden supporting it because I do think that it is a very important amendment to open up and expand the benefits of this Bill.

Some Hon. Members: — Hear, hear!

Motion agreed to and Bill read a second time.

Hon. Mr. Romanow (Attorney General) moved second reading of Bill No. 16 — **An Act to amend The Surrogate Court Act.**

Hon. Mr. Romanow: — Mr. Speaker, and Members of the House, this Bill has to do with The Surrogate Court Act.

Members will know, The Surrogate Court Act is the statute that deals with the law relating to the probating and handling of the estates of deceased individuals in order to make sure there is an orderly disposition, according to law, on the estates of the deceased individuals to beneficiaries.

Now the effect of this amendment to Section 45 — a one page amendment — will be as follows:

1. It will increase from \$1,000 to \$5,000, the value of estates that may be processed under this section, Section 45.
2. It will remove the statutory provision fixing a fee of \$10 and replacing it with a statutory provision which authorizes the Lieutenant-Government-in-Council to prescribe the fee payable to the local clerk.

Mr. Speaker, you will note that Section 45 says that;

where a probate of a will or letters of administration are sought, the value of the property of a deceased does not exceed \$1,000.

That is the way it presently reads.

The clerk shall upon demand of anyone entitled thereto other than a creditor (someone who is claiming against the estate) prepare all the necessary documents leading to the grant of the probate or the grant of the letters of administration.

What in effect Section 45 does is that it provides a ready and easy means of probating estates of fairly small value. That is to say, an estate now \$1,000 or less, a person can come and have the clerk do all the work and a fee of \$10 is presently set out in the statute.

It is to be noted that Section 45 as amended will refer to the case that will increase this value now up to \$5,000. And the reference is to real and personal property. And under this procedure the clerk will prepare the necessary papers, to lead to the grant of probate or the letters of administration.

In effect, Section 45, provides a simplified and inexpensive method for securing a grant of letters probate or letters of administration.

One might ask the question of why there is no complementary amendment of subsection (1) of Section 46. Well under this Section where the value of personal property of the deceased does not exceed \$1,000 the court may without the grant of probate or administration as the case may be, order that the personal property be paid or be delivered to such person as the court directs in paying funeral expenses, debts and the balance is then paid over the beneficiary.

The procedure under Section 46, which is not open for

amendment at this time, is quite different and unapplicable to the provisions that are under review under Section 45.

Under Section 45, Mr. Speaker, probate issues in the usual manner, whereas under Section 46 no probate is issued as the court simply makes an order. A fee of \$5 is payable under Section 46.

Now, Mr. Speaker, what is the effect of this amendment to Section 45? The amendment to Section 45 will result in an obvious and substantial increase in the number of estates to be processed by our local courts in the judicial centres. It will be more work for them. But, the benefit for our people, I think will be obvious to everybody. Here we will have a whole new range of people up to \$5,000 who will avoid the expense of legal counsel who avoid the expense of letters of probate and administration having to be prepared at the expense of the estate or at their own personal expense. Now up to \$5,000 a person can walk into the Clerk's office and have the Government official do the documentation for him for a very nominal fee. It is a quick simplified, inexpensive way of providing service to the public of the Province of Saskatchewan. I am very pleased that we are upping this ceiling to \$5,000 and opening this whole new opportunity of help to a greater segment of the people of the Province of Saskatchewan.

With those few words, Mr. Speaker, it gives me a great deal of pleasure to move second reading of Bill No. 16.

Some Hon. Members: — Hear, hear!

Mr. Lane (Lumsden): — Mr. Speaker, we in the Opposition, again supposedly on a routine Bill, have several concerns which are going to force us to oppose the proposed amendments presented by the Attorney General. We are fully aware of the potential benefit for individuals in increasing the monetary value of the estate that will be now prepared by the Clerks of the Court. We are somewhat concerned for two reasons. First of all, Mr. Speaker, we note in the Estimates of the Department of the Attorney General that there is no proposed increase of staff to handle the increased workload to which the Attorney General refers. This leads us to believe and we are convinced that the amendment to clause (3) that the fee payable is now subject to regulations will mean an increase in fees, Mr. Speaker, and we can't in the Opposition be expected to buy a pig in a poke. This is designed, supposedly, to help people. All indications are in order to pay for the increased staff that it is going to become necessary to do this proposed amendment that fees will have to be increased again. We see no indication in the Estimates that there will be an increase in staff to handle the proposed increase.

We have another concern, Mr. Speaker. We are somewhat concerned about the drafting of the legislation. We can't see any other reason for it happening, Mr. Speaker, but basically subsection 1 of Section 45 the proposed amendment extends to \$5,000 in monetary level and requires the local clerk to prepare the necessary papers to lead to a grant, including all papers and proofs required by The Succession Duty Act, 1972.

Then we find a clause, Mr. Speaker, on checking this matter out, we can't really find out what law the Attorney General is referring to because the Clerk is also required to prepare the

papers of any other Act of the Parliament of Canada relating to the payment of succession duties. Lo and behold, Mr. Speaker, we find that there is no Act of Canada relating to succession duties. We are a little concerned, Mr. Speaker, because again we suspect that it may be poorly drafted. We can't see that the Attorney General would bring before the House some matter knowing full well that the Government of Canada has no such legislation. The Government of Canada, Mr. Speaker, has not had legislation since December 31st, 1958 when The Succession Duty Act was repealed and replaced by The Estate Tax Act which is not referred to in the proposed amendment. We had before the House, Mr. Speaker, a year ago when succession duties were implemented a distinction by the then Provincial Treasurer, the Premier, of the difference between an estate tax and a succession duty and he made quite a lengthy speech, Mr. Speaker, on the difference between estate taxes and succession duty.

Now in the proposed amendment of the Attorney General no mention is made of estate tax legislation and again it is the feeling of the Opposition, Mr. Speaker, that we are being asked to vote by implication in of the retention of succession duties which we in the Opposition most adamantly oppose. Mr. Speaker, we have opposed succession duties in concept and we are being asked to vote for them in this legislation. We will not do it, Mr. Speaker. We oppose succession duties because it is inequitable taxation and the Carter Commission makes that clear. It is unnecessary legislation, Carter makes that quite clear. It also becomes unnecessary in light of the proposed budgetary changes by the Minister of Finance of the Liberal Government in Ottawa, Mr. Speaker.

This Bill, Mr. Speaker, is, if not in error with that clause, cheap politics. It is unwise politics, it is unfair politics, Mr. Speaker. We in the Opposition have opposed succession duties and will continue to oppose succession duties. Again, Mr. Speaker, we oppose this legislation for that very reason that the Attorney General is before this House asking for an endorsement of succession duties. We oppose this legislation because all indications are, Mr. Speaker, although no amounts are set, that the amount of the fees that will have to be paid by the very people who are supposedly to be helped by this are going to be increased and we, in the Opposition, intend to oppose this Bill.

Some Hon. Members: — Hear, hear!

Mr. Steuart (Leader of the Opposition): — The question of succession duties are raised in this Bill and I realize it may be a bit of a stretch to talk about succession duties. I notice again that the only Estimate they will bring in is \$2.8 million, it is a pitiful sum considering what is happening to money going out of this province into the Province of Alberta. This thing wouldn't be as stupid if Alberta and everyone else in Canada was charging succession duties but the fact that Alberta is not, and this is a tax haven, this hurts us and hurts us badly, for merely \$2.8 million. Not that that is a paltry sum but it is compared to what we are losing.

I should like to ask this question when the Minister closes debate. We have had several complaints earlier in the year, or last year rather, about a holdup in settling estates. Now I am told, we have got a Return, and there is something like

35 or 40 — I may have my figures wrong — out of about 140 estates that have been settled. Now when the Hon. Mr. Benson was the Minister of Finance in Ottawa he did some things I didn't agree with. He's the head of the Transport Commission, and if he doesn't show any more brains as head of the Transport Commission than he did when he agreed to collect this tax for you people and get all the blame for it, then we are in trouble in the Transport Commission, I can tell you that. I wonder, if the Minister when he closes, could tell us — and I know this normally would come under Estimates, Mr. Speaker, but it may be weeks before we get to these Estimates — if any progress has been made in speeding up the settling of these estates because there were some legitimate problems, I recognize from your point of view. There were some serious complaints and I had the feeling when I looked into this about six months ago that your bureaucrats were blaming Ottawa's bureaucrats. I had a feeling that heads should have been knocked together both here and in Ottawa so some of these people could get these estates cleared up.

Some Hon. Members: — Hear, hear!

Hon. Mr. Cowley (Minister of Finance): — Mr. Speaker, I have just a few brief words to say. I hadn't planned on entering this debate — I am not sure how this Bill involved succession duties. However, in answer to the Leader of the Opposition's question, the procedure has been speeded up. We understand that they now have the forms printed in Ottawa. That was one of the holdups. I'll endeavor to check and see what the other problems are and provide the answer to the Leader of the Opposition privately. I might say with respect to succession duties that I understand that the Province of Nova Scotia, with a government of the same political stripe as those sitting opposite, has just indicated that it has no intention of getting out of the succession duty field.

Some Hon. Members: — Hear, hear!

Mr. Steuart: — It just shows that all stupidity is not lodged in the NDP.

Hon. Mr. Romanow: — Mr. Speaker, I don't intend to get off on a great big long speech on the matter of estates tax or succession duties. For the arguments about whether or not they are going to attract industry or not attract industry. I think we went through that argument last year. Suffice it for me to say that this was something that I certainly did not expect when I drafted this Bill. When I was thinking about it this morning I wondered what it was that the Opposition could find to remark about this particular Bill and rather thought that they would approve of such a Bill because it turns out that this is a statute which has been on the Books for quite some time. It is in fact Chapter 75 of the Revised Statutes of Saskatchewan, the Revised Statutes being 1965. They were put out in the year that the Government was a Liberal Government of the day. I am not checking the precise wording of it there is reference to succession

duty on that Section 45.

In 1967, the former Attorney General brought in an amendment which is almost identical to the one I brought in only he raised the ceiling from \$500 to \$1000. No mention about succession duties being eliminated then. No mention with respect to the eradication of the problems that were raised by the Member from Lumsden (Mr. Lane) on this particular occasion. Now let me say this, Mr. Speaker, that they brought in the Bill raising the ceiling from \$500 to \$1000. We bring in a Bill now raising it from \$1000 to \$5000. That's the principle of the Bill. It was in 1967 the raising of the ceiling from \$500 to \$1000. Today it is the same in 1973 only we are raising it from \$1000 to \$5000. Now presumably the Government was in of it in principle then because the former Attorney General brought it into law in 1967 and this is the main purpose of the Bill and the Section referred to succession duties right in there and now all of a sudden the Liberals are against it, because the NDP brings it in.

Now, I frankly want to say this to the Member from Lumsden that if there is a drafting error with respect to succession duty or estate taxes with respect to the Bill that can be very easily rectified when it comes to Committee of the Whole. If there is I will get my law office to check it. With all due respect to the Members of the House, I don't know how the Liberals could really say that the principle of the Bill is an endorsement of succession duties. The principle of this Bill and Section 45, by any legal interpretation, by any court case, by any lawyer, is that the Section provides a quick and easy way to probate estates without the need of getting involved with legal expenses and the like. That is what this House is being asked to approve, to raise that ceiling from \$1000 to \$5000. When the Liberals get up and they say that they are going to vote against it, and I hope that they change their minds on it, then I say they are telling a whole range of poor people, a whole range of people whose estates are on poverty level or below, that they are not in of making it easier for them to probate their estates, that they are not in of making whatever small benefits their beneficiaries are going to get, making it easier. They are not in favor of that. Rather what they are in favor of is allowing their big business friends to go off scot free without paying a cent of estate tax. That's what they are going to be saying if they vote against the Bill.

I am certainly saying to the Leader of the Opposition and the Member from Lumsden, that they don't want to say that. No matter how convoluted the interpretation you could place on Section 45, it can't be said that this is an endorsement of succession duties. This is a Bill to help make it easier for poor people to get their estates transferred over to the beneficiaries where it should be as quickly as possible.

Some Hon. Members: — Hear, hear!

Motion agreed to and Bill read a second time on the following recorded division:

Yeas — 40

Messieurs

Blakeney
Dyck

MacMurchy
Pepper

Matsalla
Faris

Meakes
Wood
Smishek
Romanow
Messer
Snyder
Bowerman
Kramer
Larson
Kowalchuk
Baker
Brockelbank

Michayluk
Thorson
Whelan
Kwasnica
Carlson
Engel
Owens
Robbins
Tchorzewski
Cowley
Taylor

Cody
Gross
Feduniak
Mostoway
Comer
Rolfes
Lange
Oliver
Feschuk
Kaeding
Flasch

Nays — 12
Messieurs

Steuart
Coupland
Loken
Grant

MacDonald (Milestone)
McIsaac
Gardner
MacLeod

McPherson
Lane
MacDonald (Moose Jaw N.)
Wiebe

Hon. Mr. Romanow (Attorney General) moved second reading of Bill No. 17 — **An Act to amend The Attachment of Debts Act.**

Hon. Mr. Romanow: — Mr. Speaker, Bill No. 17 is a Bill to amend The Attachment of Debts Act. Again, Mr. Speaker, I think that today's amendments dealing within the Department of the Attorney General are the types of amendments that won't grab the headlines, but are amendments of a great deal of importance to the ordinary man of Saskatchewan. I know certainly if you practise law it appears that one of the most important problems that crop up from time to time is the business of attachment of debts. Somebody is owing a debt and there is a garnishee attached to his wages and there is attachment of a debt and he comes in with all sorts of problems. This Bill deals with The Attachment of Debts Act. Members will know that there is in law presently a Section 22 and Section 22 says that:

Subject to the other provisions of this section no debt due to or accruing due to an employee for or in respect to wages or salary, is liable to attachment unless the debt exceeds the sum mentioned in subsection (2) and then only to the extent of the excess. The amount exempt from attachment shall be as follows:

And then the exemptions are set out. In the case of say a married person supporting at least one but not more than three dependents the exemption is \$200. Now what does this mean? It means really that the person who gets his wages garnisheed, the first \$200 if he is a married person and has at least one but not more than three dependents, are protected. The theory of that is that he has got to have a basic \$200 upon which to survive in his own family and anything in excess of that figure of \$200 is subject to the attachment.

Now, Mr. Speaker, it has become increasingly apparent that there is a need to increase the amounts of exemptions now set out in Section 22 of The Attachment of Debts Act because of inflationary trends, if no other. There have been substantial increases in salaries since the present amounts of exemptions

were last fixed by statute. Salaries have doubled and in some cases trebled in the interval. The proposed legislation will increase the exemptions by \$100 in the case of married persons and those having married status; and by \$50 in the case of other persons. The increases in the exemptions approximate 50 per cent. The proposed amendments would also authorize an employer to retain the amount of the wages of an employee that are exempt from attachment and pay that amount to the employee. At present the majority of the employers send all the employee's wages to the Court House and the employee must then wait until the creditor is settled before he receives the portion of his wages that are exempt from seizure. The purpose of the new Section 2(a) is to make it clear to employers that they are entitled to retain the amount of the exemptions and pay them directly over to the employees without the necessary difficulties of going to the Court House.

So, Mr. Speaker, what do these amendments do? Now in the case of a married person supporting at least one but not more than three dependents, his exemption will be \$300. In the case of a married person supporting four or more dependents, his exemption will be \$325. In the case of an unmarried person, widower or widow, supporting at least one but not more than three dependents, that person's exemption will be \$300. In the case of an unmarried person, widower or widow, supporting four or more dependents, the exemption will be \$325. In the case of all other persons the exemption will be \$150. This will increase the exemptions, as I said, by 50 per cent. What the amendment adding Section 2(a) will do is that it will say that an employee will be entitled to his exemption immediately and the rest of it will be paid over to the Court House. Now, what happens is that the moment the attachment is made everything goes over to the Court House. You have to go through a great long waiting period and difficulties of settling of claims before the exempted portion is given to the debtor. By that time the family is already in difficulty, by that time the children, the wife, may have difficulties. We are smoothing out the practice. I think this will be a welcome amendment.

I say to all Members of the House, Mr. Speaker, that this is a form of consumer protection legislation. It is a form of legislation to benefit our working people and people of lower income groups and other people who have difficulties with respect to payment of debts. I think it's a good step. I think it's one of these Bills that likely won't get that much publicity but it is important. It is with a great deal of pleasure that I move Bill No. 17 — An Act to amend The Attachment of Debts Act be now read a second time.

Some Hon. Members: — Hear, hear!

Mr. Lane (Lumsden): — Mr. Speaker, again, we in the Opposition have some concerns, not with the amounts, Mr. Speaker. We note that the Hon. Attorney General (Mr. Romanow) has bowed to the partisan, political paranoia of the Minister of Labor (Mr. Snyder) in this particular case with the amendment subsection 2(a).

There is another practice which has developed, Mr. Speaker, that we are going to run into in other bills, and that is not referring to some of these particular provisions in the explanatory notes. No mention of the amendment 2(a) is mentioned in the explanatory notes that we have received. We hope that

practice doesn't become widespread.

There are concerns about what Section 2(a) is going to do, Mr. Speaker, it may do what the Attorney General is saying in that it will allow the employer to deduct at the source the amount of the exemption, but there is a great potential for abuse especially in marital circumstances which concerns the Opposition. Because all that the husband, if he is the employee, will have to do at the present time is tell his employer that, yes, I've got the wife with three or four dependents and I'm entitled to that exemption. The employer immediately gives it to him, the rest goes to the Court House. If the employee was not telling the truth, which is not uncommon in situations of marital stress, what will happen is the wife can be left out in left field because of this proposed amendment. And this is of concern to the Opposition. This amendment — Section 2(a) — is going to force every wife to take out a continuing garnishee and it's going to put her to a great deal of additional expense. Under Section 24, it's going to require her to get a court order, it's going to require her to have the court order served on every case on the employer to make sure that she is protected if she and her husband are separated whenever the pay cheque comes along.

We in the Opposition agree with the amounts. It's about time for an increase. We see a great potential for abuse, Mr. Speaker. I'm quite aware and the Attorney General will probably raise it that this Section doesn't apply in cases of alimony or maintenance, however, the idea that it will become widespread is that the employee will simply advise the employer of the number of dependents. The employer has no onus whatsoever to check into whether that is true or not. Many wives, many separated spouses, many spouses receiving alimony are going to be caught short because of this provision.

Again, we will be watching this with some concern and if this is abused, Mr. Speaker, we will be proposing amendments the following year.

Some Hon. Members: — Hear, hear!

Hon. Mr. Romanow: — Mr. Speaker, I apologize about the explanatory note, I noticed that now. I should only like to make two comments in this regard. I'm sure I don't mean this in any chippy way or argumentative way. All Members of the House should realize that the formal document is the proposed Bill. The explanatory document is only an attempt to make it easier for Members to understand the Bill. That's not to say that we should leave provisions out and I will make every effort to ensure that as far as bills that come from my department, that they are accurate as possible in the explanatory notes, but the important thing to note is that we are relying on the Bill.

Having made that comment, on the question of the possibility of abuse, we don't think this will occur. The employer will have some onus not to be in collusion with the employee. If he knows that the employee is giving false information or if he is taking steps which could be reasonably interpreted as being tantamount to collusion, being wilfully blind to a situation, I don't see any problem there. That would certainly be contrary to the law and could be remedied very easily in an appropriate court of law. I think the situation is such that the potential for

abuse is very small indeed. And again, if it's needed appropriate action will be taken to remedy it.

But we can't get around the fact that the basic principle of the Bill is very good in the sense that it increases the exemption, again, to benefit a whole range of people.

With those few words of rebuttal, I move second reading of this Bill.

Motion agreed to and Bill read a second time.

Hon. Mr. Romanow (Attorney General) moved second reading of Bill No. 18 — **An Act to amend The Small Claims Enforcement Act.**

Hon. Mr. Romanow: — Mr. Speaker, again, I indicated in my remarks in the earlier Bill that I must repeat here. This afternoon this Bill No. 18 is sort of the last of a series of five bills which, in my judgment are very, what might be thought of as of minor importance, but bills which have a great deal of impact in the everyday activities of a wide segment of our population.

The Small Claims Enforcement Act is a statute which was legislated, I'm told, during the days of the former Attorney General under the CCF, Mr. Robert Walker. What The Small Claims Enforcement Act seeks to do is to make it relatively simple and easy for small claims to be brought before a court of law and the judge to determine the facts and the issue before it. For example, as the law presently exists, if I have a claim of a maximum of \$200, I can now go to the Small Claims Enforcement Court which is a Magistrate's Court and pay a nominal fee. The court will prepare all the legal documents. I will serve the claim against the person against whom I'm claiming, both of us will appear in court. There is a quick summary hearing and the magistrate makes the decision as to whether or not my claim of \$200 is to be upheld or to be varied or to be denied. There is an avenue of appeal subsequently, if you want to, which then gets more cumbersome unfortunately, to the District Court, a higher court. But basically the purpose of The Small Claims Enforcement Act is to use the court to the benefit of individuals and allowing individuals to get speedy justice.

The purpose of the amendments to Sections 2, 3 and 4 of the Small Claims Enforcement Act, is to increase the ceiling now existing on the jurisdiction of the court, \$200, up to a maximum of \$500, the value of claims that may be brought under this Act by individuals. The present value of \$200 is retained in respect of claims being made by a person other than an individual.

As I have said, The Small Claims Enforcement Act created a court for the use of individuals. The court was, however, and has, however, been extensively used by corporate bodies for the purpose of collecting outstanding accounts. The increase in valuation applies only to individuals. It's considered that corporate bodies are financially able to employ solicitors to bring action in the District Court with respect to amounts exceeding \$200. And so, therefore, there is the distinction for individuals as opposed to corporations.

So, Mr. Speaker, as I said this is the fifth and the final Bill that I will be introducing in second reading this afternoon of the package of bills that I think are certainly consumer

oriented. By this Bill we will be opening up and giving access to this very popular court to a whole new group of people. Again, by virtue of the fact that there are relatively small sums, people will now not have to get the expense of lawyers' costs and go through the sometimes complicated, in fact, I think, very difficult procedure that exists in courts in order to recover a relatively small claim. It will allow a speedy hearing of the claim and a speedy determination of the rights of the parties involved. This raising of the ceiling from \$200 to \$500, I think is overdue. It will strengthen the popularity and respect for the court.

With those few words I move second reading of Bill No. 18 — **An Act to amend The Small Claims Enforcement Act.**

Mr. Lane (Lumsden): — Mr. Speaker, the legislation that has now been brought before this House by the Hon. Attorney General (Mr. Romanow) is one of the most discriminatory pieces of legislation ever introduced in this House. The amendment will rule out access to the small claims court by credit unions, societies, and partnerships. Mr. Speaker, the whole intent of this legislation is just the opposite. It's to make justice more accessible to people with relatively small claims, and I mean small in an economic sense because I think we all realize that on an individual basis the amount of the claim may not be the major concern. Mr. Speaker, this legislation gets away from the whole concept of The Small Claims Enforcement Act which is to make the courts more accessible and we oppose that legislation because it does discriminate.

Mr. Speaker, the Attorney General has referred to corporations not taking advantage of the Act. And I suggest to the Attorney General that he is quite wrong in both what the intention was and what, in fact, happens. Because in Section 3 of his own amendment, Mr. Speaker, he amends Section 11 of the Act which refers merely to a counter-claim or a set-off by a defendant, this being a situation where the defendant thinks he has a right of action against the plaintiff who brought the action against him. So it merely says "defendant" and "plaintiff". An individual under the Attorney General's provision can bring an action, a defendant can be a corporation because the definition in the Act of a defendant includes a person.

If we then turn to The Interpretation Act of the Province of Saskatchewan which is overriding on this, "person" includes corporation in Section 21 of the Act, subclause 19. Therefore, what is happening in the proposed amendments of the Attorney General, he is ruling out corporations for bringing an action but he is allowing them to bring set-offs and counter-claims which is somewhat confusing, to say the least, and at variance to the legislation. But what he has done, Mr. Speaker, by limiting a plaintiff to being a person other than an individual which he does in clause 2 of the proposed Bill, he is ruling out from access to the small claims court every credit union, every society, and every partnership in the Province of Saskatchewan, and let's not mention the small businessman who does not have the money to obtain legal counsel.

Mr. Speaker, we are going to have to get away from the idea that every corporation is a large one. Many of the corporations and most of them in Saskatchewan are small groups of individuals who are incorporating either for accounting purposes or for tax

purposes. And every one of these people is being ruled out by the legislation brought by the Attorney General. Every credit union is being ruled out, every society is being ruled out, and it includes religious societies. Mr. Speaker, this legislation proposed by the Attorney General is completely discriminatory and it is completely against the intent of the Act itself. Mr. Speaker, all that the Attorney General had to do was increase the amount to \$500 and the problem would have been solved. And that's all he had to do. But instead by restricting it with the amendments that he has put in, all these people are ruled out from access to justice and for that reason we in the Opposition oppose the legislation.

Some Hon. Members: — Hear, hear!

Mr. MacLeod (Regina Albert Park): — Mr. Speaker, I believe the importance of remarks of my worthy friend from Lumsden require examination because of their impact and for that reason I beg leave to adjourn the debate.

Debate adjourned.

Hon. Mr. Messer (Minister of Agriculture) moved second reading of Bill No. 20 – **An Act to amend The Conservation and Development Act.**

Hon. Mr. Messer: — Mr. Speaker, in speaking to Bill No. 20 which this amendment to the Bill is hopefully intended to clarify. The Conservation and Development Act makes provision for the establishment of local government bodies known as conservation and development areas for the purpose of undertaking water control programs designed primarily to relieve flooding problems on agricultural lands. In undertaking construction of drainage and flood control works it is often necessary to cross railway company roadbeds or to convey water to satisfactory outlets. The installation of such crossings is relatively costly and often represents a significant part of the total construction costs.

Section 272 and Section 273 of The Federal Railway Act set out procedures for the installation of such structures, but do not specifically identify financial responsibilities associated with these installations. Consequently, the railway companies have always resisted any financial participation. It was, therefore, necessary to introduce complementary provincial legislation to clarify these responsibilities. This was done at the last Session of the Legislature when Bill 22 was passed making it mandatory for public utilities to pay all the increase of cost of construction, replacement, alteration and maintenance of works that is caused by the existence of the public utility within the boundaries of conservation and development areas.

Subsequent to the passing of that legislation, two conservation and development areas, namely Wascana, located southeast of Regina, and Tatagwa in the Weyburn district, submitted requests to the railway companies to remove obstructions in existing roadbed crossings of water conveyance channels. In both cases, the railway companies agreed to undertake the necessary work. The work required by the Wascana Conservation and Development Area has been completed and to our minds an

excellent job was done, while the work required by the Tatagwa Conservation and Development Area is scheduled for this coming spring. This, Mr. Speaker, marks the first time that a railway company in this province has co-operated with local farmer groups in undertaking channel improvements of this kind.

Mr. Speaker, recognizing now that in practice it is often necessary to extend water conveyance works beyond the boundaries of a sponsoring conservation and development area in order to reach adequate outlets, it is proposed that the previous legislation be amended to provide for mandatory participation by public utilities regardless of whether works are constructed within or outside the boundaries of the conservation and development areas. Such a provision would be consistent with the intent of last spring's legislation and would further relieve affected farmers of financial burdens that they are presently carrying and which should be the responsibility of the public utility concerned.

Because of these fact, Mr. Speaker, I move second reading of this Bill.

Some Hon. Members: — Hear, hear!

Mr. Weatherald (Cannington): — Mr. Speaker, he didn't close the debate. How could he?

Mr. Speaker: — Order! I'll recognize the Hon. Member, but when the debate is moved it doesn't have to be closed if somebody doesn't rise.

Mr. Weatherald: — You'll give me more than the usual fifteen seconds next time, Mr. Speaker, if you may allow me to say so.

I don't want to quibble over it, but I think we all still have a right to speak in the Assembly if we wish to.

Mr. Speaker, I think the remarks that the Minister has made are not particularly objectionable to those Members on this side but I should like to make a few comments about the Act itself.

The Act, last year, was brought in for debate into this Session and the Minister at that time, I think said that he would be willing this particular year to bring in some changes that we had been advocating in this particular Act. I think that it's unfortunate, from our point of view and from the Saskatchewan people's point of view that now resource use is receiving so much discussion that we have not had any changes in the present Conservation and Development Act which are needed very much at this particular time.

I want to illustrate again, as we did last year, some of our objections to the present Conservation and Development Act, Mr. Speaker.

First of all, under the present Act, I think there are three major objections to the Act as it is constituted. Under the present Act people have the right to form an association by voting themselves in which would set up an area so that the people within the area then tax themselves for adjustments to some of the land in the form of drainage or construction of

facilities that will improve the land. I think this is very objectionable in the present context of needing to use our resources in the proper manner, Mr. Speaker. We find increasingly that individual farmers are joining together to form associations to drain water off of the land with the intention that the province participate to the extent of 60 to 70 per cent of the actual cost. This is, I think, objectionable to many people in Saskatchewan because we find increasingly that the taxpayers' money is going to be used by the people in that development area for drainage of sloughs or tracts of water that the taxpayers themselves do not want to see drained. What this basically amounts to is that frequently a group of people band together that may only encompass five or six farmers. Fifty to sixty per cent of the cost in that area may be contributed by the Provincial Government and yet we actually have literally hundreds of other persons that would much, much prefer to see this amount of water left on the land and in its present state and yet they find their tax dollars going to the drainage of the water that's on this land. I think that's one of the very severe objections to the present Act, as it is constituted.

A second serious objection, Mr. Speaker, is that the individuals on that land, also under our present law, stand to make a very sizeable capital gain at the expense of the other taxpayers of the province. This certainly comes about, Mr. Speaker, when a person buys a piece of land at a very, very low price because it's presently under water. He then forms an organization, a conservation and development area, he has paid a low price for the land because it is poor land flooded by water, and then he asks for a contribution by the province to be able to have this drainage project undertaken. It is then obvious that once the drainage is undertaken that the land itself, probably doubles or triples in value, Mr. Speaker, and the person that once had bought cheap land, then is in a very good position to make a sizeable capital gain upon that property if it is sold. Again, I think we are working — it's a government policy that is certainly working against the best use of our resources of our province.

Thirdly, Mr. Speaker, I think last winter that we demonstrated that the voting procedures to set up conservation and development areas are frequently both irregular and unfair. I believe last year that we illustrated a case where a quarter section of land which normally would carry one vote, in the formation of an area carried four, simply because the quarter section was in the estate and four people were able to participate in the ownership because it was still in the estate. In that particular case the vote was carried simply because all four people, as joint owners of that quarter section, cast votes in favor of forming an area whereas many of the other people that only had one vote per quarter section had opposed. I think again this is another change that needs to be brought in by the Minister in regards to The Development and Conservation Act.

I recognize, at the same time, that there are individual cases where flood assistance and flood control is necessary, that it is ruinous to farm land and farm buildings, Mr. Speaker, in extraordinary circumstances when rivers or areas flood because of high-water tides. I think this is much different, however, to the situation where a slough existed for the last 50 years, or maybe 100 or 1,000 years in a particular area and the government is assisting in the drainage of this particular area.

I think, Mr. Speaker, and I hope, that I have demonstrated to the Minister the need for some changes in The Conservation and Development Act to control the proper use of the water resources and land resources of our province. Currently I may suggest to him that our ratio of land to water in Saskatchewan, I think water resources may approximate two per cent as far as water fowl is concerned, as far as the production and development this is an exceptionally small amount of water. If we lost half of that over the years, and we are constantly moving in that direction, a million acres lost to agriculture, or lost to the production of wild fowl etc., in the western provinces (I'm speaking of all western Canada) a million acres would constitute a fifty per cent reduction as far as wild life resources are concerned. It would only constitute one-half per cent increase in agricultural land as far as farming is concerned. I think most farmers agree that the potential for production on the present agricultural land is absolutely tremendous. That really it is in the best interest of everyone that at least for the next few years we do stop many drainage projects and I might suggest that if this land is needed in ten or fifteen years, we will certainly still have ample time to be able to drain all the water and knock down all of the wild life habitats that we have.

I believe, Mr. Speaker, that this is not a tremendous political issue. I don't look at it as a political issue, but I do look on it as I think many other people of Saskatchewan do, an important change that can bring about a better and more rational use of our resources. While I have no particular objection to the change the Minister is making, I certainly do suggest that The Conservation and Development Act needs some very, very important and drastic changes made and I think that if he was to make them he would find a great many of the people of Saskatchewan would support those changes.

Some Hon. Members: — Hear, hear!

Hon. Mr. Messer: — Mr. Speaker, in closing debate on this particular Bill, I do recognize the observations that were made by the Member from Cannington (Mr. Weatherald) and I had full intentions of undertaking some major changes, if not in fact a new Bill, as far as The Conservation and Development Act is concerned, for this particular Session of the Legislature, but there were some other priority areas in the Department which did not allow us to amend or redraft the Bill to the extent that we should have liked to and we felt that this was one area where there had to be some (what we considered) immediate action taken on, so that we are bringing forward one further amendment this year and we do have hopes of again, before the next session of the House, coming forward with a Bill that will be amended considerably from what the now present Bill is.

I do want to make several remarks in regard to what the Hon. Member has said. I recognize that it is possible, in the example that he used, that five or six farmers could well form a conservation and development area, and thereby drain a limited or small area of land in a given area, against the wishes of the larger general public. That generally is not the case because the areas tend to be larger in number than that, tend to be a little larger in physical area, than what one would envisage five or six farmers being interested in. But, nevertheless, I

think we have to recognize that there are areas where there are limited numbers of farmers who are confronted with some real drainage problems and if there were not some means of these people being able to drain those areas they would continue to suffer under this hardship because the larger populace of people surrounding the area who may not be seriously affected by the problem, do not want to expend the money, or do not wish to undertake the drainage project for some other reasons.

The second observation he made in regard to capital gain, I think is a true one but it does not differ from many other Provincial or Federal Government programs where there is assistance given in order to develop what we think, or what they think, is a potential asset and land, I think, is obviously one of them. We have a number of programs and in the Department we used to do a considerable amount of clearing and breaking, there was a considerable amount of Provincial and Federal money went towards it, and we hoped that there would be some overall return to the province in doing so. We are now introducing programs that will enhance, and I think, encourage redrafting of grazing land and the like of that, and I think all of these programs that public money is put into as an incentive to develop and expand these resources, will ultimately reap some benefits to the overall, general, provincial economy.

His third point in regard to the voting procedure, I think is one he brought up last year and one which I do have some sympathy with and I think that it is one area that if we are to amend the Bill in a major way, we will be giving some consideration to change.

I want to close, Mr. Speaker, however, in saying that it's not purely for agricultural purposes alone that we have undertakings in The Conservation and Development Act. In many instances it is a combination of wild life and agricultural development that we undertake some of the necessary action that this Act will allow. In many instances we are, in fact, controlling water, not primarily for agricultural production but more to retain a certain level of water or a certain given area of water so that we can continue to have the kind of wild life that we want to have in this province I may also say that last year we set up a Wet Lands Committee so that there would be some co-ordination and dialogue between not only Departments of Agriculture and Natural Resources, but also Environment, so that we would have, I think, some consensus made before we moved ahead with a particular project. We know that most of the projects emanate from a group of farmers wishing to drain land, but because of this three-departmental committee that has been set up. It's reviewed by them and generally speaking even though I think it is subject to some criticism for taking longer in the minds of these people who make the application to give recommendation to the development of their recommendations, that it is in the best interests, I think to the total province when this is done.

Having said those few short remarks, Mr. Speaker, I again move second reading of this Bill.

Motion agreed to and Bill read a second time.

Hon. Mr. Messer (Minister of Agriculture) moved second reading of Bill No. 21 — **An Act to amend The Department of Agriculture Act.**

Hon. Mr. Messer: — Mr. Speaker, in speaking to the Bill to amend The Department of Agriculture Act, I should like to note that the Department of Agriculture is now devoting increased attention to the need for the development of the agricultural industry and in particular the expansion of the livestock sector. These amendments are required to ensure that the Department of Agriculture is, in fact, authorized to maintain needed liaison with farmers and farm organizations, while establishing these new programs and to provide for grants to individual farmers under certain unforeseeable circumstances.

In recognition of the importance of consultation and liaison with farmers and farm organizations, in regard to new programs, to achieve my Department's objectives, we found it necessary to appoint various advisory committees and councils. It is only fair that farmers serving on these advisory committees or councils should receive remuneration for their services and expenses in performance of their duties. However, the provincial auditor has noted that authority for this activity is not specifically provided and this amendment will comply with his recommendations.

Examples of the advisory groups which the provincial auditor has indicated are not properly authorized are:

1. The Saskatchewan Advisory Committee on record of performance for beef cattle. This Committee, as I think all Members are aware, helps to set provincial policy and assist in co-ordination at national levels. There are five members on that particular committee.
2. The Saskatchewan Advisory Swine Council. This council advises on the provincial policy in regard to swine production and provides a means of liaison with a similar committee at the national level and there are eight farmers on this council.
3. The Saskatchewan Livestock Board which co-ordinates the activities of almost all livestock associations in the province, brings them all together at the annual livestock convention. There are 14 farmer members on this Livestock Board.
4. The Saskatchewan Poultry Council which is to co-ordinate activities of a number of poultry producer associations in the province and at the national level. Again there are nine farmer members on that council.
5. The Advisory Council on University Crop Development Centre, to ensure that the work of the centre is related to the needs of the farming community. Five farmer members representing SARM, Saskatchewan Seed Growers, Saskatchewan Federation of Agriculture, the National Farmers' Union and the Canadian Seed Growers sit on that council.

Mr. Speaker, the proposed amendment to The Department of Agriculture Act also recognizes the great importance and the urgency of moving towards intensification of Saskatchewan agriculture, particularly through development of the livestock sector as I mentioned earlier. This trend to intensification is essential to accomplish three major objectives: (1) bring a

halt to the depopulation of our rural areas; (2) increase our output of livestock and specialty crops to establish our position in the expanding world markets; and (3) to add between 60 and 80 per cent to our present agricultural product in the next 10 years. We are putting forward substantial programs to ensure achievement of these objectives. Some of these programs will require incentive grants to farmers to ensure that external factors such as adverse weather and outbreaks of insect pests do not result in the failure of developing farms when these farms would otherwise have been successful.

The proposed amendment to The Department of Agriculture Act provides general authority for grants to farmers in accordance with the regulations which will specify the conditions under which farmers may qualify for these grants. For example, the Government considered that the high cost of the insecticide lannate in 1971 for Bertha Army Worm control should not be borne entirely by the farmers who use this insecticide.

Perhaps I should enlarge on our reasons for this decision. (1) It was society at large that prohibited the use of DDT an insecticide which is much cheaper and more effective than lannate. It was society that acted to ban DDT before a satisfactory replacement was available. Therefore, it is reasonable in our minds that the public purse should bear some of the cost, one-third cost of lannate amounting to \$473,500 was paid to 5,509 farmers because of that decision.

In another instance, the farmers of a whole community were unable to harvest their crops in 1972 due to adverse weather conditions. To prevent serious losses and hardship it was necessary for the Department of Agriculture to pay grants to farmers based on the acreage of unharvested crops. Grants amounting to nearly \$64,000 were paid to 57 farmers in that instance. These are only two examples of instances where it is essential to pay grants to farmers and where the circumstances cannot be predicted and provided for by specific regulation or legislation. The provincial auditor on the other hand has recommended that these grants should be paid under regulations authorized by an Act of the Legislature.

For this reason, Mr. Speaker, we are proposing that The Department of Agriculture Act be amended to provide general authority for grants to individual farmers. Having said these few short remarks, I move second reading.

Mr. Wiebe (Morse): — Mr. Speaker, in speaking to this particular Act, Bill No. 21, I might just mention that I am a bit concerned about clause 26. Here again we have another Act that has been introduced by this Government that gives this Government the authority to change the entire context of the Act, again by regulation. This is a new section that has been added, this type of section was not in the Act before.

I think as well, Mr. Speaker, that the new clause Section 6(b) which has been added to this Act, to encourage or engage the services of consultants and other persons. I was under the impression that all this was being done by the new staff which is being hired by the Department of Agriculture. That all the staff and the money that the taxpayers of this province are paying towards the increase in staff, that this is what this staff was doing, investigating new ideas and new programs and

new ways and means in which we could develop our agricultural industry in this province. If they are not doing this, if they are doing some other field of work that is not connected with the Department of Agriculture, then I can see the need and the necessity for this particular clause, so that these programs and new ideas can be implemented. It seems rather strange, Mr. Speaker, that since this Government has come into office in the last two years there has not been one new program implemented that would provide any incentive for the farmers or the rural people of this province to get into agriculture, to diversify their operations. I am hoping that through this Session we will be able finally to start to see some of this legislation. It is unfortunate that some of the legislation that was implemented by the previous Liberal Government to encourage diversification into the livestock industry was cancelled by this Government, slowed down or in some way hobbled in order for them to come up with their brand new ideas. Well it has taken two years, Mr. Speaker, and we still have not seen those brand new ideas.

Section 7 which has been repealed and the new section which has been added. I hope, Mr. Speaker, that when he does make grants to agricultural associations that are promoting the agricultural interest of this province and that he as well, besides including the National Farmers' Union, will include the Palliser Wheat Growers' Association. That they will include livestock associations because these associations are contributing to the future of our province. That they will as well include 4-H Clubs and such things that will allow our youth in this province to contribute to some of the ideas and the benefits that hopefully this Government wishes to maintain.

Section (b) of this Act from the remarks of the Minister I understand that here again it is just for disasters. It will not be used for example for grants to farmers to add a chicken operation or some other type or grant to help them diversify into livestock. I had hoped that this is what this particular piece of legislation would have done. I hope that this Act would have been there to allow this Provincial Government to make grants to farmers, grants such as the grant that was made under the previous government to allow over 700 new hog operations to be implemented in this province. Grants for feed shelters, grants for irrigation, grants for diversification so farmers could go into livestock by guaranteeing not only the loan that they made but also subsidizing that loan which would have allowed our young farmers to diversify and get into agriculture.

Mr. Speaker, on the surface, this Act seems good and it seems like an Act that we should all support. However, I feel that further time and further study must be made of this Act and I beg leave to adjourn debate.

Debate adjourned.

Hon. Mr. Messer (Minister of Agriculture) moved second reading of Bill No. 22 – **An Act to amend The Provincial Lands Act.**

Hon. Mr. Messer: — Mr. Speaker, in speaking to this Bill No. 22, I should like to note that the Department of Agriculture administers nearly 8,300,000 acres of provincial land, which is now being leased to over 15,000 farmers. When community and co-operative pastures are included more than 24,000 farmers have access to

or make use of provincial lands. This amendment to The Provincial Lands Act will authorize the Department of Agriculture to pay to local government up to two years of tax arrears on a cancelled lease. These cancelled leases would be due to tax arrears for which a municipality, the local improvement district has requested that the lease be cancelled. Farmers leasing provincial lands are required under the terms of the lease to pay taxes. As might be expected, a certain number of lessees are unable to pay taxes promptly due to a variety of reasons and occasionally tax arrears are allowed to accumulate. Under these circumstances, and to alleviate the situation for the local government it has been the Department of Agriculture's policy to allow rural municipalities or local improvement districts to request cancellation of a lease when taxes are more than two years in arrears. I do not wish to create the impression, Mr. Speaker, that farmers operating Crown leases are not as prompt at paying their taxes as farmers operating privately owned land. The problem of tax arrears on Crown land leases is limited to approximately two per cent of the total that I referred to earlier.

Two factors, however, bring the problem into sharper focus for municipalities and local improvement districts and where regions have suffered adverse weather conditions or where land productivity or other factors cause farm incomes to be generally lower than the average for the province. In addition, the high concentration of Crown lands in northern and southwestern Saskatchewan give rise to severe financial difficulties for the municipalities concerned when lessees are experiencing difficulty in paying taxes and consequently relatively large amounts of arrears begin to accumulate.

Up to now, the municipality's only recourse was to request cancellation of the lease to prevent the possibility of further loss of revenue due to failure of the lessee to pay his taxes. Under these circumstances the municipality or local improvement district would be anticipating reallocation of the lease to an alternate farmer who would in fact be able to pay his taxes. We believe, Mr. Speaker, that the arrangement which will be authorized by this amendment permitting the Department of Agriculture to pay up two years' tax arrears on cancelled leases brings the advantage of local judgment to bear on the problem. For example, there will be undoubtedly instances where lessees have been unable to pay their taxes for two years. But in the opinion of the local municipal council the lessee is worth the risk of an additional year of taxes. Under the proposed program the municipality would only be risking the loss of one year of taxes by going along with the lessee for an additional year to see if he could regain a better financial position for his farming unit.

Under the existing arrangement, however, there is a greater tendency for the rural municipality to recommend cancellation of the lease because at least two years of the tax arrears have already been lost and the municipality is reluctant to take a chance of having another year of tax arrears added to that bill. We believe, Mr. Speaker, that the proposed new program will work to the advantage of all concerned. The good judgment of the local municipal council will be of benefit to the Department of Agriculture in judging the possibility of the lessee being able to improve his financial position. The payment of two years of tax arrears by the Government to the municipality in instances where the leases have been cancelled due to tax arrears will

certainly be much more reasonable arrangement from the municipality's point of view.

The Saskatchewan Association of Rural Municipalities has repeatedly requested the province to pay tax arrears when leases are terminated. The SARM has maintained that when tax arrears accumulate on privately owned land the municipality can recover tax arrears through The Tax Enforcement Act or ultimately take title to the land. Provincial lands are not subject to the terms of The Tax Enforcement Act and therefore the payment of up to two arrears compensate for the municipality's inability to take action to recover tax arrears.

I should also point out, Mr. Speaker, that the Department of Agriculture's policy of allocating provincial lands on the basis of need has resulted occasionally in land being leased to farmers who do not have the ability to pay taxes in certain years because of limited resources. This is an additional reason, Mr. Speaker, why the Government must accept responsibility for arrears of taxes for those lessees who have been unable to pay. The Bill before us has three major features: (a) A municipality or local improvement district may request termination of a lease when any taxes payable by the lessee are in arrears for more than one year. (2) The local taxing authority can request termination of the lease up to the end of January, if the lease is to be terminated in that year. (3) The province through the Department of Agriculture will pay up to two years of tax arrears or may guarantee the payment of taxes to that extent.

Mr. Speaker, the Bill now before us will meet the request of the Saskatchewan Association of Rural Municipalities. Under the provisions of this Bill, the Provincial Government will be more adequately exercising its responsibility to local government in regard to payment of tax arrears on Crown land. Perhaps most important of all, this amendment will bring the advantage of local judgment to bear on this serious problem. I believe it is reasonable to suggest that the decisions which result in regard to tax arrears problems on Crown land will mean more effective administration from the point of view of the lessee, the rural municipality or local improvement district and the province. I might also add, Mr. Speaker, that this amendment is almost identical to the section in The Land Bank Commission Act, whereby the Government will pay taxes that accumulate under similar circumstance when land is leased under the Land Bank Commission. That being a further reason, for introducing this legislation to apply to all Crown lands administered by the Government so that we will have in fact complete consistency in relation to all lands that are owned by the Crown. Again, Mr. Speaker, having said these few words, I move second reading of this Bill.

Mr. Gardner (Moosomin): — Mr. Speaker, I might just say at the outset that we oppose the Bill before us today, perhaps for the same reason that we opposed the same provisions in The Land Bank Act. The Minister is apparently expecting some problems in both cases and he is putting in this provision.

The insertion of this Section, 71(a) puts the onus on the rural municipality of asking that the lease of one of its local farmers be terminated. This is Government leased land. The Government owns the land, we feel it is their responsibility to

initiate the termination of a lease. In this case they are simply passing the buck to the rural municipal council. The rural municipality should not be put in the position of having to ask to have a lease terminated for one of its own local farmers. The Department of Agriculture can certainly find out easily if the renter is in arrears in his taxes, this is not problem at all. They can contact the rural municipal office at any time to find this out. The rural municipality when asked to write a letter, asking that the lease be terminated, are often not aware of many of the other provisions of the lease. They don't know whether the person is in default in other respects. They don't know what the situation is in the lease between the provincial government and the farmer himself. We find this very objectionable that the municipality should be asked to send a letter asking that a lease be terminated.

The Minister said that this will meet their request of the SARM and this I doubt very, very much. I think the SARM wants the province to pick up all tax arrears on any land, because it is their land. The taxes, naturally, are charged upon the land. Any individual who owns land and it is transferred the rural municipality is able to collect these taxes. We feel that we should be able to collect them from the province just the same as we would collect them from any individual.

This is government owned land and taxes, as we know, are traditionally charged on the land. If the Provincial Government doesn't pay then the burden falls on the other taxpayers. Certainly the Minister is aware of this. If the taxes are five years in arrears, it is their land – government land, and if they pay two years what happens to the other three years' taxes?

The taxpayers in that municipality are simply stuck for it and the neighbors and the other people who are there. We feel that the Government should pay the taxes just the same as everybody else.

This amendment says that the Minister may pay for two years. It doesn't even say that they have to. We are well aware, of course, that everyone else must pay full arrears, not just may pay for two years. The province shouldn't be put in a preferred position at the expense of the local taxpayers. And, certainly, we know that the Provincial Government is in the position where it can make laws such as it is doing to get out of paying its legitimate debts. We feel, again, that this is very unfortunate and very objectionable. I am sure that some of the other Members and myself would like to look at this further and have some comments on it. I beg leave to adjourn the debate.

Debate adjourned.

Hon. Mr. Messer (Minister of Agriculture) moved second reading of Bill No. 23 – **An Act to amend The Livestock Loans Guarantee Act, 1970.**

Hon. Mr. Messer: — Mr. Speaker, I wish in speaking to this Bill, to briefly describe its place in the livestock economy of this province and its relationship to other agricultural programs of the Provincial Government.

I have described, on many occasions, the benefits which will accrue to the farm economy from increased livestock production

and the importance of a healthy farm economy to the well being of the entire province.

Encouragement of livestock production has become a stated objective of the Department of Agriculture and plays an important role in our agricultural development programs. Increased livestock production will play an important role in the development of economic farm units in this province. A number of major new programs, which will contribute to this goal, have been developed and are either in or past the introductory stage.

At this time, Mr. Speaker, I would like briefly to outline the importance of the livestock industry to this province. The sale of livestock and livestock products in 1972 will contribute approximately \$340 million to the provincial economy, or approximately, 29 per cent of the total Saskatchewan farm cash receipts. The meat packing industry in 1969, which is the latest year for which data is now available, provided some 1,600 jobs in the province and created a value added of over \$19 million.

The market demand for meat in North America is large and appears to be growing. Per capita consumption of meat in Canada rose from just over 85 pounds per capita in 1970 to 87 pounds in 1971, and a further increase seems likely in 1972. It is important to note that this occurred at a time when consumers were faced with high beef prices. The overall trend of meat consumption in North America is also up under similar circumstances.

The overseas market for beef appears to be growing as well. For example, in 1971 the consumption of beef in Japan rose by six per cent. The amount spent on beef increased by 13 per cent. Pork consumption in that country increased in 1971 by 8 per cent while spending on pork increased by 11 per cent.

It is therefore obvious, Mr. Speaker, that markets are available for increased livestock production in this province. Every effort must be taken in order to meet this challenge of market opportunities so that we shall be able to give to the farmer the benefit that he would get from taking advantage of these markets.

Let me describe for one moment, Mr. Speaker, the factors which hinder an expanded livestock industry in this province at the present time.

Beef cattle are limited by the availability of grass land and water resources for livestock production. The Department of Agriculture has ongoing and new programs aimed at reducing the areas of consumption at high prices, which will adequately reward producers for their efforts is limited by the effectiveness of our marketing system.

In some areas our present marketing systems do not inspire producer confidence. It does not seem to have been exceptionally progressive in terms of providing a stable adequate producer return or any amount of bold thrust into foreign markets. The Department of Agriculture is hard at work reducing this constraint.

The livestock industry is limited by lack of managerial expertise in livestock production. The Department of Agriculture

has programs in effect, and new programs in mind, to alleviate this constraint. The major constraint to increased livestock production is the availability of credit.

Traditional credit sources have failed to provide adequate credit for livestock production at reasonable interest rates and with adequate length of repayment terms. Generally, credit has only been available to those farmers with high levels of security and high cash income potential.

The Livestock Loans Guarantee Act has, to some extent, improved the availability of credit. Loans have been available for the purchase of female cattle with repayment terms of up to seven years and interest rates not to exceed seven per cent for the first three years of the loan. While this Bill has had a able impact on livestock production, it has not gone far enough in that it has not dealt with the swine industry and repayment terms are still not as able as those available for land purchase.

To improve the availability of credit for livestock production, this Government is introducing a FarmStart program. FarmStart will provide credit and grants for the establishment and expansion of livestock enterprises. However, it is unlikely that this program will be in operation before mid-1973.

As I have said before, The Livestock Loans Guarantee Act has served a useful role from its introduction in 1969 to November 30, 1972, almost 13,000 loans were made under its provisions. Nearly 12,000 of these loans were made for beef cattle, 647 were for dairy cattle and 188 were for sheep. Over a quarter million head of livestock have been purchased under its provisions, and nearly \$47 million have been loaned.

Unfortunately, there is some doubt as to whether the purchase of livestock, in all cases, did result in an increase in the breeding herd.

To date the amount of money rebated on the interest reduction provision has been over \$370,000. Only \$35,000 has been paid out as guarantees on default of loans. I think this is an indication of the ability of farmers to use credit effectively in their farming operations.

Mr. Speaker, the response to this program indicates the need for farmers to reduce the difficulties associated with financing livestock operations. The low failure rate suggests that the existing unrealistic and inflexible policies of most lending institutions on livestock loans are, in fact, ill founded. This Government's new FarmStart program, when in operation, will remove the need for The Livestock Loans Guarantee Act. The Agricultural Incentives Act, 1973, will enable the FarmStart Program to provide credit for all types of livestock production. Loans may be made directly to farmers or guaranteed through commercial lending institutions. The proposed FarmStart program will include extensive counseling and supervision services as a part of its loaning program.

In some instances farmers may be encouraged to receive small amounts of credit not requiring special counseling or supervision services through normal commercial channels. For these farmers the Government may provide a guarantee for their loans to ensure reasonable interest rates and repayment terms.

It is anticipated that when the FarmStart program is in operation, there will no longer be a need for a Livestock Loans Guarantee Act.

However, until the FarmStart program is operative, I feel it is essential that farmers have access to credit to expand their livestock operations.

I therefore request approval to this amendment, which will extend The Livestock Loans Guarantee Act for another year to meet credit needs of farmers until a new, more comprehensive program is in operation.

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

Mr. McIsaac (Wilkie): — Mr. Speaker, Bill now 23 is one Act that I and the Members of the Opposition will be pleased to support. I am glad to hear the Minister say in his opening remarks, and indeed other remarks that he has made recently in the last year or so, that he and his colleagues opposite have come to realize and appreciate the value of the livestock industry to Saskatchewan and, indeed, of the efforts of the former Government and particularly, I think, the former Premier, who went up and down this province for years, at a time when perhaps it wasn't very popular to do so, encouraging our farmers and the farm population to diversify their interests other than straight grain.

I think it is fair to say, Mr. Speaker, now we are beginning to see and reap some of the benefits of that campaign and efforts in that regard and legislation such as the Bill that is before us.

It wasn't a particularly long or lengthy piece of legislation. It did not involve a great new number of civil servants or anything else to operate, but as the Minister pointed out himself, it was responsible for something over \$47 million of funds lent to encourage the cow-calf business in the Province of Saskatchewan.

As I say we will be pleased to support this legislation, Mr. Speaker. And if I may, Mr. Speaker, the Minister crossed over to another Bill that we had presented to us today and I appreciate that this Bill will be merely extending the present program until such time as the Government can get FarmStart into full operation, as I understand it.

The fact this Bill was only for cattle and sheep I should point out to the Minister that loans for more specialized hog operations were made available as well by the former Government under provisions with SEDCO. I presume in the FarmStart program all of the livestock operations will come under the one Act and the one corporation.

I think there is one other factor that has been of value in the growth, expansion and development of the livestock industry in the province, Mr. Speaker, and that is the progressive program of the Federal Government. Members opposite continue to make political hay of commenting on the LIFT program. One of the aspects of that program was the return of a number of acres or something up to four million acres in this province to grass land. Most of that land has been seeded and they have pretty well reached the limits on that program. So that is one other

program that has assisted very much in the development of the livestock industry in Saskatchewan.

Further discussion could perhaps be taken on this particular Bill, Mr. Speaker. I say we appreciate it and we will have the opportunity to discuss the same theme in another bill that is coming before us. At this time, again, may I say that we will certainly support the Government in the extension of The Livestock Loans Guarantee Act.

Motion agreed to and Bill read a second time.

Hon. Mr. MacMurchy (Minister of Education) moved second reading of Bill No. 27 – **An Act to amend The Department of Education Act.**

Mr. MacMurchy: — Mr. Speaker, we are proposing only one change in The Department of Education Act in this Session.

A single amendment, however, has brought implications for the future of education and for the methods used in delivering instruction.

The amendment is to Section 4, clause (c). The old clause (c) provided the Department of Education with authority over what was termed 'educational broadcasting'. The new clause (c) will expand that authority to include production, distribution and dissemination of educational information by any communications system.

Mr. Speaker, the need for this amendment results from the way the Federal Government defines educational broadcasting. The term itself is no longer adequate to describe the rapidly growing number of means of distributing educational information. The Canadian Radio and Television Commission has encountered legal problems in regulating some of the media that do not conform to what we mean by broadcasting.

This amendment will overcome that problem by applying a more comprehensive definition. It will allow the province to enter the field of educational communications on a very broad front, whenever such entry may be appropriate.

The possibilities presented by this amendment are exciting. It opens up, for Saskatchewan, a wide field of options beyond the conventional use of radio and television. There are other means of transmitting electronic signals besides broadcasting. One of the most obvious and valuable is cable television, a medium that has a vast potential in education, not only in the Grade I to XII schools but even more so in the new field of adult learning and continuing education.

Some of the other educational media that will be brought into the scope of the Act with this amendment include video tapes and cassettes and computer-programmed learning. Multimedia educational devices which use print and electronic methods together are also included.

In addition to expanding our horizons as far as the media are concerned, this amendment also provides for the province to set objectives in the area of control.

Mr. Speaker, Saskatchewan is fortunate to be in a position

at this time to plan and organize our entry into educational communications. We have an opportunity to develop, along rational lines, for the best and most efficient use of our investment. Not all provinces have been so fortunate. At a recent meeting between the Minister of Education of Alberta, Manitoba, Saskatchewan and British Columbia, we learned that Alberta has moved extensively in the field of educational broadcasting. This was an item for discussion and will be brought forward on the next agenda of this group of educational Ministers.

Several of the provinces have come into the field after considerable local experimentation had taken place and the result has been a great deal of duplication and a great deal of waste. Television production studios are expensive, not only to build but to operate. The cost of mismatched equipment can run up operating costs by millions of dollars and unfortunately this has been the experience of provinces that did not co-ordinate from the start. Saskatchewan can avoid this, Mr. Speaker, by providing for co-ordination and leadership. The question may arise, Mr. Speaker, as to how or by what specific mechanism we intend to give leadership in educational communications. To date the Department of Education has not extended itself into electronics on any significant scale, though we do have a good program with a very limited number of dedicated people. We do have to our credit a number of successful film and tape ventures. Possibly the most noteworthy of these is the film "My Paddle is Keen and Bright", which many Members will recognize as a short production that recorded a unique experiment in outdoor education. Despite a good record of this Act, Mr. Speaker, the fact remains that our endeavors have been directed more toward supplying in-school instructional resources than to a thorough use of electronic transmission devices. We are considering what the best co-ordinating structure would be, and particular attention is being given to establishment of an educational communications corporation.

Mr. Speaker, in July of last year the Federal Government, by Order in Council, permitted the provinces to develop corporate entities to go into educational communications. Several provinces have taken advantage of this, so to speak, to legitimize their operations. The federal action recognized that education communication is properly a provincial matter just as education itself is. Their decision is welcome as it will permit rational development. The present amendment to our legislation, in effect, corresponds to the federal move in that the province is hereby moving to take advantage of the leeway given us by Ottawa.

I am pleased to inform Members that the Government is and will be taking active measures to prepare for our entry into educational communications. We have on contract from the University a specialist in communications who is making recommendations on co-ordination of production, distribution and dissemination of electronic and tape material. His report will involve the University's facilities at both campuses, those of our technical institutes, those of the department and of the community colleges. Last week I was able to announce a major step forward for our Grade I to XII schools, in part as a result of this work.

Mr. Speaker, this amendment marks a large step forward for Saskatchewan education. I am pleased to move that the Bill be

now read a second time.

Mr. MacDonald (Milestone): — Mr. Speaker, the Minister of Education started his remarks by saying that even though this amendment did not appear to be important but it had broad implications. Let me tell you, Mr. Speaker, that was the understatement of this Session. Let me state briefly exactly what the implications of this Bill are. He is amending Section 4 of The Department of Education Act and I want to read the provisions of Section 4.

The Department shall have the control and management of all kindergartens, schools, public schools, separate school, high schools, and separate high schools and may make such arrangements, —

The words are ‘may control and manage’, and they relate to this amendment, subsection (c);

as the Minister considers necessary to provide co-ordination and development in respect of the production distribution and dissemination of educational information by any communications system or network . . . and may enter into agreements for the above purposes.

Mr. Speaker, let me say this amendment gives to the Government of Saskatchewan and the Minister of Education, regardless of what government, it makes him the Dr. Goebbels of the Province of Saskatchewan. This amendment gives to the Minister of Education complete authority for the production, the distribution and the dissemination of all educational material.

Mr. Speaker, the Minister did not underestimate the value of the future communication systems in the field of education. 10 to 15 years from now the major mechanism of teaching in the classroom may well be in the telecommunications field. Mr. Speaker, let me for a moment talk about what this amendment does.

First of all it provides the power for the Government and the Minister to co-ordinate and develop the production of all communications in the electronic field. I don't think anybody has any objection to the Department of Education getting into the production of educational films, TV clips, cassettes and you name it. They have the administration, they have the curriculum planning branch, they have a lot of authority to centralize the contribution of many groups in the Province of Saskatchewan. I don't think anyone would disagree with their ability or their rights to produce certain aspects in the telecommunications field. This would include of course the subject matter, the dialogue, the direction, activity, the people selected, etc.

But what does bother me, Mr. Speaker, is the second aspect, that they would control distribution. By controlling distribution does that mean that if the Minister of Education so desired that no one else in the Province of Saskatchewan can distribute educational films or educational communication? Minority rights for example, Mr. Speaker, have always been protected in the Province of Saskatchewan. For example, the establishment of separate schools. The right to teach religion. What safeguards are there in this particular legislation to

protect the rights of minority? Supposing the Minister of Education or the Department of Education developed a film that was pro-abortion and had it distributed to all the schools in the Province of Saskatchewan. Now that does not mean that the school perhaps has to accept it but many teachers may accept it and use it. Perhaps this is an extreme example.

The third power is the dissemination. Dissemination means to spread. This Act gives them the right to disseminate what they want subject to the approval of the Lieutenant Governor in Council or the Cabinet or the Minister of Education. Mr. Speaker, I do not want to sound any note of alarm.

Some Hon. Members: — Hear, hear!

Mr. MacDonald: — I don't. I seriously don't. But I am concerned. This gives the Minister the power to enter into agreements with governments or agencies of those governments or with individuals. He has also mentioned the hidden part in it. That the Government of Saskatchewan now is considering cable television. Supposing, Mr. Speaker, that they carry out their plans to get into the cable television market, in its production and distribution by local committees or you name it. We are going to find that the Government of Saskatchewan or the NDP or whoever may be the government, controls the hardware, it may well control the production facilities. It gives the Minister the power to distribute, to disseminate this information. Now until such time, Mr. Speaker, as we have a clear opportunity to discuss with the Minister of Government Services, just exactly what are his intentions in the field of cable television, I think that this Bill should be set aside.

Second, Mr. Speaker, I do not believe that an amendment with the broad implications of this kind should be brought into this Legislature and hand to the Minister of Education the power for the next, 10, 20 or 50 years to produce, to distribute and disseminate all educational films, cassettes, etc. Mr. Speaker, I think the first thing that the Minister of Education should do is set up a committee — the NDP are great at setting up committees — they have got thrust committees for this, they have got survey committees for that — I think there should be a committee set up made up of teachers, made up of trustees, made up of parents, made up of educators, including the Department of Education, which would sit down and examine this whole problem and come forth with recommendations that will protect minority rights. It should include safeguards so that the Minister of Education in any future government, including his own, will not transgress on the rights of parents and their local representatives to control what is presented in the educational system. Mr. Speaker, therefore until we have an opportunity to discuss this with the Minister of Government Services, who has made the previous announcements on cable television, until we have an opportunity to get some feedback from parents and teachers and trustees, we should like the Minister of Education to set aside this Bill. I am going to adjourn the debate today with the hope that the Minister will co-operate in this regard.

Some Hon. Members: — Hear, hear!

Debate adjourned.

Hon. Mr. MacMurchy (Minister of Education) moved second reading of Bill No. 28 – **An Act to amend The Secondary Education Act.**

Mr. MacMurchy: — Mr. Speaker this Bill proposes a single amendment to The Secondary Education Act. Most public bodies have provisions for paying elected officers an honorarium for meetings that they attend. Up to the present time, Mr. Speaker, the size of the honorarium payable to school trustees has been limited by legislation. The same applies to mileage and other expenses. Every time school boards wanted to raise the honorarium or increase the mileage allowances, it was necessary to ask for an amendment to the Act. Mr. Speaker, I have received a good number of letters from school boards seeking a raise in the honorarium and mileage again this year. Instead of acceding to this request the matter was raised with the Saskatchewan School Trustees' executive when they presented their resolutions to us coming out of their convention last December. We have agreed, Mr. Speaker, instead of simply granting another increase, we will remove the limit altogether and leave the size of the payments up to each board. Mr. Speaker, the School Trustees' Association agrees with this proposal. It puts trustees on the same footing as council members in urban municipalities. This amendment recognizes that close regulation of detail is no longer necessary. I am sure that Members of this House will find no difficulty in supporting it.

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

Mr. MacDonald (Milestone): — Mr. Speaker, just a few very brief comments. The Opposition certainly agrees with the amendments introduced by the Minister of Education.

Some Hon. Members: — Hear, hear!

Mr. MacDonald: — We compliment him. In fact it is very nice to be able to compliment the Minister of Education (Mr. MacMurchy). I do agree with the concept that \$20 is no longer an adequate recompense for the time and loss of wages for school board members to attend meetings. Also increasing allowances and expenses, particularly for rural unit members who sometimes have to travel quite a distance to attend meetings. I think this is a good provision and we are very pleased to support it.

Mr. Rolfes (Saskatoon Nutana South): — Mr. Speaker, I should just like to compliment our Minister for further extending the principle of this Government's belief in local autonomy . . .

Some Hon. Members: — Hear, hear!

Mr. Rolfes: — . . . which sometimes the Opposition tries to misconstrue to the public. With these few words I certainly want to support the Bill.

Some Hon. Members: — Hear, hear!

Hon. Mr. Mostoway (Hanley): — Mr. Speaker, I just wanted to say that I was shocked into consciousness when the Hon. Member said he agreed with the Minister. I too, wanted to say that this has been long overdue. I know that in my own area this request has been directed to government for the past number of years. It has created a lot of hardship on the part of trustees who live close to large urban centres and I believe that in this way they will be able to compensate themselves adequately. They will know the situation, and I heartily agree with it.

Mr. Wiebe (Morse): — Mr. Speaker, in rising to speak in this debate, my comments are going to be brief and I might mention that I think that possibly this is the best speech this House has ever heard from the Member for Saskatoon Nutana South (Mr. Rolfes) and the Member for Hanley (Mr. Mostoway) and I should just like to congratulate them for these speeches.

Mr. Guy (Athabasca): — Mr. Speaker, I only wish to say a few words and that was going to be the thrust of my comments. I am happy to see those two back benchers get up and speak in of anything. I only wish, Mr. Speaker, that they would get up and speak on the first Bill that the Minister presented because, I think that that is far more important as far as the educational system and the local autonomy of trustees and parent and every one else it concerns and I hope that they will be as anxious to get on their feet then as they were now to approve of something which all Members of this House are happy to accept.

Motion agreed to and Bill read a second time.

Hon. Mr. MacMurchy (Minister of Education) moved second reading of Bill No. 47 – **An Act to amend The Larger School Units Act.**

Mr. MacMurchy: — Mr. Speaker, this Bill proposes several amendments to The Larger School Units Act. Two or three of the changes are fairly important. I should like to acquaint Members of this House with the reasoning behind them.

Section 7 is being amended to enable the Department of Education to designate an Indian reserve as a sub unit in a school unit. The purpose of this addition is to permit Indian people whose children are going to regular public schools to be represented on the school boards in charge.

Members of this Chamber will be well aware that the education of treaty Indians is not the responsibility of provincial governments. Indian people who are covered by the treaties receive their education through the Federal Government with whom the treaties are signed.

Mr. Speaker, while the education of treaty Indians is up to Ottawa, in fact, many of our Indian children, a growing number of them are attending regular public schools. Integrated education is increasingly common in the southern half of this province. I believe integration is a good thing for both the Indian children and the white children in cases where the reserve is fairly closely connected with the surrounding community. In cases where the reserve is more isolated, integration may be questioned on the grounds of the cultural differences that

sometimes can create problems. However, as a general rule in the southern area, the integrated school is a decided advantage to both races. I am pleased to see the trend developing as it has been over the last ten years.

As I said a minute earlier, Mr. Speaker, under the treaty signed 50 and 60 years ago, the Federal Government agreed to provide education to reserve status Indian people on their reserves. More recently we have seen a move on the part of the Indian people and the Department of Indian Affairs for Ottawa to fulfill its obligations by contracting for the services of regular public schools instead of setting up schools on the reserves themselves. The result is the development of integrated education. Several school units now have agreements with the Department of Indian Affairs. The unit that I was a member of, the board that I was a member of at Govan operates the largest integrated school system in the province with an integrated program at Punnichy, at Quinton and at Raymore. Similar arrangements exist close by in Indian Head Unit, Broadview, Kamsack and so on.

Mr. Speaker, if the integrated classroom is beneficial to students so will the integrated unit board, it seems to me, be of benefit in the decision making that must be done to operate that school.

At present under the Act it is not possible for reserve residents to be represented on boards responsible for running the schools that their children attend. This amendment will make that possible by allowing the Department to designate one or more reserves as sub-units which may elect a representative to sit on the school unit board. Ordinarily a sub-unit is made up of several school districts and reserves have never been organized into districts and thus the method of electing the sub-unit trustee will have to differ from other areas where districts have been formed. Special regulations will govern the elections on reserve sub-units to cover off for this historical problem.

Before I leave this particular part of the Bill and because I think it adds to the kind of program the kind of thinking we have, I should like to inform Members that the Provincial Government has taken action to generate a supply of teachers of Indian origin who will be uniquely qualified to teach children of their own cultural background. One of the most serious problems that faces an Indian student is the difference that exists between his cultural background and that of the school he attends and of the teacher who teaches him. Often Indian students are disoriented by the different emphasis white people put on things, our attitude toward education, our attitude toward school work, and by the regularized operation of our schools. I believe that good will and honest effort can overcome a lot of this. Certainly I do not advocate that only teachers of the Indian cultural background be permitted to teach Indian children, no more than people of any other culture need be restricted to whom they may teach. However, we would do well to recognize the fact that there are sometimes differences of significant proportion that can strongly affect the usefulness of a student in a regular public school education. In cases where one of these factors is the teacher, we can do something concrete to correct that problem and that is what we are attempting to do.

What my Department has done in close co-operation with the College of Education at the Saskatoon campus and The Federation

of Saskatchewan Indians is to develop a program of training for Indian teachers. The program is entirely new and went into operation last month. Indian people who are interested in entering the teaching profession may choose to take this special program. It consists of two years of teacher training, including regular lectures and considerable field experience in the classroom. The student may be accepted for entering without a Grade XII diploma if he or she has demonstrated interest and ability to benefit. On graduation he qualifies for the Standard A teaching certificate which permits him to teach in any Saskatchewan school. Hopefully, many of these teachers will choose schools with significant Indian enrolments with a similar cultural background which will be of special benefit to them in understanding their students, but that would not be necessary.

Mr. Speaker, this special program has received a great deal of attention from the Federation of Saskatchewan Indians who have been instrumental in its initiation, its development and its operation. Particular credit is due to Mr. Rodney Soonias, education director of the FSI and to the organization's president, David Ahenakew. As a matter of fact Rodney Soonias' interest and his efforts have suggested to the Department that he be appointed a member of the Board of Teacher Education and his work on the board has been of real value in developing this program. I know Hon. Members will be interested to know the success of this initiation when considering the present amendment.

Mr. Speaker, in moving on I would refer to the new Section 34 of The Larger School Units Act. This Section involves regulation of the time a polling station is open for election of sub-unit trustees. It is largely self-explanatory and I will not comment further.

Section 49 (a) is a new Section and I have dealt with the reasons for it already.

Section 52 of the Bill deals with payments to school unit trustees. We talked about it just a minute ago. The payment that trustees receive for expenses of attending board meetings and for performing the associated work has been set at \$20 as we all know. This is a companion amendment to what has been presented, The Secondary Education Act. If I may elaborate for just a minute, Mr. Speaker, presently school unit trustees may be paid 11 cents a mile for the distance traveled to and from board meetings. In the last six months a good number of boards have written to me that the allowance rate be increased to \$25 per meeting and 13 cents a mile in line with certain municipal rates. These amendments could be justified and ordinarily the amendment would propose to affect that kind of an increase but the request for an increase was raised to me on December 14th and at that time it was suggested to the School Trustees' Association instead of having a Bill introduced each time, the Government remove the limit from statute altogether and leave the expense rates up to the boards. It was agreed as I pointed out earlier.

Section 95 is a housekeeping amendment which will tighten up the procedures under which school districts enter school units. Recently there has been some question as to the interpretation of this Section in the courts. Providing that all orders be published we hope to eliminate any potential for problems in this Section.

Mr. Speaker, the amendments in this Act are progressive, particularly the amendment as it relates to Indian people. It recognizes, we feel, the aspirations of Treaty Indian people who now can have a say on the workings of the schools. This is a very important and a very constructive measure and I am pleased that this Bill be now read a second time.

Some Hon. Members: — Hear, hear!

Mr. MacDonald (Milestone): — Mr. Speaker, I hate to shock the House and support the Minister of Education twice in a row but I am certainly going to do that on this Bill.

I will just make one or two comments. Much of this Bill is more in the form of housekeeping measures except the one regarding the formation of a sub-unit and the election of a person of native ancestry to serve on the unit board, which is certainly a good and progressive step. As Members of the House will recall a few years ago, my seatmate the Minister of Education at that time, introduced a Bill — amendments to the Act — which made it possible for an Indian reservation to become a school district. This is a very valid and important progression and I certainly think it is a most worthwhile one. First, as the Minister indicated, integrated classrooms are a fact in Saskatchewan. Many children of native ancestry are now attending public schools in a variety of areas in our province from many reservations. Therefore, when a child of native ancestry moves into a public school system, an integrated classroom, the cultural differences, the educational backgrounds, the problems are perhaps more apparent than they are with the normal white child. Representation on the larger school unit board is perhaps even more important for the children of native ancestry than it is for the normal areas of white representation. Therefore, once again I want to say I congratulate the Minister for this extension. I think it is a good move and a very progressive one.

I want to say that the rest of the Bill dealing with regulations regarding voting, the supplement to the previous Bill regarding the payment of school trustees and so forth are ones that all of us can accept and all of us support.

Some Hon. Members: — Hear, hear!

Hon. Mr. Kowalchuk (Melville): — Mr. Speaker, I want to add a number of remarks to those that have already been said. I want to say as well that I want to congratulate the Minister of Education (Mr. MacMurchy) for bringing in this Bill, particularly that part where reserves or groups of reserves can now become sub-units in a unit. I also want to say to the Hon. Minister that whereas he said that one of the largest integrated schools is found in his constituency, I also want to be able to tell you here today, Mr. Minister, that according to reports that come from the Department of Education, one of the most successful integrated schools in Division One, Two and Three, is in Goodeve where I come from. The pupils of the Little Black Bear Reserve have been coming to our school for the last, I think, seven years. Having had considerable experience and communication with integrating the systems of Indian students off the reserves with school units, I want to remark that this Bill making it possible for reserves or groups of reserves to be integrated and made part of a unit

is another step in the right direction. Now this legal step makes it totally possible for equal representation for Indian people on unit boards as already indicated by the Minister. This step will make it clearly possible for the native Indian people to be represented on other school boards as well. A good example would be the Melville Comprehensive Board. One criterion for the composition of that board being that anyone appointed to that board must be a legitimately elected member of a school board first. Therefore, in this way I am sure that it will help them so that they can also have representation on other boards like the Melville Comprehensive School Board. Every way and every avenue should be made available for school jurisdictions to integrate their educational goals. The advantages can be many, Mr. Speaker. There are the social, the academic and certainly financial – financial because the use of the physical building requirements and specialized classes and for many other reasons, can make better educational facilities and methods more readily available if school jurisdictions have legal ways of co-operatively pooling their resources. This Act provides for further pooling of educational efforts and provides an avenue for Indian reserves freely to participate if they want to do so.

I certainly agree with this particular change and also with the other changes in this Act.

Some Hon. Members: — Hear, hear!

Mr. Rolfes (Saskatoon Nutana South): — Mr. Speaker, I should like to say a few words on this Bill. I don't think we should let this Bill go through as a very slight modification because it is a progressive Bill, it is a Bill that finally recognizes the right of a colonized people to have a say in education, to have a say in the programs and the type of programs that are offered to their children. This Bill is certainly long overdue. If you speak to any of the native people they will tell you so. They want to have a say in how their kids are taught. They also want to have a say in who teaches their children. Again I want to say that I want to compliment the Minister for coming through with this Bill, for recognizing that native people have the right in determining how their children are being taught, what their children are being taught and who teaches their children.

Mr. Speaker, this particular Bill recognizes the importance of integrated classrooms as has already been mentioned and it is a fact, I think, that if we co-operate, Caucasians and Indians can build a co-operative society. This is one principle that this Government recognizes and has done so in many of the progressive pieces of legislation that it has brought into this House.

In the 1971 election many of us said that we would give the native people a real say in determining not only their own way of life but in determining the type of education that they really want. Mr. Speaker, because of the importance of this Bill and because I would like to have a few more words to say on it I wish to beg leave to adjourn the debate.

Debate adjourned.

Hon. Mr. MacMurchy (Minister of Education) moved second reading of Bill No. 48 – **An Act respecting Assessment and Taxation in School Districts.**

Mr. MacMurchy: — Mr. Speaker, this Bill is the old School Assessment Act. Essentially it contains the same provisions as the old Act although there are a few significant changes.

The original Act was passed many years ago and its purpose was to govern matters of tax and assessment for schools established under The School Act. Since that time, The Secondary Education Act and The Larger School Units Act have been passed. Assessment for these systems is under the Minister of Education but assessment for the old school districts is under The Municipal Act. As a result the present Act is pretty much obsolete.

The Bill before the House, Mr. Speaker, would transfer the administration of this Act from Municipal Affairs to Education which is where the other comparable legislation is presently being handled. Second, Mr. Speaker, this Bill will help to facilitate the achievement of our objective of uniform school tax rates within municipalities in the same school units. For many years now the Department of Municipal Affairs, the Assessment Commission, the Department of Education have encouraged boards to reduce and to virtually eliminate differentials in school rate tax levies. This Bill, we hope, will help to iron out variations between villages and towns and the rural municipalities, variations that are at the present the sources of some very bad feeling and do create a few serious local problems. This is a very useful end and it should be possible to attain it now with generally uniform assessment procedures that have eliminated most of the differentials. Provisions here in this legislation are patterned very similarly after the legislation that presently exists in The Larger School Units Act.

The third objective, Mr. Speaker, is to ensure a fair and equitable sharing of the revenue from large assessments. Most of these are based on mineral and processing plants. This is possibly the most important section of this Bill. Under the existing law it is possible for a small separate school district to have such a share of the undeclared corporation assessment as to have such a share of the undeclared corporation assessment as to enable it to have an extremely low mill rate compared to a neighboring district. The revenue from the undeclared assessment, in other words the assessment that has not been specifically declared as Protestant or Catholic is divided between the separate and public school systems in proportion to the ratio of their declared assessment. If the separate school has 25 per cent of the declared assessment it received 25 per cent of the taxes on the corporate assessment too. This would appear quite fair and quite reasonable. Disparity arises when the tax rate is applied. The mill rate used is that of the public school district. This money is turned over to a separate school district which then sets its own mill rate to be applied to the declared separate assessments. In some cases the income from the corporation taxes is large enough to pay a great portion of the cost and the separate board is able to set a tax rate much lower than the public boards. What this means is that the neighbors in the community, rural or urban, may be paying vastly different school property taxes because of the technical distribution of the revenue. Under this new Bill, Mr. Speaker, this disparity

would be done away with. The share of undeclared revenue of a separate board would be set so as to ensure that the mill rate required beyond that was the same as for the public system. Mr. Speaker, there will be a relatively small number of ratepayers whose advantage will be eliminated by this Act. On the other hand we feel it is unfair to permit a large differential in taxes to stand simply because the allocation system being used was set up before the industrial assessment arrived or before it was as important as it is now. I think most people will agree that the adjustment and updating being proposed is a reasonable step to take.

I am pleased that this Bill be now read a second time.

Mr. McIsaac (Wilkie): — Mr. Speaker, just a few brief words on the Bill as presented by the Minister.

First of all we can certainly agree with the original two points that he explained. 1. That the Bill brings control from Municipal Affairs, as it were, to the Department of Education where perhaps it should have been for some time, because other responsibilities with respect to assessment and so on were already there. There have been many changes, of course, and the Minister rightly pointed them out since the time this particular legislation was put on the statute books. That much we can certainly support. The second point that he mentioned, Mr. Speaker, this is a change or a change with the times as a result of changing times, that deals with the question of a uniform mill rate.

As I understand it here, Mr. Speaker, the present legislation removes any and all possibilities for variations in the mill rate. I suppose based on the fact that larger units are here now and they have been in operation for some time. The reasons for differential mill rates that once existed no longer exist.

Mr. Speaker, the other provisions that he referred to – and I believe I followed his comments in that respect – with respect to the corporation tax revenue going to a small separate school district. I can think of only one where this might come into play and there may be a couple of others. Because this is a fairly large Bill, Mr. Speaker, I would appreciate it if I could adjourn debate on this to review several of these items. It is not my plan to hold it up, but I would ask to adjourn.

Debate adjourned.

The Assembly adjourned at 5:28 o'clock p.m.