

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Fifth Session — Eighteenth Legislature**

April 10, 1978

The Assembly met at 2:00 o'clock p.m.

On the Orders of the Day

**INTRODUCTION OF GUESTS**

**MR. SPEAKER:** — It is my pleasure to introduce to the Assembly, Mr. Pat Michael, Assistant Clerk of the Yukon Legislative Assembly. Mr. Michael is visiting our Legislative Assembly on an attachment to the Table for the purpose of studying parliamentary procedure as it is practised in Saskatchewan.

During his attachment to our Table he will have the opportunity to study the activities of our Legislature in its many forms. This will include observing the proceedings of the Assembly and Committees of the Whole and also proceedings of the various Standing Committees, particularly the Public Accounts and Crown Corporations Committees.

Pat will also be studying our record keeping system, our methods of compiling and producing the daily Votes and Proceedings, and the Order Paper, and will examine our new automated 24-hour Hansard operation as well. In addition, part of his time will be spent reviewing the organization and administration of all support services to the Legislative Assembly and to members in Saskatchewan.

Pat is no stranger to Saskatchewan. Although he was born in Edmonton he was raised in Saskatchewan and attended schools in Carnduff and Estevan. He studied at the University of Alberta from 1970 to 1975 and served as a legislative intern in the Alberta Legislative Assembly during 1975-75. Subsequently he served as an executive assistant to the leader of the official opposition in Alberta for two years. Pat was appointed to his present position as Assistant Clerk of the Yukon Legislative Assembly in November, 1977.

I am sure he will find members and staff most willing to co-operate in making his stay here a valuable learning experience. I trust that all members will join me in welcoming Mr. Pat Michael to the Table of our Assembly and wishing him a productive and enjoyable visit in Saskatchewan.

**HON. MEMBERS:**— Hear, hear!

**MR. R.L. COLLVER (Leader of the Conservative Opposition):** — Mr. Speaker, it gives me a great deal of pleasure to introduce to you and through you to the other members of the Legislative Assembly, a group of dairy producers who are going to be most interested in today's question period, Mr. Ken Elder from Fillmore, Clarence Middle, Bernice Wilkie, Steve Kotylak, John Schmidt and Nallie Kotylak, all from Montmartre, and Lloyd Schrader from Arcola.

I know all members will wish to welcome the dairy producers here and will encourage them for their interest and enthusiasm in our Legislative process.

**HON. MEMBERS:**— Hear, hear!

**MR. C.P. MacDONALD (Indian Head-Wolseley):** — I too, want to join with the Leader of

the Progressive Conservative Party in expressing welcome to these dairy producers to the Legislative Assembly, and particularly at a time when they are facing a critical period in their lives as dairy producers and farmers in Saskatchewan. I hope they enjoy the session this afternoon and that perhaps something might come out of the Legislative Assembly today which will give them some kind of an assurance that the problem may be eliminated.

**HON. MEMBERS:**— Hear, hear!

### **WELCOME TO STUDENTS**

**MR. J.G. LANE (Qu'Appelle):** — Mr. Speaker, I would like to introduce to you and to the Assembly a group of 32 Grade Eight students from Stewart Russell School here in Regina in the Glen Cairn area. They are seated in the east gallery. They are accompanied by Mr. Reese, but I don't see him. We welcome them this afternoon. I hope your stay this afternoon is interesting and informative. I will be meeting with them after, Mr. Speaker, for questions, pictures and cokes. I welcome you to the Assembly and I hope your stay is interesting and informative.

**HON. MEMBERS:**— Hear, hear!

**MR. A. THIBAUT (Kinistino):** — Mr. Speaker, today it gives me great pleasure to welcome to this House a fine group of Grade Eleven and Grade Twelve students from St. Louis School numbering 42 in the west gallery. They are led here today by their teachers, Richard Laycock and Mr. Eric Harder. Their bus driver, driving an STC bus, Mr. Joel Judoin. They left early this morning. They are going to visit the Museum of Natural History and many places in Regina. I hope that their trip to Regina will be one of great education, and that parliament will be something they will have a good impression of and that they will bring home with them some very pleasant memories of their trip to Regina.

**HON. MEMBERS:**— Hear, hear!

**MR. R.H. BAILEY (Rosetown-Elrose):** — Mr. Speaker, I would like to introduce to you and to this Assembly a group of 25 Grade Eight students who are seated in the Speakers Gallery. This is the second group that has been in from the Rosetown Division III School. I will be meeting with them later. I understand there is another group from that same Division III School that will be in later on during this session. They are accompanied by Mr. Wiebe and Mrs. Cornet. I will be meeting with them for pictures and for some refreshments in the dining room later. I am sure all members wish them a safe trip home. It's a long way back to Rosetown. I am sure they are going to enjoy the Assembly. We are very pleased to have them with us today.

**HON. MEMBERS** — Hear, hear!

**MR. G. WIPF (Prince Albert-Duck Lake):** — Mr. Speaker, I want to join with the hon. Mr. Thibault in welcoming the 42 students from St. Louis. It is an area that I spent a lot of time in when I was in Grade Eleven and Grade Twelve. St. Louis borders one of the best constituencies in Saskatchewan, the Prince Albert-Duck Lake constituency. I do hope that your stay here is very educational and informative. I do wish you a safe trip home.

**HON. MEMBERS:**— Hear, hear!

## QUESTIONS

### Agreements between Province and CRTC

**MR. C.P. MacDONALD (Indian Head-Wolseley):** — Mr. Speaker, I would like to direct a question this afternoon to the Attorney General, the Minister in charge of the Communications for the province of Saskatchewan. Would the minister tell me if there have been two basic agreements between SaskTel or the government of Saskatchewan and the federal licensees in the province of Saskatchewan, first a basic agreement to provide exclusive use of the VHF Channels 2 to 13 for the next 10 years; second, can the minister indicate if SaskTel gave an undertaking in writing to Cable Regina and the private licensees throughout, in Moose Jaw and Saskatoon that CPN would vacate Channel 3 in Regina and Channel 9 in Saskatoon as of 12:00 o'clock noon, April 7?

**HON. R. ROMANOW (Attorney General):** — Mr. Speaker, there was an agreement, or there is apparently an agreement for the provision of services to the conventional cable operators. I am afraid I cannot tell the House the details of that agreement in terms of the length. On the second aspect of the question, there has been an accommodation sometime in late February as I understand it respecting the use of one channel by CPN on the VHF.

**MR. MacDONALD:** — Supplementary, Mr. Speaker. Could the minister then indicate whether or not a Crown corporation in the province of Saskatchewan deliberately violated an agreement with the private licensee who had an agreement with them and the CRTC, or was it a decision by the government of Saskatchewan? If that decision was by the government of Saskatchewan, who made it, and who informed SaskTel to stop disconnecting CPN subscribers and not to cut off CPN as of 12:00 o'clock noon on Friday?

**MR. ROMANOW:** — Mr. Speaker, a member of the House must realize that SaskTel is in the position of providing a service to two customers, one is CPN and the other is the conventional cable operators. Quite clearly we are in the situation where SaskTel is trying to expedite the provisions of technological equipment for the delivery of those services to these customers as quickly as possible without interference. There has been a delay. The basis of the accommodation back in February by both parties was on the understanding that this equipment would be forthcoming as quickly as possible. SaskTel's decisions in this area, the ones that the member refers to, have been made by SaskTel keeping in mind its obligations to all parties.

**MR. MacDONALD:** — Can the minister also tell me, a final supplementary, can the minister then tell me, you are laying the complete responsibility as I interpret your remarks, for the decision not to cut off CPN, to permit both signals to go on the same channel completely on the shoulders of SaskTel and Mr. Thomas the acting manager? Can the Attorney General also tell me, was it the complete and total responsibility of SaskTel not only to permit both channels on the same signal to go on the same channel, but was it also the responsibility totally of SaskTel to attempt to jam, on Friday evening, and prevent the signal of the conventional Cable Regina from appearing on Channel 3 on that occasion?

**MR. ROMANOW:** — Mr. Speaker, again I would have to be more fully informed, I suppose than I am on this matter, but Channel 3, which is the channel at issue, is supposedly the educational channel that the conventional cable operators would use. And if the hon. member will realize that as of April 7, and indeed some time prior to that,

there was no educational programming available and there is no educational programming available, keeping in mind that the province has the right to designate the educational programmer, not the licensee. The simple fact of the matter is that there is no educational programming available. This is a vacant channel. It has been the basis upon which CPN has operated for weeks, for months - even during the time that the conventional cable licensees were licensed by the CRTC. On April 7, in effect, nothing has changed. This is again a situation where SaskTel as I say, is trying its best to accommodate two competing customers, on a temporary basis, only until the latter part of April or the early part of May, until the technology allows for delivery of the services independently.

### **Strike in the Dairy Industry**

**MR. COLLVER:** — Mr. Speaker, I would address my question to the Premier. On the weekend, the Minister of Labour publicly stated, with reference to the strike in the dairy industry that is presently going on, that there was no emergency. In the light of the \$100,000 cost to the dairy producers per day, in the light of the fact that there is the potential of the discard and destruction of food in needed food supplies, do you agree with the minister that there is no emergency?

**HON. A.E. BLAKENEY (Premier):** — Mr. Speaker, I am advised by the Minister of Labour that he made no such statement, and accordingly, I agree with what the minister said but not with the report of what he said, given by the member for Nipawin.

**MR. COLLVER:** — Supplementary question, Mr. Speaker. Since there is obviously an emergency in this situation, would the Premier consider using his good offices to attempt to mediate this dispute, and at the same time, would the Premier use his good offices to perhaps introduce into this legislature, a 90 day cooling off period as between the parties — since the settlement from the AIB ruling means that for the next nine months, the settlement has already been reached anyway, and therefore a 90 day cooling off period would not hurt either of the parties.

**MR. BLAKENEY:** — Mr. Speaker, the member has asked me two questions. Yes, the government is prepared to use its good offices to bring the parties together. The Minister of Labour has done this with his staff. He is giving his attention to this. I say to him and I say to you that, if in his judgment it is tactically sound in order to bring about a settlement, for me to offer good offices, I would most assuredly do so. I want to state that we are indeed disturbed by this work stoppage, and particularly by its impact on dairy farmers. We wish a speedy conclusion to it and we will certainly use everything, every method at our disposal which appears likely to bring a speedy end to this dispute and an agreement between the parties concerned.

**MR. COLLVER:** — A supplementary question, Mr. Speaker. In the light of the Premier's reply that he is first going to allow his Minister of Labour to make the decision as to whether or not an emergency exists and certainly in the light of the fact that a press report indicated that the Minister of Labour felt there was no immediate emergency and since it is obvious and apparent that there is going to have to be milk dumped as of today or tomorrow, would the Premier not agree that at this point in time it is incumbent upon him as the Leader of the government of Saskatchewan to: (a) offer his services to the parties as a mediator in this very serious problem and (b) to offer to introduce into this Legislature, as quickly as possible — we would certainly be prepared to waive any leave that is required on this 90 day period and I am certain that members to my right would be prepared to do the same — a 90 day cooling off period since it doesn't affect

the parties at all anyway because of the AIB ruling?

**MR. BLAKENEY:** — Mr. Speaker, the hon. member misconceived what I said earlier about the Minister of Labour. There is no doubt that there is an emergency; we all concede that. The issue is, what is the best step that the government can take to deal with the emergency? The Minister of Labour and his staff have been dealing with this matter for some days. The Minister of Labour is now obviously going to have to make a judgment as to whether the next appropriate move is for him to be involved, for me to be involved or the Legislature to be involved. In my judgment, it ought to be a decision of the people who have been dealing with this; indeed they have not yet succeeded but they will have a good deal more knowledge about what is likely to succeed than either I or the member for Nipawin. Accordingly, I think common prudence dictates that we leave it to the people who have been dealing with this until it is clear that their efforts are not going to be successful. That seems to me to be the obvious and prudent course of action. We do wish to have this brought to a conclusion as rapidly as possible. A good number of discussions have taken place, more will take place. I suspect a suggestion that the member for Nipawin or I become a mediator will only delay the discussions which are ongoing and which are likely to lead to a settlement of the dispute.

**MR. A.N. McMILLAN (Kindersley):** — A supplementary question, Mr. Speaker. Mr. Speaker, a question to the Premier. I would like to know in view of the fact that hospitals and parents with infant children in Saskatchewan are, in the next few days, going to face an elimination of their milk supply if your government has developed any contingency plans to supply both institutions and families with infants with the necessary supplies of milk that they will need?

**MR. BLAKENEY:** — Mr. Speaker, we do not anticipate any absolute shortages of milk because of the difficulties in Saskatchewan — shortages of milk for hospitals and the like. There is, of course, powdered milk and there are canned milks and formulas generally, which take up some of the slack. If an absolute shortage develops I am very confident that milk will come in from other sources to fill the gap.

#### **April 7 Deadline for CPN**

**MR. S.J. CAMERON (Regina South):** — A question, Mr. Speaker, for the Attorney General with respect to the cable dilemma. Quite apart from what SaskTel may or may not be trying to do in the current circumstances, is it not a fact that on February 24, SaskTel gave an unequivocal written guarantee that on or before April 7, 1978 at noon, signals originating on CPN would be removed from channels 2 to 13 inclusive?

**MR. ROMANOW:** — Mr. Speaker, I am unable to agree or disagree with that statement. I have not seen the so-called document that the member refers to and accordingly I cannot subscribe to his description of the document as an unequivocal guarantee.

**MR. CAMERON:** — A supplementary, Mr. Speaker. Will the Attorney General give this House the assurance right now that, if in fact SaskTel gave written unequivocal assurance to that effect, he as the Attorney General, who understands the concept of the sanctity of contract, will not only advise that government department but insist that it will abide the by terms of that undertaking?

**SOME HON. MEMBERS:**— Hear, hear!

**MR. ROMANOW:** — Mr. Speaker, I know that in the haste of the opposition to do anything they can to destroy the opportunity of CPN and those thousands of people who would like to see an alternative broadcasting medium go, in their haste I think the hon. member would agree that even he is pushing the limits of the office of the Attorney General. If there is a breach of contract as between SaskTel and the conventional cable licensees, as the hon. member alleges or implies, the hon. member knows full well that the remedy lies as in any other case, in an action before the appropriate court.

**MR. CAMERON:** — Mr. Speaker, if I may, a final supplementary for the Premier. Gil McCormick, the retiring president of SaskTel, who is recognized by all of us as a man who has given tremendous service to this province through SaskTel and is now on the verge of retirement, gave his written undertaking on February 24, on behalf of SaskTel, to have the CPN signal removed from channels 2 to 13 inclusive. Does the Premier not consider that if SaskTel does otherwise than abide by that clear, unequivocal, written assurance by Gil McCormick, that would in effect amount to a very real stab in the back of a great public servant on the verge of his retirement?

**MR. ROMANOW:** — Mr. Speaker, again I do not know the nature of the urgency of that question. I do know that the answer is as I have given before. The member places all kinds of judgment calls and interpretations on a document, calling it an unequivocal agreement. That may or may not be the case. If that is the case that's for the courts to decide again as I indicated earlier, Mr. Speaker.

### **CRTC Approval for Converters**

**MR. J.G. LANE (Qu'Appelle):** — A question to the Attorney General. I questioned the minister responsible for SaskTel on Friday. He had indicated publicly and in this Assembly earlier in March that any converters necessary would have to be approved by the CRTC prior to installation. SaskTel has now ordered 10,300 converters. Would you tell this Assembly now when you obtained CRTC approval for these converters or are you in fact telling this Assembly the converters that were purchased are possibly illegal converters?

**MR. ROMANOW:** — Mr. Speaker, I will have to take notice of the details of that question. I am not familiar with this. I believe, if the Minister in charge of SaskTel said it was the Canadian Radio Television Commission which required the approval I think - well again I won't say this - but my understanding is that it's the Department of Communications that indeed gives the approval. I could be in error there. In any event I will have to take notice of that to get myself acquainted with the details.

**MR. LANE (Qu'Ap):** — Final supplementary. Further on the matter of converters, the announcement came out earlier in April that SaskTel had ordered 10,300 converters. I will accept your earlier figure of approximately \$60,000 a converter for discussion purposes or \$60 a converter. Now it turns out by a statement purportedly made by the acting general manager of SaskTel on Saturday that these are not the type of converters that will suitably secure one service from another and for that reason they are not satisfactory. Now when was the political decision and who made it made to SaskTel to order possibly one illegal converter, secondly, unsatisfactory converters? That's putting obviously a much higher burden on the taxpayers of Saskatchewan forcing SaskTel to waste possibly several hundreds of thousands of dollars.

**MR. ROMANOW:** — Mr. Speaker, the hon. member is misinterpreting that news report. What the acting general manager of SaskTel was referring to was the suggestion by

one of the parties to the dispute that there was a converter available on loan basis which could be used in the interim provision until the 10,300 are actually manufactured and are on stream. I think the acting general manager was referring to that converter when he said that it was inadequate inasmuch as it did not totally separate the two signals. That's indeed my understanding of the situation.

Finally, Mr. Speaker, I would say that the question again is one predicated on a high degree of political assumption, the assumption that somehow there is a political decision to force SaskTel to order converters. Indeed, if that was the case, I dare say, Mr. Speaker, that we would have had the converters by now or a converter by now. The fact of the matter is that we don't have a converter now because SaskTel people have not been satisfied with the technological standard and the capability of that converter until just a few weeks ago, my point being simply that SaskTel makes these decisions as it can and as it properly should with the technical and other economic expertise it has.

**MR. G.H. PENNER (Saskatoon Eastview):** — Mr. Speaker, a question to the Attorney General on the same subject. Would the Attorney General indicate whether or not SaskTel agreed to allow CPN to use channel 3 against the expressed written order of the CRTC and that the extension that SaskTel granted to noon of April 7 was given without SaskTel even asking CRTC to agree to the extension?

**MR. ROMANOW:** — Mr. Speaker, the member is confused as to the role of SaskTel in this matter. SaskTel has no relationship to the Canadian Radio Television Commission. SaskTel is a supplier of hardware services to customers. Those customers may or may not have an obligation to the CRTC but not SaskTel. Accordingly, any arrangement that has been made by SaskTel is predicated on that legal basis.

**MR. PENNER:** — A supplementary, Mr. Speaker. The legal basis that the minister talks about with regard to SaskTel has had, as a part of it, a breaking of the situation that the conventional cable operators found themselves in vis-a-vis CRTC and SaskTel has in addition given a written commitment to those cable operators that they would, in fact, carry their signal as of noon April 7, and they did not. Would the Attorney General not agree that the only reason that we are finding ourselves in this position is because of a political decision for the government of Saskatchewan to loan \$2.5 million and the government's desire to protect that loan?

**MR. ROMANOW:** — Mr. Speaker, if I was a Liberal or a Conservative bound on seeing the CPN \$2.6 million loan fail, I would be urging that the government do what it is doing, mainly putting it in a reverse way, if you are looking at the question of protecting money, the difficulty CPN is in now, in your logic, would ease the financial commitment somewhere down the line for the government of Saskatchewan rather than what we are doing which by your logic is further exposing the \$2.6 million. My point, Mr. Speaker, is simply this: I have said this before, on channel 3 there has been no use of the educational channel, no use of the educational programming because there is no educational programming available. That was the basis upon . . .

**MR. CAMERON:** — . . . 2 to 13.

**MR. ROMANOW:** — The member for Regina South says 2 to 13 . . . 2 to 13 inclusive includes 3 and it included 3 in late February at the time of the so-called accommodation and it includes it today. In late February there was no educational programming and there is none today and there is no damage being done to the conventional cable operators, no channel was being knocked off, no damage was

being done at all to the conventional licensees, but by these questions they want to do damage to CPN.

**MR. SPEAKER:** — Order, order! I'll take the next question.

### **Alternative Sources for Milk**

**MR. G.N. WIPF (Prince Albert-Duck Lake):** — Mr. Speaker, a question to the Premier. A little earlier in one of your replies to one of the members about the possible shortage of milk in this province you said that milk will be coming in from other sources to help alleviate this problem. Could you identify those others sources that you are talking about?

**MR. BLAKENEY:** — I'm simply stating as a proposition that if there is a shortage of milk in Saskatchewan because there are no deliveries from Saskatchewan herds we can be reasonably confident that milk would come from cattle elsewhere to meet emergency situations in hospitals. It is difficult to think that there would be no supplies of powdered milk, no supplies of canned milk, no supplies of formula coming into Saskatchewan if in fact there was an absolute shortage. I simply do not believe that there would not be a movement into the province of some commodities to fill this absolute shortage which the hon. member postulates, but which has not yet happened.

**MR. COLLVER:** — Supplementary question, Mr. Speaker. Are you suggesting, Mr. Premier, that Alberta producers, or Manitoba producers would be supplying Saskatchewan hospitals and organizations of that kind when milk is being dumped in the province of Saskatchewan?

**MR. BLAKENEY:** — Mr. Speaker, what I am saying is that if there is an absolute shortage of milk, and knowing as we all do that much of the milk which is now delivered, is reconstituted powdered milk, one would anticipate that hospitals or other agencies needing milk supplies would obtain powdered milk. I am sure they would seek to obtain it from Saskatchewan sources. If these were not available I am sure they would seek sources elsewhere and attempt to fill the needs of their patients from whatever sources were available.

**MR. McMILLAN:** — Mr. Speaker, does he not agree that it will be cold comfort to those infants in hospitals and homes around Saskatchewan if in fact his hoped anticipation of other supplies of powdered and canned milk don't materialize in Saskatchewan. Then might it not be a good idea for this government to set up a contingency plan to provide supplies of milk to those institutions?

**SOME HON. MEMBERS:**— Hear, hear!

**MR. BLAKENEY:** — I agree with the hon. member that it would be cold comfort if these particular arrangements did not materialize.

Mr. Speaker, I will try again. I'm getting a number of other questions, not one, but four. To answer the question of the hon. member for Kindersley (Mr. McMillan), I agree with him that it would be cold comfort if in fact hospitals had need of milk supplies and were unable to obtain them. I entertain the belief that they will be able to obtain them. Accordingly I expect that the comfort will be more than cold.

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



## Bill 22 — Education Act

**MR. R.H. BAILEY (Rosetown-Elrose):** — I would like to direct a question to the Minister of Education. Over the weekend, Mr. Minister, since the tabling of Bill 22 in this Legislature you have sent to many, if not all, of the local school boards and trustees in the province a letter. Besides that, you made a press statement which I heard, in which you indicate that the concerns which school boards and parents have are basically unwarranted. My question to you is: Will you be answering to that statement tomorrow when I understand there will be a group of trustees and parents visiting the Legislature? Will you be answering the questions regarding their unwarranted concerns?

**HON. D.L. FARIS (Minister of Education):** — I would be very pleased to.

**MR. BAILEY:** — Supplementary question, Mr. Speaker. It has come to my attention and I would like to have the minister make a statement on this, that either from you yourself, Mr. Minister, or from the Cabinet itself, they have indicated that at this particular point in time that there is no way that any amendments, either from your party or for the members opposite — there are going to be no changes whatsoever in Bill 22. Did you make that statement? Was that statement made to a board, and if not, is it an accurate statement?

**MR. FARIS:** — No, I have never made that statement. I know no one in the Cabinet who has made the statement. It is not an accurate statement.

## POINTS OF ORDER ON QUESTION PERIOD

**MR. MacDONALD:** — Mr. Speaker, very rarely do I like to complain about question period. Today it was clearly the Liberal Opposition's turn for a question when you sidetracked it to the member for Rosetown-Elrose. That is the easiest way that I know of taking the government off the hook on a very vital and important question . . .

**MR. SPEAKER:** — Order, order! I'll ask the member to retract that accusation against the Chair, about taking the government off the hook?

**MR. MacDONALD:** — Mr. Speaker, may I say, as far as I am concerned, intentionally or unintentionally, I withdraw any implication . . .

**MR. SPEAKER:** — Order, order! The member was correct on his point of order. I was wrong. I should have directed the next question to the Liberal Opposition. I ask the member to withdraw that accusation he made against the Chair, unequivocally?

**MR. MacDONALD:** — I withdraw it unequivocally.

**MR. LANE (Qu'Appelle):** — Speaking on a point of order with regard to question period. We have not had the practice in this session, Mr. Speaker, of taking supplementaries from one caucus to another from the opposition. I noticed today you did it twice on a new area raised by the Conservative caucus on the milk strike. When we attempted to do the same matter on a supplementary asked on the cable, you refused to recognize that supplementary. I am wondering how Mr. Speaker would explain the inconsistency of the operation of the rule?

**MR. SPEAKER:** — I think the hon. member for Qu'Appelle has a misunderstanding himself about how I have been applying the rules. It is quite clear to members that I have quite often allowed members from another caucus to ask a supplementary. I have done it today. I have done it many, many times in the past when members have stood up and asked a supplementary.

**MR. LANE (Qu'Appelle):** — Speaking further on the point of order. It seemed to be inconsistent today that on a matter raised, initially and proposed before the House by the Conservatives, the party to my right was allowed to ask supplementaries on the matter raised by the party to the right. When we attempted to raise supplementaries they were not recognized by the Chair. Again that seems to be an inconsistent approach and perhaps, Mr. Speaker, could explain that to me.

**MR. SPEAKER:** — What question is the member referring to?

**MR. LANE (Qu'Appelle):** — The member for Rosetown Kindersley (sic) was allowed supplementaries on two separate questions by the member for Nipawin who raised the matter on the milk strike. I asked for a supplementary on the cable matter, a question by the member for Indian Head-Wolseley. You refused to allow a supplementary for myself.

**MR. SPEAKER:** — Order. The member for Kindersley asked the supplementary after the member for Nipawin had been allowed two supplementaries himself — nothing unusual about that, it has been done many times.

Order! The member for Nipawin, in his question about emergency dairy supplies and products, et cetera, asked a question and two supplementaries, and I believe the member for Kindersley followed with a final supplementary. If the member for Nipawin wants to get up and make a point of order, he can do it at an appropriate time.

The member for Qu'Appelle raised a question with regard to converters and their illegality, alleged, or whether they were ordered, or something of that nature, and there was a supplementary allowed but no further supplementaries were allowed. Apparently at that time, I assumed that the question had run out. If not, I had assumed that the question would be raised again if the member thought it was of high priority. (Inaudible interjection.) Order! I didn't hear the member.

**MR. COLLVER:** — Mr. Speaker, I would just like to draw your attention to an apparent lapse of memory. When the member for Prince Albert-Duck Lake raised a question, I raised a supplementary, you granted the supplementary to the member for Kindersley — even though I rose to ask the second supplementary.

**MR. SPEAKER:** — What was the question about?

**MR. COLLVER:** — The question was about the dairy strike . . .

**MR. SPEAKER:** — Order! The member for Prince Albert-Duck Lake raised a question about the possible milk shortages in the province of Saskatchewan. The member for Nipawin had a supplementary, and the member for Kindersley had a supplementary. I did not consider it to be of that high a priority at that point, to go on with the matter any further.

**MR. COLLVER:** — Mr. Speaker, on that point of order I would just draw to your attention, what your statement (which you just made to the member for Qu'Appelle), the statement you made was that you allowed two supplementaries to the question, and then a third supplementary if it happened to be out of another cause — that is what you said. Today, that did not happen, and my question, the first one, I had my question, two supplementaries and a question and a supplementary over here. On the other one, there was a question from the member for Prince Albert-Duck Lake, and a supplementary from me. I rose to ask for a second supplementary, you recognized the member for Kindersley. On the same issue, the member for Indian Head-Wolseley, raised the question and two supplementaries. The member for Qu'Appelle rose to ask for a supplementary and you denied it. All we are asking for is a simple explanation of your logic.

**MR. SPEAKER:** — The hon. member for Nipawin has me thoroughly confused — thoroughly confused. Because the member for Prince Albert-Duck Lake raises a question about the possible milk shortages in the province, the member for Nipawin seems to assume that he has the mandatory right to two supplementaries. That is not the case. The member for Nipawin had a supplementary; I was going to close the issue off by allowing one cross supplementary from the other side and the matter was closed then. If the matter is important, I will allow it to go on.

## **PRIORITY OF DEBATE**

### **CRTC AGREEMENT**

**MR. C.P. MacDONALD (Indian Head-Wolseley):** — Mr. Speaker, I rise and beg leave under Rule 17, to move a motion asking for priority of debate, for the purpose of discussing a definite matter of urgent public importance, and I state the subject to be:

(a) The urgent and compelling need for this Assembly to consider the implications of the government of Saskatchewan through its Crown corporation, Saskatchewan Telecommunications, being in deliberate defiance of the law, by allowing two cable television operators to occupy the same channel; specifically, Channel 3 in Regina, Channel 9 in Moose Jaw, and Channel 3 in Saskatoon, and;

(b) The involvement of Saskatchewan Telecommunications in a breach of contract with Cable Regina, Saskatoon Telecable, and Prairie Coax, by not providing the companies with unhindered access to all channels on the VHF band, on or before 12 noon, April 7, 1978.

Mr. Speaker, I would so move.

**MR. SPEAKER:** — I notice, regarding his matter proposed for priority of debate, that it was received in the Clerk's office at 8:25 a.m., for which I thank the hon. member. I refer all hon. members to Rule 17(6) which states that a matter proposed for debate must be in order and of urgent public importance.

I have considered this matter very carefully, and find that the matter is within the guidelines of Rule 17(10). I find however, that the matter is not of sufficient urgency and importance, that all of the normal business of the Assembly should be put to one side in order to debate this subject this afternoon.

I therefore rule that the matter does not qualify under Rule 17(6).

**MR. E.C. MALONE (Leader of the Liberal Opposition):** — Mr. Speaker, I wonder, on a point of order, if I could inquire of you what, in your view, constitutes something of urgent public importance. I realize you have made your decision, but surely when we raised this matter (I won't go into the matter), the *prima facie*, there appears to be a breach of the law by the government. I consider that a most urgent and serious matter, Mr. Speaker,. I wonder if you could give us some indication of what you would consider more urgent than that to set aside government business. There is no way we can bring this matter before the House until at least a week and accordingly, I must confess to you, Sir, that I am most disappointed in your ruling and I seek from you, some explanation if possible, for it.

**MR. SPEAKER:** — The member is not in a position, nor is the House, to deal with the ruling at this time. For the guidance of the member I would refer him to Beauchesne's Parliamentary Rules and Forms, fourth edition, page 89, citation 100, which deals extensively with a 'definite matter of urgent public importance' and in that it states among other things, 'that the matter must be so pressing that the public interest will suffer if not given immediate attention.'

I think basically that is the reason which I use to deal with the matter in calling it out of order because it was not of sufficient urgency.

**MR. S.J. CAMERON:** — Mr. Speaker, on a point of order.

**MR. SPEAKER:** — What is the point of order?

**MR. CAMERON:** — Mr. Speaker, rule 17 as I interpret it, requires Mr. Speaker to address himself to three matters in respect of this question. The first is whether or not the motion is in order which Mr. Speaker found it was. The other two things to the question are, is it of public importance, and by implication, Mr. Speaker, indicated it was. The third question is, is it urgent — merely, is it urgent. Mr. Speaker used the words, 'it is not of sufficient urgency' which clearly implies that Mr. Speaker considers it urgent but not of sufficient urgency to set aside the business of the House.

My point, Mr. Speaker, is that all that is required is for Mr. Speaker to view it as an urgent matter. The question is not whether it is sufficiently urgent to set aside the business of the House — the question is whether it is urgent. Mr. Speaker's use of the words 'of sufficient urgency' leads me to conclude that by implication at least, Mr. Speaker views the matter as urgent. Therefore, Mr. Speaker, I suggest that rule 17(6) has been met and Mr. Speaker ought to put the matter to the House as to whether it has leave. The House then will decide if 15 members rise to debate it. If 15 members don't rise the House would decide not to debate it.

**MR. SPEAKER:** — The member is quite right in citing the rules to me as they read in the rule book but I interpret my position as being one of having to decide whether it is of sufficient urgency to go ahead with a debate at this time. That is the matter that the Speaker has to decide and that, to the best of my ability I have done at this time and in past, so that I feel the urgency of debate is not that pressing at this time.

**MR. MacDONALD:** — Mr. Speaker, I want to point out and I am asking again for your interpretation. Today, conventional cable operators were threatened to be cut off the channel and from producing in the province of Saskatchewan, by the CRTC.

**MR. SPEAKER:** — Order. The member has to make a point of order and not an argument. The member is making an argument.

**MR. COLLVER:** — Mr. Speaker, on a point of order, and I am just commenting on your suggestions now about the matter of 'urgency'. This point of order is relative to perhaps a hypothetical situation, but suppose for a moment that we learned through some means that suddenly there were missiles coming at the province of Saskatchewan, could the Speaker rule that . . .

**MR. SPEAKER:** — Order! When that hypothetical situation occurs I will make my necessary ruling on it ..

**MR. MacDONALD:** — I would like to make a motion by leave of the House, if I might. I move, by leave of the House that this Assembly do challenge the Speaker for his failure to recognize the urgency and importance to the public of Saskatchewan . . .

**MR. SPEAKER:** — Order!

**MR. MacDONALD:** — . . . refusing to cut CPN off the signals of Cable Regina and seriously jeopardizing the CRTC's licensee.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. SPEAKER:** — Order, order! I would draw to the hon. member's attention, the third report of the special committee on the Rules and Proceedings of the Legislative Assembly, November 22, 1976. On page 20 it states:

Appeal from the Speaker's Ruling — Recommendation that Rule 18, sub(1) be amended to delete the words 'subject to an appeal to the Assembly without debate'

That was deleted from the rules under which we operate, therefore, I can find the member's motion which he moved to be out of order on that basis.

**MR. MALONE:** — Mr. Speaker, on a point of order. What the member is seeking is not from you but from this House is leave to proceed on that motion. We have all sorts of motions by the House leader, by other people who come to you asking for leave to do something. What that motion is doing is asking for leave of the House to proceed on the debate of that motion.

**MR. SPEAKER:** — I am quite clear what the member is trying to do. That motion is out of order on another count too because it has two subjects in the motion. One is a challenge of the Chair and the other is to do with the subject matter which the member tried to put forward today under urgency of debate, consequently it is out of order on that basis too. I know exactly what the member is trying to do and he is out of order. I think it has been dealt with.

**MR. MALONE:** — Mr. Speaker, I move that this House do now adjourn.

The motion negated on the following recorded division.

**YEAS — 7**

Malone  
Wiebe  
MacDonald

Penner  
Cameron

McMillan  
Clifford

**NAYS — 32**

Blakeney  
Pepper  
Thibault  
Bowerman  
Smishek  
Romanow  
Snyder  
Kramer  
Baker  
Lange  
Kowalchuk

Robbins  
MacMurchy  
Mostoway  
Whelan  
Kaeding  
Kwasnica  
Faris  
Tchorzewski  
Vickar  
Skoberg  
Allen

Johnson  
Thompson  
Lusney  
Collver  
Larter  
Lane (Qu'Ap)  
Birkbeck  
Ham  
Wipf  
Katzman

**MR. MacDONALD:** — Mr. Speaker, I rise under Rule No. 39. I would like to quote the rule:

A motion may in case of urgent and pressing necessity, previously explained by the mover, be made by unanimous consent of the Assembly without notice having been given under Rule 38.

Mr. Speaker, I would like to proceed now under Rule 39, to explain the urgency and the necessity in discussing the motion that I have to present to this Assembly.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. SPEAKER:** — Order! You may proceed.

**MR. MacDONALD:** — Thank you, Mr. Speaker and as I understand the motion, before I put the motion for unanimous consent of the House, I have a responsibility under Rule 39 to explain the reason for its necessity and its importance.

Mr. Speaker, I want to start off by reading a letter to indicate how necessary this is.

Dear Mr. Forrester, Sask Telecommunications, February 24, 1978; from Mr. D.G. McCormick, General Manager, Regina, Saskatchewan Telecommunications. Dear Mr. Forrester: This is to confirm our recent telephone conversation. SaskTel guarantees that on or before April 7, 1978, at noon, signals originated by the Saskatoon CPN will be removed from Channel 2 to 13 inclusive on the local cable distribution system. Between now and the time of the CPN signal move, SaskTel will not connect any new CPN subscribers to the distribution system. Following April 7 SaskTel will stop CPN subscribers from receiving Saskatoon telecable signals within a reasonable and practical length of time. Between now and April 7,

Saskatoon telecable will not take action to interfere with the Saskatoon CPN signal. I trust this is the understanding of our agreement.

Mr. Speaker, I would like to table that letter so it is for public concern.

I want to also point out that on Friday, Mr. Speaker, the importance and necessity of this is that as reported in the Leader Post, the CRTC has indicated that conventional cable operators in Saskatchewan have until today to force CPN off Channel 3 and Channel 9 or their license will be jeopardized, which, when I say "jeopardized" I mean then that the CRTC has the power and the capability and has indicated that they have no choice but to take action. Mr. Speaker, that would mean that millions of dollars . .

**MR. SPEAKER:** — Order, the member must put his motion.

**MR. MacDONALD:** — Mr. Speaker, I am going to try and get it as briefly as is possible the necessity of it. I would like very much, as you can appreciate, to respond to the Attorney General and make my speech. But, Mr. Speaker, what I am saying is let me read what it said, the CRTC said.

But it is a serious matter to be in contravention of a federal broadcasting regulation and some action will have to be taken. The ultimate penalty the CRTC could impose upon Cable Regina will be a suspension of its operating license.

That's today, Mr. Speaker. In addition, if the CRTC permitted a Crown corporation or a provincial government, for the first time I suggest in Canadian history, to interfere with a message of a cable operator or to interfere with the programming of a cable operator in Saskatchewan or in Canada (as we warned would happen) with the establishment of the hardware being completely owned by Sask Telecommunications.

Mr. Speaker, there are four matters of utmost importance.

**MR. SPEAKER:** — It is incumbent upon the member to place the motion and then it is incumbent upon me to find out if there is unanimous consent to proceed to debate the matter. Therefore, the member may not debate the matter now. He must forthwith put his motion.

**MR. E.C. MALONE (Leader of the Liberal Opposition):** — Point of Order. I believe that the rule . . . I am on a point of order . . . would you tell the Attorney General, Mr. Speaker, to allow me to proceed. I am sorry if I offended the Attorney General's sensibilities.

Mr. Speaker, the rule clearly says that a member may explain the necessity of making the motion. I believe, Mr. Speaker, that the member for Indian Head-Wolseley is raising a number of matters that make the motion necessary, (1) the breach of contract, (2) the federal law. I suggest to you, Mr. Speaker, that the rule allows him to proceed . . .

**MR. SPEAKER:** — Order. I have allowed the member, I believe, ample and sufficient time to make a couple of preliminary remarks prior to putting his motion. Now the member does not have the right to debate the issue and I think that the member is getting into that area. He must put his motion, then the House must decide whether they want to debate the matter. If they do, well then the member will get a chance to debate it.

**MR. MacDONALD:** — Point of order, Mr. Speaker, very briefly, Mr. Speaker, I have some

additional information which I will try to make not debatable, which clearly indicates the importance and the necessity . . . and I understand the Speaker's attempt to try and refrain from having a debate, but it is clearly in the rules to explain . . . I have made two point in relation to the necessity. I would like to make a third.

**MR. SPEAKER:** — Let me say to the member that if this matter is so urgent and pressing and necessary that it will be patently obvious to me on the surface and to other members in the House and the member is not allowed to bring in reams of information supporting his case prior to putting a motion before the House. I will allow the member to say a few words prior to putting a motion and I think this is similar to another jurisdiction and that's Standing Order 43 in the House of Commons and members are not allowed to bring in great reams of supporting evidence and not allow other members to respond to it. That's the exact position the member is putting me in. He's making me put myself in the position of letting him debate the issue before other members have a decision on whether they want to move ahead.

**MR. MacDONALD:** — Mr. Speaker, thank you very much. I was under the interpretation of the rule, Mr. Speaker, and before I proceed that it was my responsibility to persuade members of the Assembly to vote for the motion. My final point, Mr. Speaker, is this. What has occurred today is that SaskTel has broken three agreements which make it necessary to consider in the House.

**MR. SPEAKER:** — Order! . . . whether they have broken agreements or not and I am sure those members over there or maybe those members there will want to debate that issue. I think the member has to put his motion.

**MR. MacDONALD:** — Mr. Speaker, all I am saying is that according to what the Attorney General has indicated, what the cable operators have told me, there are three basic agreements: the basic signal delivery agreement, which provides up to 10 years exclusive jurisdiction for the conventional cable operator on the VHF channel 2 - 13; the second, the letter of agreement or undertaking of February 24th by the general manager of SaskTel; three, the government agreement broken with CRTC that SaskTel licensee agreement would be honored. In other words, the government and SaskTel agreed with CRTC that they would honor the federal licensee agreement with the CRTC. Mr. Speaker, I could go on and on, on the necessity and importance of this but I will try and abide by your ruling and put my motion. I urge all members of the House to vote and support it because of its importance and urgency.

Mr. Speaker, I move seconded by my seatmate, Mr. Malone:

That this Assembly direct SaskTel to abide by its written contractual undertaking of February 28th to have CPN's signals cleared from channel 2 - 13 inclusive, no later than noon, April 7th, which was their written contractual undertaking.

**SOME HON. MEMBERS:**— Hear, hear!

Motion negatived.

## **ADJOURNED DEBATES**

### **Second Readings**



The Assembly resumed the adjourned debate on the proposed motion by the hon. Mr. Kaeding (Minister of Agriculture) that **Bill No. 6 — An Act to amend The Saskatchewan Farm Ownership Act, 1974** — be now read a second time.

**MR. J.R. KOWALCHUK (Melville):** — Mr. Speaker, in rising to participate in this debate on the proposed amendment to The Farm Ownership Act, I want to begin by saying that this kind of legislation pleases me very much to support. There is no more important resource in Saskatchewan than land, Mr. Speaker. It is also a non-renewable resource and only so much of it is available and the wise supervision of that resource is one of the most useful services we can render to those that we represent, not only those who we represent today but those who will be suppliers of food in the future, Mr. Speaker.

Before I deal with the more specific proposals in this bill I want to say just a few words to those Saskatchewan residents who are most directly affected by this type of legislation, the potential sellers of the farmland. Saskatchewan's population tends to be older than the average for most other occupations. Several recent studies have pointed out the fact that a very sizeable segment of the total number of active farmers in this province are either at or beyond their retirement age. They are all potential disposers of farmland, Mr. Speaker. Some retiring couples will, of course, transfer their land to a son or a daughter; others will sell their land to a neighbor or another farmer in the district but there are situations where there is no one the retiring couple knows who wishes to buy their land. The best price that can be got for the land is then, of course, from an industrialist in Hamburg, Germany or maybe a banker in Milan, Italy or perhaps from a widely diversified multinational corporation in Houston, Texas or elsewhere, Mr. Speaker.

In the case of many of our senior citizens who have farmed all their lives, I can understand if there are mixed emotions for any legislation which limits the number of potential purchasers. The land they farm represents not only their current livelihood when it is sold, it also represents a decent pension for the years ahead. Mr. Speaker, I have yet to meet in my constituency any farmer who does not agree with the intent of these amendments. They know that if any provincial government were to allow vast tracts of farmland to be bought by the absentee landlords, Canadian and foreign, it would be the beginning of the end for the social fabric of rural Saskatchewan as we know it.

Any farmer whether he is retiring or not, knows the value of our system of family farms and the benefits bought by our way of life, the rural way of life, Mr. Speaker. Schools, grocery stores in our villages and smaller towns and even bigger towns, churches, hardware stores, lumber yards, drugstores, movie theatres and community halls, all depend on the family farm being maintained. The life and the strength and the viability of these does not depend on the big 10-section farm, Mr. Speaker, nor the absentee corporate farmer or the owner, in fact, any corporate owner. In fact, the promotion of these would guarantee certain debts for the small business and the small communities. If our province were to become a place where land could be sold to the highest bidder without any regard for the consequences we would regret it, Mr. Speaker, and those who would regret it most are those who are engaged in the family farming. Those young men and women waiting to get into the farming business as well, Mr. Speaker.

Our Saskatchewan citizens know the importance of protecting our society from the kind of change we do not want. They know too, that the threat in this instance is a real one. The buying up of land in our province must appear to be a very attractive deal for a

European businessman looking for a place to put his investment dollars in. By comparison with our prices, European and also the United States land costs are very high. Not just West Germans and Italians can afford to be interested for we all know that the Arab countries have amassed millions and billions of petrodollars and they are interested as well, Mr. Speaker. Foreign investors could without any financial strain at all push the price per acre of farmland up and far beyond the productive value of the land and make it impossible for the young people in Saskatchewan to make farming their career.

One of the best aspects of The Farm Ownership Act from the point of view of the young farm family is that it puts a limit on the activities of non-resident and corporate buyers in the land market in order to reduce the pressure on land prices.

Mr. Speaker, the merits of this bill are obvious, even to the spokesmen of the opposition parties, the member for Morse expressed his support the other day, very strongly, for control of land prices. The member for Moosomin, I am not too sure. I don't think he knows for sure where he stands, except that anything that has to do with free enterprise is all right by him. Some of his statements surprised me, Mr. Speaker, — (Interjection - Him too, I think!). In view of the position taken by the Conservative Party at their last provincial convention where the Conservative Party Convention of Saskatchewan the following resolution was passed.

Be it resolved that a special non-resident tax be applied to agricultural lands owned by foreigners, and then the size of such holdings not be restricted.

Mr. Speaker, now that is indeed a surprising kind of resolution to pass. The member for Moosomin referred again to this idea of a special tax on non-residents when these amendments were last discussed in this House. I have to say, Mr. Speaker, that this is a traditional Conservative line, those who have the money shall have it all. Those who are wealthy enough to pay the price can have whatever they want and the Conservatives will see that they get it in whatever quantity they like. For these people who are not rich, however, Mr. Speaker, a sizeable financial barrier is placed in their way.

Mr. Speaker, it is somewhat laughable to think that a system would be a barrier that with these freebooters, or whatever you want to call them, that have all the money you can think of, money, Mr. Speaker, is no object to them. When they are willing to pay any amount of money to buy any amount of land and leave it uncultivated for that matter, in many cases, therefore, Mr. Speaker, they are not too worried about doubling or tripling of taxes that you could put on them. I think we and the people of Saskatchewan should be wary of Conservative reaction towards land ownership control, Mr. Speaker, in view of what is happening in Manitoba. Let me quote some excerpts from the Western Producer of November 24, 1977, where their Agriculture Minister, Jim Downy, says:

Ownership of farm land by agricultural industries is not a threat to family farm operations . . . The government, in Manitoba, is reviewing the legislation passed by the former government the NDP Government which limited foreigners and Canadian corporations to owning 160 acres of farm land while setting a limit of 640 acres for non-farming Canadians.

I think for the New Democrats of Manitoba, that in my opinion are very mild regulations. In fact they could have been a lot harder, but Mr. Downy seems to think that these regulations are no good and they should be done away with. He said, 'We should loosen it up for Canadians.' And he says again, 'Land ownership should be loosened up and

become a basic freedom for all Canadians.' That reminds me of our friend, Tommy Douglas, saying that there should be equality and a good comparison is a good old elephant dancing amongst the chickens and that is the same principle we can apply when we are saying that everybody is competitive in the same way, all have an equal chance. That's Conservative equality, Mr. Speaker. Let agribusiness, implement dealers, implement industries and all and sundry, doctors and what not, be equal to the young farm land who wants to get into farming.

The Minister of Agriculture in Manitoba says this won't be a threat to family farm operations and I think you, Mr. Speaker, as well as all of the rest of us in this House know better than that. So, Mr. Speaker, as I indicated before that the Conservative philosophy is 'those who can pay will be able to buy,' the people who are not rich and I repeat a sizeable financial barrier is being placed upon these people. And again I will repeat that it is typically Conservative. You can go to any other province and you see the same application of this philosophy. You could go with the car insurance premiums in Alberta and Ontario that are three and four times what SGIO charges and in some cases well over \$1,500 for young drivers. Money determines, Mr. Speaker, whether or not you can participate.

As with the wide range of deterrent fees levied in hospitals in these Conservative provinces, in one case \$7.40 a day for elderly and extended care patients, again if you have the dollar you are not going to suffer the consequences. You are the same fellow who then can go out and purchase all the land you want as well, Mr. Speaker.

I also want to tell the member for Moosomin (Mr. Birkbeck), that when members on this side of the House stand up to voice their support for controls to stop corporate farming and absentee landlords we are not contradicting our party's policy established at conventions as he is.

Finally, Mr. Speaker, I want to tell the member for Moosomin that when the Minister of Agriculture or the Minister of Municipal Affairs or any other minister stands to put forward the government's position on which they are responsible for they are without any question the chosen spokesman of the New Democratic Party caucus. They do not have to play third string behind two other members of another political party, Mr. Speaker.

Mr. Speaker, there are other points that should be made and I think we should proceed to discuss a number of them. Other members of this Assembly should have had more to say and I am sure will have more to say I would have thought, notably the member for Qu'Appelle (Mr. Lane) who has had quite a number of non-residents purchase land in his constituency and for some reason he hasn't said anything about it and I hope he will. The vast majority of these purchasing land in the Qu'Appelle constituency seem to be well-to-do West Germans, Mr. Speaker. Perhaps their silence is due to the fact that there is a bit of a resemblance sometimes between the so-called rightist parties when we see them.

Mr. Speaker, in closing my remarks on this bill, let me say that I am very pleased to support the type of legislation that see Saskatchewan farm land not as a commodity to be used or abused as any wheeler dealer sees fit, but as our most valuable natural resource one that society knows it and particularly the agricultural society and depends upon it in all ways. The agricultural society, the life of this society, hinges on who gets to own this agricultural land and how it will be used, Mr. Speaker.

April 10, 1978

Mr. Speaker, I will be supporting this bill.

**SOME HON. MEMBERS:**— Hear, hear!

Motion agreed to and bill read a second time.

#### **COMMITTEE OF FINANCE — CONSUMER AFFAIRS — VOTE 4**

**MR. CHAIRMAN:** — Order! I would ask the minister to introduce his support staff, please.

**HON. E.C. WHELAN (Minister of Consumer Affairs):** — Mr. Chairman, I would like to introduce, on my left, the Deputy Minister, Arleen Hynd; behind me on my left, the Director of Licensing Investigation Orville 'Mac' McGillivray; directly behind me, Al Dwyer the Director of Administration; on my right, Tom Rogers the Director of Planning and Policy; seated behind Tom Rogers is the Director of Education and Information, Loretta Eberts.

**MR. CHAIRMAN:** — Thank you, Mr. Minister.

#### **ITEM 1**

**MR. J.G. LANE (Qu'Appelle):** — I will assume that your department has been involved in negotiations, or at least has had some liaison with the Department of Labour on the milk strike that is proceeding and I would like to know exactly what actions your department is taking?

**MR. WHELAN:** — Well in answer to the hon. member, Mr. Chairman, we are keeping fully informed as to what the developments are. At the present time the procedure of collective bargaining is in full-sway and the people who are involved are negotiating and we hope that there will be a settlement. I think much has been said in this House and on many occasions of the need for free collective bargaining. In every case we should give it an opportunity to work. We still think that there will be a settlement shortly. Our department is keeping in touch with the situation at the moment. We can't predict what will happen.

**MR. LANE (Qu'Ap):** — So, I perhaps didn't phrase my question specifically enough for you. I ask you what action you are taking . . . are you telling me that all you are doing is keeping yourself informed and are taking no direct action whatsoever?

**MR. WHELAN:** — We are well aware of the situation and we are assessing it hourly and we know exactly what is happening, but at this precise moment we don't see any need for making a public statement. We don't think that that will help the negotiations at all.

**MR. LANE (Qu'Ap):** — Well obviously within the last hour you have had contact . . . on the commitment that you are keeping contact hourly. What recommendations did your department make within the hour as to this committee, if any, and does the department have any contingency plan to deal with a longer term milk strike?

**MR. WHELAN:** — We think it would be premature, particularly at this stage of negotiations, to make a public statement in that respect.

**MR. LANE (Qu'Ap):** — Do you have a contingency plan?

**MR. WHELAN:** — I think you have to wait and see what developments there are. There probably is a half dozen different plans but you invoke the one that applies, depending on what takes place — and without knowing what exactly is going to take place, and with the possibility of a settlement, I do not think that we should be announcing contingency plans.

**MR. LANE (Qu'Ap):** — But you have five or six different plans, you just said. That's correct. Now, would you take each of the plans and give me the basic principles of what you are trying to accomplish in each one of your six plans.

**MR. WHELAN:** — I don't think we should make them known to the public because there is always a possibility that within the next half hour, the settlement would be made. With that possibility existing, I do not think it is wise to be announcing plans because that would suggest we are taking it for granted that this strike will be for a long period of time. It might be very difficult to settle and it might be settled very shortly. I think the plans that we have should remain just our plans, until the situation develops further.

**MR. LANE (Qu'Ap):** — I very carefully used the phrase 'longer term' than we hope the strike will last. I want to know what plans you have made, or what contingency plans you have made, to supply schools for example, with necessary milk, hospitals and nursing homes. Surely you have a plan.

**MR. WHELAN:** — I see it as being unwise in collective bargaining, to make an announcement of that sort at this particular stage, because the possibility of an emergency not existing could be very real and a settlement could be very shortly.

**MR. LANE (Qu'Ap):** — Well I do not know if you were in for the question period today. But the Premier indicated that the province of Saskatchewan is prepared to import milk from other provinces. Is that one of your contingency plans? If so, how long would the strike have to go on before you are prepared to take that action?

**MR. WHELAN:** — That decision has not been made as yet.

**MR. LANE (Qu'Ap):** — Is it a course of action that you are considering, as the Premier said?

**MR. WHELAN:** — I think I have said, and I repeat, if we were going to take a course of action depending on whether or not the strike will last one day, two days, three days, four days, five days, I think it would be premature on my part to be announcing contingency plans when the possibility of a settlement is very real.

**MR. LANE (Qu'Ap):** — Well, I suggest to you just the opposite. You really do not have any. Perhaps the Premier made a commitment to you today which caught your department totally unprepared — that is, the question of the government importing milk from other producers. Have you done any studies as to any potential loss of milk quotas if you import milk from other provinces?

**MR. WHELAN:** — Well, I think that to answer these questions, when there is a very real possibility of a settlement, would only prevent a settlement or raise doubts as to what our assessment was on the whole situation. I do not think, at this particular stage, it will help to make public statements in this respect.

**MR. LANE (Qu'Ap):** — Then you refuse to give us your contingency plans, and you refuse to discuss what action you are taking. Yet you are very hopeful, very hopeful that the strike will be settled immediately. What information have you got to back up your statement that the strike is going to be settled shortly, as you just indicated?

**MR. WHELAN:** — Well, you know the hon. member has week or so, and we are fully aware of the what the position of both parties are, and the possibility of a settlement. I think you have to make an assessment and you have to give free collective bargaining a chance. Many speeches have been made on both sides of this House down through the years enunciating the realistic need for collective bargaining. I think we should give assistance in the bargaining. That should be the first step, and that is being done. I think the Premier indicated that very clearly when he was talking to the House in reply to a question earlier today. I do not think that making a statement as to what plans we might have or, what plans we are undertaking, or, what surveys we might be doing, or anything of that sort, would, in any way, add to or facilitate the possibility of a settlement.

**MR. LANE (Qu'Ap):** — Do you in fact have detailed contingency plans?

**MR. WHELAN:** — As I said earlier, there are so many possibilities that you fit your plan according to the possibilities. The first possibility is that there will be an early settlement.

**MR. LANE (Qu'Ap):** — Well O.K. Now you are obviously being very evasive. You refuse to give us the details of the plan, and you say there is going to be an early settlement. We ask you, what evidence you have to show for an early settlement? You refuse to give any because you do not have any — you evade that question. I suggest to you, that, in fact, in spite of the fact that that strike has been talked about for a week, that you as the Minister responsible for the Department of Consumer Affairs, was first of all either caught totally unprepared or secondly, took no action at all. I don't know which is worse. I suggest to you that you have taken no action. Surely it is incumbent upon your department to give some statement to the public of Saskatchewan that their concerns and their deep seated concerns, which are becoming evident, can be eased in some way and that, in fact, there will be adequate milk supplies. I am surprised that you refuse to do that.

**MR. WHELAN:**— We disagree with the hon. member. We think that making a statement at this particular time would not facilitate settlement. We have the interest of the producers, the interest of the consumers, the interest of the people of the province at stake and making a public statement while people are bargaining down through the years has never been proven as helpful. As a matter of fact, many settlements have been made when it has been agreed by the parties concerned, certainly we are one of the parties concerned, we would not be making premature statements or statements in the middle of negotiations.

**MR. BAILEY:** — Mr. Chairman, I would like to direct a number of questions to the minister in relationship to the responsibility under your department concerning the provincial lotteries.

As you know — just a bit of review — I believe it was last November by Order in Council your department decided on issuing some regulations which were new to the province and any questions which I asked in the House at that time you continued to refer to the regulations being of a federal nature. Again you were evasive on that. Since that time of

course, again by a statement outside of this Legislature, you have withdrawn the regulations. Can I ask you this question, what prompted your department to impose those extra regulations on behalf of the people of Saskatchewan? Were you under pressure from a group to do so, and if so, who were these pressure groups?

**MR. WHELAN:** — I think I have made this statement in the House a couple of times but I will go over it again for the benefit of the hon. member. Back about 1968-69 in one of the sessions in the House of Commons, the Criminal Code of Canada was amended. The Criminal Code of Canada was amended so that although the code stated definitely that games of chance were not permitted, they could be under certain circumstances if the province passed regulations. The Criminal Code on the other hand is very restrictive and says certain things that the province can't do. It is very clear in this respect. At that time every member of the House of Commons supported the amendments to the Criminal Code. In 1970, in the early part of 1970, February as a matter of fact, the government of the day passed regulations and amended them a couple of times later on, maybe within a month or two months. These regulations which are readily available to the hon. member in Hansard are now very much out of date because of the manner in which they speak of the method, the limits in a lottery, the limits in many respects are out of date. In addition, some of the responsibility in those regulations was allocated to municipalities. Because as the hon. member will know there are many people in the province of Saskatchewan who are not exactly happy with any kind of a lottery and because the situation developed where complaints were being raised, a special committee made up of a representative of the Attorney General, a representative of Culture and Youth, a representative who was a lawyer, and a representative who is thoroughly cognizant of the whole lottery complaint area were appointed by this government in 1974 or 1975, I can't remember the exact date but I could get it for you, sat for a period of about a year and one-half or more and reviewed the situation, looked at the regulations that they felt were out of date, met the municipalities who were issuing licences and found out for instance that prior to April 1977, although there were 800 municipalities that were eligible and could issue licences, only 25 were doing so. This justified some of the complaints that were being raised by community organizations, religious organizations, young people, teachers, and the like. These regulations are proposed suggestions by the committee and were, in part, written into regulations.

When you raised this in the House (when you look back at Hansard) I think the Attorney General said to you (I repeated this) that if it was felt that these regulations were not manageable or not feasible or not practical, we would look at them again.

There are some areas that are really very difficult because the Criminal Code is contrary to the wishes of the people of the province. Let me give you three areas that are specific. The Criminal Code says very clearly that only a charitable organization — a non-profit charitable organization can hold a raffle for instance, and this excludes (it sets out and we try to set out in our regulations) four areas. The four areas were for the benefit of education of a general nature, education of a specific nature, religious education, for poverty or for the general benefit of the community.

There is one area where the Criminal Code speaks loudly and clearly against a lottery or a raffle and that is in an area where it says that it has to be a charitable organization. The law of the land, the British Common Law, says very clearly that a political party is not a charitable organization; it is a patriotic organization. Now I think I can quote . . . Every one of the political parties does not agree that it is a patriotic organization and there is a great . . . the representations in this area came from all

political parties including yours.

One of the things you could do to change this would be to amend the Criminal Code to include patriotic organizations because that is obvious from the expression that came from all political parties — that is one area where there should be a change.

There is also a need for a change, in my estimation, in some of the methods that are carried out to raise funds that are generally approved by the people of the province but clearly do not come within the Criminal Code. I also think one other area where there is a difference of opinion and we took a very wide concept of what was a general benefit to the community. This occurs in municipalities where there is a dispute — where the municipality says that this is not for the general benefit of the community and other people of the community, who want to hold the raffle, feel that it is and there is a dispute as to what the interpretation is. We took a very wide version of this and I think that is something that should be clearly set out by the way the Criminal Code of Canada speaks. I could give you other examples but we felt that these were some of the areas where we should make representations before we continued or before we developed regulations. If the people want these things we thought the best procedure was to make representations and to pull out the regulations that we had at the time.

**MR. BAILEY:** — Mr. Minister, I am quite aware of the (as you have mentioned) point and it is a very simple question. My question — what prompted you by Order in Council last fall to come forward with your provincial statement and regulations that you did and, subsequently, why have you since withdrawn them? I would like to know the reaction that you got from the people of Saskatchewan. I ask the question because I am quite sure that if the reaction that you got was the same as the reaction that we got from the service clubs, you had no choice but to withdraw those regulations. I just want a simple answer: (a) what prompted you to proceed with the regulations and, (b) what prompted you to withdraw those regulations?

**MR. WHELAN:** — What prompted us (and I thought I said this in the outline) was the committee's recommendations. The committee was made up of representatives who were thoroughly aware of how lotteries were carried on — a lawyer, a representative from Culture and Youth and a representative from the Attorney General's branch who made a set of sixteen or so recommendations unanimously after a long review. Why did we bring them in? We didn't bring them in in November, that is not right. We brought them in on January 1 and we thought that there was . . . and we never at any time . . . we said the first time you asked in the House (and I looked up Hansard to see what we had said) that if these regulations are not satisfactory we are prepared to listen and we are prepared to review them.

As far as the service clubs are concerned (and we met many of them in groups) by and large, once they understood the regulations that wasn't where the great problem was. The great problem, I think, existed among the political parties that wanted to hold raffles.

**MR. BAILEY:** — Did you, while the regulations were in force, investigate, lay charges against any illegal lottery in the province? That is, I am saying, between the time that this was in force, which you state is early January, to a period sometime in March I believe it was, during that time did you have the occasion to have drawn to your department's attention any illegal lotteries and did you investigate and were any charges laid?

**MR. WHELAN:** — First, I should make it very clear, Mr. Chairman, to the hon. members



that we cannot and we are not responsible for enforcement and we don't control charges or charges being laid in investigations. As a matter of fact, if you look at the record you will find that the investigations began to develop about 1974 or 1975. They were increasing, because in some areas there were bits of evidence that the public did not like what was going on and they were lodging complaints. The complaints sped up in the latter parts of 1974-75-76 and that's why we have a record of complaints at that time and I think they did increase and this is why the committee was set up. I think the main thing that is wrong is that the Criminal Code is now out of date, very much so. It is not in step with what the people want. If the people want these things then it seems cognizant on our part that we must make representations to see if we can't change the Criminal Code. With the one word 'patriotic' I think we could solve the problem of political parties holding raffles to raise money, if that's what the public wanted, if that's what the political parties want. I think there are a couple of areas where clarification, now, because we have kept in touch with the ministers who handle this sort of thing in other provinces and we are well aware of the problem that they are having because as I pointed out, prior to April, 1977, there were only 25 municipalities out of over 800 that were issuing permits to allow what was going on and some of it was happening without any surveillance by anyone. Of course as I have pointed out, there were two groups in the province, those who want lotteries and games of chance and those who don't. Those who didn't want them were making their position known and pointing out what was going on. I think the government of the day acted just as they would in a normal way. They set up the committee and they asked the committee to investigate, asked the committee to make recommendations, and they did all of those things. And the people who were on the committee were thoroughly respectable, people of integrity. The lawyer in charge, the Chairman was Jule Gebhard; the Culture and Youth representative was Bill Clarke; I can't remember the other two people right off hand, but they were people who had no axe to grind. They were really trying to find a solution.

**MR. BAILEY:** — Mr. Chairman, I am not criticizing the minister in one way for the actions he has taken, particularly in the drawing of the regulations, because you have to appreciate the fact (and I know what you are saying by the Criminal Code); it is what has become common practice that has been going on within the provinces and the very fact that this is under the Consumer Affairs . . . you told me one time that you wanted to make sure that the consumer was getting his money's worth out of the buck he was spending . . . I'm not criticizing you for that statement, only to say this. In rural Saskatchewan the local lottery that is conducted by the Lions Club or by the Rotary Club, or whatever club it is, people who buy a ticket in the town of 1,000 population to the Elks Club or whatever, now these people have more guarantee as to where their money is being spent. They see the project before their very eyes. There is no concern. Now unfortunately for your department, many of the people in rural Saskatchewan look upon the regulations which were brought down in early January as an attempt to curtail the number of dollars in lotteries to put them into the larger provincial and national lotteries and they took very kindly to that. Perhaps it was because of poor communications, but Mr. Minister, you did (I know very well) receive in the months of February and March, a tremendous amount of opposition from the Service Clubs of Saskatchewan. The reason I know that you did is because I received copies almost daily of the letters that were being sent to you.

Now the question that I have for you, Mr. Minister, is this, if you agree that the terminology — and I guess that's wherein the argument lies - that is a charitable organization? The next step in the argument is the definition of the term 'charitable organization'. The way it presently stands and what we are doing at the present time is

kind of closing one eye to that and letting things go on that is under the present federal terminology, the Kiwanis Club is not a charitable organization. Is that correct? Am I not correct in that? Because you were saying that they were not charitable organizations and I just want your comment on that.

**MR. WHELAN:** — No, I certainly didn't say that and I want to make it absolutely clear that in our regulations we attempted to spell out what a charitable organization was and what a charitable purpose was. A charitable organization is supposed to be a non-profit organization that operates in a democratic fashion or controlled by its members. We felt that a charitable organization should use its funds (1) for education purposes; (2) for religious education; (3) for the general benefit of poverty; and (4) for the general benefit of the community. I know of no case, and I said this in the House, where the Kiwanis Club, the Cosmopolitan Club, Legion, any of the service clubs, were refused a permit because what they are doing comes under the heading of the general benefit of the community. Now, to answer your question that there is a great deal of criticism, well, I could give you just one example. We ran ads you know and we sent our people to meet the different service clubs. We met them in groups of 10 or 12, we had meetings over and over again. The ads were in every weekly paper and three times in one week in the Saskatchewan dailies and we had a staff of people waiting by the telephone and we had 33 calls the first week.

**MR. BAILEY:** — How many?

**MR. WHELAN:** — 33, . . . not very many once our people started talking to the service clubs. There was a complete misunderstanding. They felt that they were not a charitable organization that was operating for the general benefit of the community and as soon as our people told them that we didn't get any more letters. I don't suppose I got more than 15 letters and they say that they got — I'm exaggerating, he says 10. Really the criticism that we got was this sort of thing, can you tell us what these things are all about, and once our people sat down and talked to them I think they understood because permits were issued and there were a great many of them issued. I don't know of one that was refused where it was a service organization for the general benefit of the community. Where we ran into trouble was when we started talking in terms of political parties and when we started talking in terms of certain types of gambling that the federal code says . absolutely no way can you operate this. Of course, we have experienced enforcement officers who are wandering around and saying to these people — I don't think there was a charge laid, I think there were some people who were warned — we have no control over them but they were wandering around looking at these operations and they knew the criminal code would not allow what was going on and they were saying, we don't think you should be doing this. At that stage of the game we had said that we would look at them again and we'll talk to the federal government of Canada about the criminal code. That's the commitment we made and that's exactly what we intend to do.

**MR. BAILEY:** — In your opinion, as Minister of Consumer Affairs, do you consider a raffle or a lottery or a ticket sale being handled by a political party as being in line with a charitable organization? You know, if so perhaps all of us are guilty of aiding and abetting because it's quite common within the province. You know, if we're going to say this to organizations in the interpretation of the criminal code as it relates to lotteries I don't think we can close our eyes to political parties either and I would like the minister's response to that.

**MR. WHELAN:** — If I was going to sum up what the situation was that brought about

what we are trying to do was that there was no enforcement whatsoever and people, and they weren't service club people, but people who never intended to award a prize, ran tickets and moved through a community and no one ever heard of them again. There are all sorts of things like this going on and they increased and the complaints became more valid and when they were chased down, it is the non-enforcement as I said, 25 municipalities out of 800 were issuing permits in 1974-75.

Now, if I could offer an opinion as to lotteries for a political party, from these people I got the most pointed representations that my party and your party and this party they were all saying that this is the method that they had used for years. I think the public has accepted it. I believe the law says it is not a charitable organization. The British Common Law has a decision that every lawyer quotes to me and I am sure that lawyers here can tell you exactly which one it is. It was handed down in 1949 and it was a battle over whether or not you tax charitable organizations. A man left his estate or part of his estate to a political party and after a long time the rule came down that it was a patriotic organization. Let me put my position.

I think that we should amend the code so that patriotic organizations should hold raffles. I said that when we began. I also think that in general terms, I said this in the House when you asked me the question, and I repeat it, I think that if a raffle is held we should make sure that there is a chance that the person can win and that the purpose of the raffle, this is where the enforcement people were giving us the information, the purpose of the raffle should be for the community — for poverty, for religious education or for general education. But that wasn't happening in some cases. This is where the trouble was, this is what the enforcement people — and the evidence was there of cases where there was no proper prize awarded. There wasn't any indication that there was a prize at all and yet the money had been taken out of the community.

**MR. McMILLAN:** — Mr. Chairman, I would like to direct a question to the minister. I would like to know if your department is considering taking action to prevent price gouging by retailers in the event that milk does reach a crucial shortage in Saskatchewan?

**MR. WHELAN:** — We will make that decision if it arrives at that stage. I don't think the situation is at that stage as yet.

**MR. McMILLAN:** — Obviously it isn't at that stage today, it may be — I understand that many of the retail stores that stayed open on Sunday were sold out of milk last night — at least the customers felt that there was some potential for there being a shortage in this coming week. You may, in fact, find at noon tomorrow that there is not a drop of milk to be found in Regina, at least on the retail shelves. I suspect, and as a matter of fact I know, I watched a delivery last night to a Happy Shopper Store of a station wagon loaded with milk; I expect that some of the retailers are laying in supplies where and when they can get them. I'm slightly concerned that there might be a move by some of the more unscrupulous retailers to try to take advantage of the shortage situation. Obviously, you are going to have to be concerned with it if it comes up. My question to you was, have you considered to this date taking action in case that situation arises? It is much like a contingency plan. It is one thing for the Premier to say, yes of course, we have a contingency plan, maybe we will have one if the situation deteriorates and we hope that it does not, but yes, I suppose we will look at it. It is much like your saying, well, no, we will look at it when the situation arises. My question is, have you considered that situation now, yes or no?

**MR. WHELAN:** — Well, I wish the hon. member would give me the lists and show me where this milk is being stocked away. I should point out that the Milk Control Board is a factor in this. And they would have something to say about it and, of course, if you can give us the cases that you know about we will sit down with the Milk Control Board, they control the price of milk, and consider what you are suggesting.

**MR. McMILLAN:** — Well, I am pleased to have that assurance from you. I would also like to ask for a firm commitment from you in the way of support for a motion that I have, seconded by the member for Wilkie. The motion reads simply that:

This Assembly urges the Department of Consumer Affairs to conduct a thorough survey of retail milk suppliers daily to ensure that the health of persons in institutions and infants requiring milk is not placed in jeopardy and that, in the event than an emergency exists the Department will take steps to ensure that the supply of milk will be available.

And you had stated a little earlier that you were monitoring the situation hourly. I suspect that may not be the case, at least I would be very surprised to note that you had any kind of system whereby you could monitor the situation, certainly on a general basis, hourly. I'd like your assurance by support of this motion that you will, in fact, take steps to monitor the situation in the best manner possible, and that in the event it deteriorates you will be committed to seeing that steps are taken to eliminate any problems that may arise as a result of the shortage so I move then, Mr. Minister, seconded by the member for Wilkie.

**MR. WHELAN:** — Well, Mr. Chairman, I think the intent of the motion is good but if teachers and trustees were in negotiations or if bus drivers or any group or doctors — I think that moving a motion which assumes that these things are going to happen at this time is premature and I would like to see us set this motion aside at the present time. I think that you can be sure that as the negotiations develop, you will keep track of what is going on but some clauses in that motion indicate that there is not going to be a settlement and suggest that. I don't think we should be jumping to any conclusions.

**MISS L.B. CLIFFORD (Wilkie):** — Mr. Chairman, I would just like the minister to read the motion because we carefully wrote it, so that firstly it would indicate that you were keeping track as which you have already said you are doing, so that part of the motion I'm sure will cause you no problem and the second part of the motion said that if an emergency did occur, not indicating that it would, but if it did occur that you would then try to take some measures to assure this problem with hospitals and other institutions and young children that they would not be left without milk. So we have left you a free hand in what you are going to do, but we just want for you, as you have said before that you are now keeping tabs, to make sure and vote for this motion so that the people of Saskatchewan will know that you are concerned about the problem.

**MR. WHELAN:** — Well, I think the fact that you have stated that if it did occur is a hypothetical situation. I don't think we should be voting on hypothetical situations when they may not develop and they may not occur.

**MR. McMILLAN:** — Mr. Chairman, certainly it must be the duty of the Minister of Consumer Affairs to anticipate problems which may arise. Now, obviously, if you operate in your Cabinet on a knee-jerk motion which may be the problem with the Department of Consumer Affairs — some people seem to think that there is a general problem with the department. It that's the way you operate it, it's no wonder there is a

problem.

We are saying to you in the interests of infants living at home with their parents and infants who are in institutions such as hospitals and other people in Saskatchewan who may have a need for a concentrated milk supply for diet, in their interests, will you give us the assurance that you will take action to see that they are not put in jeopardy as a result of a milk shortage. You just stood up and said no that you won't do that. What are those people to think? What are the parents of infant children to think when the minister responsible stands up in this House and says, 'I'm not going to take any action or even give you the assurance that if that situation arises, that I'm going to do anything about it'. All we are asking you to do is to set those people's minds at ease; get up in this House and make a commitment to the people of Saskatchewan that if the problem deteriorates into a serious one that you will be prepared to do everything in your power to alleviate the seriousness of it. You stood up and said that no you won't do that, after you stood up in this House and said you would do everything in your power. I don't know whether there is a short circuit somewhere in your memory but if there is, I hope someone will get the soldering gun out. It is a simple request for a commitment from you to these people so that they can be confident that their milk supply will be ensured.

**HON. G.T. SNYDER (Minister of Labour):** — Mr. Chairman, I just have to note the air of hysteria that has developed with respect to an anticipated problem. We all agree there is a difficulty with respect to the shutdown in the dairy industry — I think for the member to be suggesting in a hysterical manner that somehow or another the institutions and hospitals are going to be cut off in their milk supply . . .

I just returned from the telephone in the member's lounge only a short while ago and received an indication that one of the independent consumers is going to be receiving a milk supply for that particular operation. I understand there are going to be a number of them in the same position and certainly I don't have any doubts in my mind that those sort of contingency plans can be put in place with very little in the way of a problem and without the kind of hysteria that the member seems to be attempting to generate.

I just believe, Mr. Chairman, that we are dealing now with something that is designed to capture headlines rather than to deal with any specific problem that may arise. I think you can be guaranteed that the institutions in the province of Saskatchewan, with the supplies of milk that will be available through some other method, some independent truckers who are readily available, and with the very real possibility of using substitutes for fluid milk, that obviously the problem is not one that is going to manifest itself.

I think that if the members opposite are attempting to convey the view that they are the only ones who are concerned about this problem, then I think that is unfair and unreasonable and unjust at this point in time. We are doing everything we can that is possible and I am convinced that contingency plans are very readily available and can be put into place in the event that any such occurrence should take place.

**MR. McMILLAN:** — Mr. Chairman, on the basis of what members of the opposition have seen here today, we would only come to one conclusion and that is that we are the only people who are concerned about the situation.

We have a general motion here requesting some assurance from the Minister of Consumer Affairs that he will take action and what happens? The great Minister of Labour leaps to his feet, talking of hysteria being generated by the opposition. We would like an assurance that something will be done here. You are much like a dog with rabies — the least little bit of light drives it insane; it shies back; you have paranoia. I say

if your government is unable to give the people of Saskatchewan an assurance that you are prepared to do something about the situation, then you should be chastised.

You talk about this situation as though it is not important. You know how much of a supply of milk we have on hand in Saskatchewan. You know that of as of tonight, producers will probably be dumping if there is not a quick resolution brought to the labor dispute involved. You know that they will be dumping tomorrow and the day after that and the day after that until this dispute is settled. You make some vague reference to a consumer in Saskatchewan who is prepared to bring milk in apparently and make it available to the public. I would like to hear more about that. If that is the only reference you have to a contingency plan, again you fall short. If you are not as a government, prepared to give us and the public in Saskatchewan, an assurance that you are even concerned, then I say you are in real trouble.

Amendment negatived on the following recorded division.

**YEAS — 9**

Wiebe  
Penner  
McMillan

Clifford  
Collver  
Lane (Qu'Ap)

Ham  
Wipf  
Katzman

**NAYS — 24**

Blakeney  
Thibault  
Bowerman  
Smishek  
Romanow  
Snyder  
Kramer  
Baker

Lange  
Kowalchuk  
Robbins  
MacMurchy  
Mostoway  
Whelan  
Kaeding  
Kwasnica

Faris  
Vickar  
Skoberg  
Allen  
Koskie  
Johnson  
Thompson  
Lusney

**MR. COLLVER:** — I would like to ask just a few questions of the Minister of Labour ..(interjection) .. well, I know we are on consumer affairs but I wonder since we are talking about milk and the milk producers' strike, I wonder if the Minister of Labour would be prepared to answer some questions under Item 1 of the Department of Consumer Affairs.

**MR. CHAIRMAN:** — Well, I think to keep things in order . . .

**MR. COLLVER:** — Well, I'll ask the same questions . . .

**MR. CHAIRMAN:** — Address your questions to the Chair and to the Minister of Consumer Affairs, please.

**MR. COLLVER:** — All right. What steps have been taken by the Department of Consumer Affairs with reference to the dairy strike which is now in process?

**MR. WHELAN:** — One of your fellow members had asked some of these questions before and I indicated clearly that while the matter was under negotiation, while collective bargaining was taking place, we felt it was not going to assist the process by declaring an emergency or by indicating that we didn't think it was going to be settled very shortly. To make an announcement on the proviso or the possibility that we weren't going to settle the confrontation that exists, I suggest indicates a vote of no confidence in both the parties and the individuals negotiating.

**MR. R. L. COLLVER:** — Well, since you haven't been involved in this one, when you forced the dairy producers of the province of Saskatchewan, and I gather that it was your department that did so, to deal with the Dairy Producers Co-op a year ago, did you have in mind that this kind of situation might possibly have existed?

**MR. WHELAN:** — Well I am not aware of our department forcing them at any time. As a matter of fact, I am sure that the hon. member knows that the price of milk is set by The Milk Control Board.

**MR. COLLVER:** — I will rephrase the question, then. When the government of Saskatchewan, the NDP government of Saskatchewan and I am sure you were involved in the Cabinet decision to do this, a year ago, either through the Department of Agriculture or whatever, decided to force the dairy milk suppliers in Saskatchewan to deal with the Dairy Producers Co-op whereas before the dairy producers could deal directly with Palm Dairies, for example, or Silverwoods or someone else, but now they must deal with the dairy producers themselves. Did you envisage that this was a possibility or did your government envisage that the consumers of the province of Saskatchewan and the producers might possibly face the kind of situation we are facing today?

**MR. WHELAN:** — Well, as far as a department, you are addressing it to me as the minister in charge of the department. We do not have control over the Milk Control Board, that comes under the Department of Agriculture. To say that we forced the situation is, I think, not the least bit accurate.

**MR. COLLVER:** — Mr. Chairman, is the minister denying that he has the responsibility to ensure that the consumers of the province of Saskatchewan are protected from such a serious matter as the loss of a milk supply?

**MR. WHELAN:** — As I indicated earlier to two of your fellow members before you came into the House, we are taking careful note of what is going on and keeping track of the negotiations on an almost hourly basis and we are well aware of the situation that exists in areas of need and we know exactly what the situation is. But we do not think we should be making public announcements.

**MR. COLLVER:** — But since your department is responsible for the protection of the consumers in the province of Saskatchewan, did you consider when you were still responsible for the consumers a year ago and you saw the government of Saskatchewan set the regulations such that it was necessary to deal through only one source in order to get the milk supply for the province of Saskatchewan to the dairies, did you at that point in time, make any recommendations on behalf of your department that there was a possibility that a monopoly was going to develop and that a strike like this could materially affect the consumers of Saskatchewan?

**MR. WHELAN:** — Mr. Chairman, in answer to the hon. member's question, we think that the situation that exists where the Milk Control Board after taking into consideration all aspects, producer's cost, processor's cost, position of the consumer, and so forth, makes a decision as to the price of milk is fair and equitable; it guarantees a supply to the consumer once the price is set. It gives the producer a guaranteed income. The problem or the suggestion that is being raised by the hon. member for Nipawin is something that we think that in the position we are taking, we are protecting the consumer. We feel that even at this stage we will be protecting the consumer and we think that eventually the settlement will be made and it will be satisfactory to both parties.

**MR. COLLVER:** — Mr. Chairman, when the minister uses the words 'fair and equitable', he is relying on the same technique as the Minister of Health and others in his Cabinet that suggests he wants to use those kinds of subjective words instead of an objective analysis. My question, quite simply, Mr. Minister, is this: Is this not precisely the reason that such things as boards and marketing boards that are compulsory throughout the province places on the consumers an extra burden. If that board or agency that is responsible for the entire province happens to be involved in a labor dispute, such as the present situation, all of the consumers could find themselves in the situation of being in jeopardy and all of the producers could find themselves in the position of being in jeopardy. Whereas, when there is a choice, when there are several agencies or several organizations that can receive the milk or receive the commodity that kind of situation would not exist as it is today; that there would be a possibility that although one organization might be stuck the supply of milk could be maintained to the consumers of Saskatchewan. Would you not say that from your point of view, as Minister of Consumer Affairs for the province of Saskatchewan, that you should at least look at, examine if you want, the potential of this kind of situation developing in other areas when you develop these hard core marketing boards and centralized agencies?

**MR. WHELAN:** — Well, Mr. Speaker, I am absolutely amazed to find that the leader of a group in this House is opposed to marketing boards. It comes to me as a shock because the province of Ontario, which has dealt with farmers and fancies itself as a farmers government has dozens and dozens of very effective boards. And if you are going to say in this province that marketing boards are bad then you are saying that the Wheat Marketing Board is a bad organization. Oh yes, you can't make, pick out the ones that you want, the principle is good. And I believe, firmly, that it is the policy of this government that marketing boards guarantee a supply to the consumer, not a yo-yo price that goes up and down. Maybe he may get the advantage of a lower price for a short period of time but eventually he will have to pay and the consumer who is not sure of his supply is going to be exploited pretty easily. I think marketing boards are beneficial to the consumer. I would argue that consumers should be representative on marketing boards but certainly a marketing board is a producers' organization just as a union is a workers' organization. I think the two of them can sit down and solve their problems and bargain. Sure, the interest of the consumer will be watched and we will be thinking in terms of the consumer and watching to see what is going to happen but there is not a doubt in my mind and certainly in the minds of the Progressive Conservative Party in the province of Ontario where they have dozens and dozens and dozens of effective marketing boards that have become the part of the way of farming in the province of Ontario. You can take one Conservative government or another across this country and you will find that they are in favor of marketing boards.

I say to the hon. member that he is suggesting to me that he is not in favor of the Wheat Marketing Board. It is probably the one that is known best to the farmers of western



Canada. There is nothing in the history of this country that proves to me or to members on this side of the House that the other method is better. It hasn't proven to be the case.

**MR. COLLVER:** — Mr. Chairman, I don't know how the minister used the question, about whether or not the interests of the consumers are being protected under the circumstances that exist today where only one organization is responsible for all of the marketing throughout Saskatchewan by legislation; that he can suggest that somehow this is in opposition to all marketing boards. The fact of the matter is, that when the producers wish to have a marketing agency handle their products or their commodities, and the producers themselves control that marketing agency, yes, Mr. Minister, that can be of great benefit, not only to the consumers but to the state as well. But when the government of Saskatchewan, through legislation, imposes marketing agencies which are not directly controlled by producers, there is no possibility to move away from or compete with that marketing agency if a difficult situation should arise. Here is a prime example. The producers of milk, through their dairy co-operatives, are caught in a squeeze. They are producing the milk and they have no place to ship it. Right now, as of today, a prime example where they are not in control of their own destiny; where they are interfered with by a marketing agency, that, quite frankly, is not meeting their needs. They are producing the milk and they have to dump it because they have no place to sell it. Just a little over a year ago that wasn't the situation in our province. Through actions of your government and the federal government in Ottawa that was changed in Saskatchewan. And, now today, this circumstance is open to these people.

Now, I ask the minister again, how are you protecting or preserving the rights of consumers by not, at least, investigating and investigating seriously, the lack of competition as it relates to producers and as it relates to consumers in so far as the dairy industry of Saskatchewan is concerned today. Why are you not investigating that in the light of just what is happening today?

**MR. WHELAN:** — It must be obvious to the hon. member that the Milk Control Board has been in existence for a long, long period of time and it has worked effectively. I think there is bound to be, in a democratic society, differences between producers and differences between processors and their staff. I think if you are going to have collective bargaining; (and many of us talk to great lengths) just because there is a dispute in collective bargaining does not say that the idea of marketing through the Milk Control Board is bad. As a matter of fact, it stabilizes the industry. It keeps people in the industry because they know what they are going to get; they know. When the open market fluctuates and the price goes up and down they are never sure and farmers are going in and out of the milk industry all the time.

This has stabilized the industry and I think it is good for the consumer. Because the processing plants have a dispute with their employees, it does not suggest that the idea of orderly marketing is a bad idea. It does not suggest orderly marketing through the Wheat Board. Certainly the Wheat Pool could bargain for the price if it wanted to but it is a much better force when it bargains on a federal basis. It does a better job of selling for the farmer. I think you would have great trouble talking against this and the same principle applies in this instance.

**MR. COLLVER:** — Mr. Chairman, just to draw to the attention of the minister, there is a slight difference and a slight variation. I do not think the Canadian Wheat Board controls or requires that certain kinds of pick-ups occur at various farms and are delivered to a central pool. In other words, it cannot tie up the whole system. If there was a strike against the Canadian Wheat Board, the shipments of grain would not stop

and I am sure the minister is fully aware of that. Only in this particular circumstance where the marketing agency is such, as in the province of Saskatchewan, can the consumers be placed in jeopardy.

Now I ask the minister and the producers as well — I ask the minister one further question. In the light of his stated comments about the dairy producers in our province and about the marvellous stability that is provided in the industry with reference to this particular marketing agency, I would just like to draw to the minister's attention and ask him to examine, for a moment, what happened in the province of Saskatchewan when a Hog Marketing Commission was superimposed on the backs of the producers, where the province of Saskatchewan produced a million hogs a year prior to the imposition of that board.

**AN HON. MEMBER:** — Rubbish!

**MR. COLLVER:** — Read your statistics. The member says rubbish — presented by your government. Read them yourself! Prior to the imposition of the commission, Saskatchewan produced over a million hogs a year; today Saskatchewan produces around 300,000 hogs a year. Examine the price, examine the price for the consumer, for the consumer of pork and pork products in the province of Saskatchewan, over the past number of years while that Hog Marketing Commission was superimposed on the backs of those producers. The fact is that it has skyrocketed, absolutely skyrocketed.

To suggest that you are going to keep producers in the business because of these central agencies is absolute nonsense, Mr. Chairman, absolute nonsense. Because the mere imposition of it, insofar as hogs were concerned, dropped production from one million to 300,000 and the minister knows that . . . Is the member for Melville (Mr. Kowalchuk) finally going to get into a debate? Perhaps. We will look forward to him coming into the debate and bringing out his own statistical data about hog production in Saskatchewan and proving that it hasn't dropped from one million . . . Oh, now it's what about Alberta and what about Ontario and what about this and what about that? Never mind that the fact that in the province of Saskatchewan, from one million down to 300,000 and the price to the consumer skyrocketed in the same period of time.

The point that I am asking the minister today — is the legislation not such that it centralizes control — and I mean total control — in the one area insofar as a commodity like milk, or like hogs, is concerned? Would the minister not agree that the Department of Consumer Affairs should look into that centralized authority the same as they would if a major corporation got monopoly power insofar as Saskatchewan is concerned? The Department of Consumer Affairs could and should be on their backs immediately to ensure that competition prevailed, to ensure that the people of the province of Saskatchewan are not subjected to the vagaries of the marketplace when the monopoly exists. Because when a monopoly exists, a strike like this takes away the supply for everybody; there is no competition.

I ask the minister if he is going to investigate? I will ask him that. Is your department investigating in the province of Saskatchewan any instances of monopolistic powers that have been investigated for any organization in the province of Saskatchewan?

**MR. WHELAN:** — First, let me make a couple of points about this so-called monopoly that the hon. member is describing, which is utterly ridiculous, tommy rot. It is not really a monopoly. What about Palm Dairies? They are processors that are not able to negotiate with their employees and they are not part of a pool that is being described by

the hon. member.

When the hon. member talks against hog producers, is he suggesting that the Conservative Party, that in his capacity as the leader of that group is saying that there should not be a Hog Producers Organization in this province. You know, to suggest that this is the reason the hog population dropped — why don't we have a brief look at the cattle market in operation where there is no marketing board whatsoever, and the marketing board that is supposed to be the responsibility of a cause of a rapid decline in the population. What happened in the cattle industry because the population in the cattle industry declined? And I suggest that he is saying that he is against a hog producers marketing operation. He is saying that loud and clear. The farmers won't agree with him, I'm sure. And as far as saying there is a monopoly in the milk producing thing, I point out that Palm Dairies is unable to negotiate with its staff as well.

**MR. KATZMAN:** — Palm Dairies hasn't been able to negotiate. Have they had a meeting even? As of last week they had not met and they were notified they were being struck even though they had not even started negotiations. So do you say that they are negotiating now? Have you got a response?

**MR. WHELAN:** — Palm Dairies are a part of the negotiating group and they haven't settled with the union.

**MR. KATZMAN:** — I think you are getting your unions crossed and which groups are negotiating where and who has had what meetings. But going back to the dairy industry itself are you aware what the projected cost to the consumer, which is supposedly your interest area, will be per quart of milk on the original asking price and on the present, as of yesterday, what the lowering of the demands of the union would mean per quart of milk to consumers?

**MR. WHELAN:** — Yes, but there has been no settlement.

**MR. KATZMAN:** — Was the original asking price approximately 6.5 cents per quart of milk per consumer in the province of Saskatchewan — the original cost of the package?

**MR. WHELAN:** — That's a 'when are you going to stop beating your wife', question. You know, until the settlement is made — you know I recall when we began the negotiations with one of the unions that we have to deal with, their original request was for a far greater increase than what the actual settlement was. I think to speculate like that is to create a fear that really doesn't exist and I don't think that we should be hypothecating with a possible settlement when it was the starting point of the negotiations and the people are negotiating and were trying to negotiate for them from the House. We have talked about free collective bargaining and I think we should practise it.

**MR. KATZMAN:** — I agree we should practise free collective bargaining and that is very important. But let us look at this dairy thing because there is two fold in it. There is the federal AIB involvement for the next nine months which is a controlled period. Even though the Liberals said they would never do it, they did it. The remaining portion of the negotiated period is an additional fifteen months, which is not covered by AIB. Now, I understand that the result, and I don't think there is anything wrong with releasing this information, the original asking would have cost the consumer 6.5 cents per quart of milk. Is that true or not, the original asking, the start of negotiations. I realize there has been a move downward since last Saturday.

**MR. WHELAN:** — What would the advantage be, Mr. Chairman, of making a statement on something that probably will never happen? Will it help negotiations? I suggest to the hon. member that it will not.

**MR. KATZMAN:** — The point we should get into, I think, is a key point. In 1975 in the fall, all the producers in the Saskatoon milk shed were forced by the government of Saskatchewan and the federal government to sell all their milk directly to one bulk pick-up or they would lose a subsidy. Basically, did your department stop a monopoly set-up forced upon the farmers against their own will? Were you involved in that?

**MR. WHELAN:** — The use of the term 'monopoly' is really something. I suppose you could say that the Saskatchewan Power Corporation is a monopoly on the sale of gas and electricity but it is a democratically controlled organization. You know, there are many kinds of monopolies. There are monopolies that are controlled by people even outside of this country who dictate prices more viciously and more effectively than a group of farmers pooling their resources and marketing their milk. I don't think that if you are against this kind of an idea and if you are opposite to it, then I think you should go on record and say that you are absolutely opposed to it, you don't favor it, you would like to see it broken, you would like to see it taken apart. I'm sure the farmers themselves who are part of this organization are quite capable of speaking for themselves and know exactly what is going on and certainly it is part of their marketing system.

This dispute is not so much between the farmers — it is between the processors and that includes all the processors, as I pointed out, all of the processors and their employees. That's where the problem is, it is the negotiation and collective bargaining between the employees and between the processors. Surely everyone recognizes that. I think what we are trying to do and what we are attempting now at this precise moment is to negotiate a settlement that will see the farmers shipping their milk, consumers having their milk delivered to the door and the general procedure that has been established down through the years by governments and by the farmers continued in its proper manner.

**MR. KATZMAN:** — It is interesting to note that the minister said 'farmers, of their own choice'. I say to you that the farmers never had the choice. They were forced into it against their will in the Saskatoon milk shed area, when the two governments told them they had no choice. You cannot have Palm picking up your milk and go directly to Palm for processing and shipment. I say, by the government's involvement you have caused that monopoly so that half of the industry is not working at the present time when there is no strike, because the only place the milk is available now is at the one pick-up service. Did your department, which is concerned with consumers' protection, not realize that this problem was coming and suggest that the consumer would lose in the long run?

**MR. WHELAN:** — We think it is beneficial to the farmer; we think it is beneficial to the consumer; it is beneficial to the marketing process; it is beneficial to the processors and we think that because there is a confrontation that it is up to us (and that includes all of the people who are involved) to try to solve it rather than making hysterical statements and rather than trying to talk in terms of what . . . you know, every possible way to stir up all of the problems that you can rather than settle it.

**MR. KATZMAN:** — What you are suggesting, Mr. Minister, is you are the know-all, be-all, end-all on behalf of the farmers. You say you think what is best; you do this, you do

that — what about the farmer? Has he no rights? That is what you are saying. What has the consumer got? No rights, from what you are saying again.

**MR. WHELAN:** — You said it; I didn't say it. I think the farmer has a right to make representations; I think he made representations; I think this is the method that he chose; I think he is happy with it; I think you are. That doesn't suggest that you represent the farmers.

**MR. KATZMAN:** — Let us turn this into another area now and suggest that when there will be a settlement as in due course there will be no matter how long it may take, what effect does your department have on recommendations as to the final cost of a quart of milk? For example, the costs of course, (there will be a cost factor) will you be recommending to the people who pass on the cost — would you be passing it on to the consumer or taking it away from the producer as you did one time before? What is your involvement in that process?

**MR. WHELAN:** — Well, Mr. Chairman, I think it would be presumptuous and I think it would be unrealistic to assume that there is going to be a settlement at any particular price until a settlement is made, and certainly for my part, to suggest that this is what the settlement should be when these two groups are bargaining collectively, — again you would immediately say, Oh, there is the government telling them what to do. Admittedly, I made a statement - you are sitting there waiting for me to do that. I have no intention of doing it. I am going to try to let the collective bargaining system work. I am going to do everything I can — I am not going to impede it by guessing them ahead of time, or trying to tell them what they should or should not do, when we have free collective bargaining, something that every one in this House has made speeches about at great length. To talk in terms of what it is going to cost when we do not even know what the settlement is going to be, I think is rushing the gun, and it would make me, as someone who is trying to settle the thing, presumptuous and unrealistic.

**MR. KATZMAN:** — I will try my question one more time. What I am suggesting to you, whatever the settlement is, at a certain course in time it will be settled. Then the money to pay the workers has to come from somewhere. What involvement does your department have, in assisting other departments of government, on the increased price (no matter how big or small) to consumers, and what involvement does your department have on the recommendations re the original producer — the dairy farmer?

**MR. WHELAN:** — Well, Mr. Chairman, we make all the assessments, we have all of the knowledge and we have the position of the processor, we have the position of the producer, we take the best position we can with the consumer. We have all the facts at our disposal, we analyse them, we sit down with the people involved but the Milk Control Board makes the final decision, as you are well aware. We make the best adjudication that we can, on behalf of the consumer. But again, we are talking in terms of guaranteeing supply. If you are going to stabilize supply, it seems to me you should have an organization that is going to guarantee the supply. They will not guarantee the supply to the consumer at a reasonable price, or at the right kind of a price, without being assured of some return. And of course we consider that that is part of what is considered when the Milk Control Board makes its decision. But to prejudge what the settlement is going to be, and then to try to tell this House what is going to happen to a quart of milk when we do not know what the settlement is going to be, I think is certainly presumptuous on our part.

**MR. KATZMAN:** — Mr. Chairman, Mr. Minister, if I wanted to be presumptuous, I could

lay out all the figures that were talked about Saturday night when negotiations broke off. I have not done that — I am only talking about figures that are public knowledge and that is where my 6.5 originally came from. But my point is this: when the milk people make the final judgement — do you have a formula that you suggest the producers cost as X, the middle man as X, all the way down the line. What do you base your recommendation to the Milk Pricing Board on? You must have a formula. Let's use the last settlement if you like, we don't have to use the upcoming settlement. You must have had a formula from your research people, how you recommend the farmer gets X amount, the middleman, so forth and so on?

**MR. WHELAN:** — I'm told, Mr. Chairman, and the hon. member, there is a process of adjudicating to decide what the price is to be and it's done by the Milk Control Board, we have an input in. The Milk Control Board considers the producer's cost, they have a way of assessing what it costs the processor to operate, they have a way of adjudicating the costs of increased wages and so forth and we have an input in that as well. This is a process that has been followed for quite a number of years. It is something that is fairly standard. I'm sure any milk producer would give you exactly what their position is and what they have been doing. I don't know how much more I can tell you. I think once the settlement is reached but I don't think that there should be a commitment on my part or the part of anybody in the government ahead of time because that prejudices what the settlement is. I just know that from the point of view of being helpful on this kind of a crisis that is not helpful.

The Assembly recessed until 7:00 o'clock p.m.