

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
April 28, 1980

The Assembly met at 2 p.m.

On the Orders of the Day

INTRODUCTION OF GUESTS

MR. SPEAKER: — Today I have the pleasure of introducing two guests from the Yukon Legislative Assembly. One of our guests is a Table Officer, Miss Missy Parnell. This is Miss Parnell's second visit to this Chamber. Since her last visit in April she has been appointed Assistant Clerk, Procedural of the Yukon Assembly and serves as Clerk to the Yukon Public Accounts Committee.

I want also to introduce to the Assembly, Mr. Tony Penikett, the member for Whitehorse West, and the Chairman of the Yukon Public Accounts Committee, Mr. Penikett and Miss Parnell are visiting Saskatchewan to study the operation of the Saskatchewan Public Accounts Committee. The Yukon Public Accounts Committee has just completed its first year in operation and has submitted its first report. I ask all members to join me in welcoming Mr. Penikett and Miss Parnell to this Assembly and in wishing them a productive and enjoyable visit.

HON. MEMBERS: — Hear, hear!

MR. R.L. ANDREW (Kindersley): — As a member of the public accounts committee, I would like to welcome you to the legislature. I understand you will be sitting in on our public accounts committee meeting tomorrow. I say to you it is indeed a rare privilege that is extended to very few people in this province. I hope you will find it very enlightening and enjoyable.

HON. MEMBERS: — Hear, hear!

WELCOME TO STUDENTS

MR. P.P. MOSTOWAY (Saskatoon Centre): — Mr. Speaker, I would like to introduce through you and to this Legislative Assembly, three groups of students who are with us this afternoon.

In the Speaker's gallery, we have 47 students from Henry Kelsey School in Saskatoon. They are accompanied by their teacher, Mr. Panasiuk. I understand they have visited certain places this morning. I hope they have an enjoyable afternoon in the legislature. I want to say to them that their member, the MLA for that particular area, Mr. Bev Dyck, is unable to be with us this afternoon. He will be later on, so he extends his regrets.

I also want to introduce to you, two groups of students, Mr. Speaker, who are sitting in the west gallery. They are 38 Grades 7 and 8 students from George Vanier School and St. Charles School in Saskatoon. I believe the George Vanier group is accompanied by Mrs. Burke and the St. Charles group is accompanied by Mr. Nicolson. I might add that we live only about a block or two from St. Charles Separate School in Saskatoon. I understand they too have visited certain places. I am sure this will put the capping on their visit to Regina.

I should add that Mr. Rolfes, the Hon. Minister of Health, is not able to be here this afternoon. So he has asked me to personally greet those particular two groups this afternoon. Later on there are some refreshments in store for the three groups of students. I believe Mr. Prebble, the hon. member for Saskatoon-Sutherland will be meeting with at least one of them. I will be meeting with one or two of them. It is my hope you find your visit to Regina most enjoyable. I want to say I hope you have a very pleasant trip back to Saskatoon, the most beautiful city in Saskatchewan. Thank you.

HON. MEMBERS: — Hear, hear!

MR. J.L. SOLOMON (Regina North-West): — Mr. Speaker, it's my pleasure this afternoon to introduce to you, and through you to the members of the Saskatchewan Assembly, 56 Grade 8 students located in the west gallery from Sherwood School, which is one of 16 schools in my constituency. Accompanying these students this afternoon are three teachers: Mr. Short, Mr. Kehler, and Mr. Moreau. I would like to take this opportunity to thank the students and the teachers, and to have them thank their fellow students and teachers for the kind hospitality and warm welcome they showed me when I was at their school in February to distribute the Celebrate Saskatchewan pins, and Saskatchewan: A Pictorial History, a textbook for their resource centre. I hope they enjoy the proceedings this afternoon and the visit to the legislature. I'm sure they will. I look forward to meeting with them after the question period at 2:45 for pictures, refreshments, and to answer any questions they may have. I ask all members to join me in welcoming them to the legislature.

HON. MEMBERS: — Hear, hear!

MR. J.G. LANE (Qu'Appelle): — Mr. Speaker, it's with a great deal of pleasure I introduce to the Assembly through you 26 Grade 7 and Grade 8 students from St. Dominic Savio School in University Park subdivision of Regina. They are accompanied by Mrs. Vanderlinde, the principal. I might say, Mr. Speaker, that I had the pleasure of presenting to the school the Celebrate Saskatchewan pins, and also had the very personal honor to be invited to budget the debating at the school this year. It was a very pleasurable experience for me and I hope an interesting one for the students. It's a very active school, Mr. Speaker, and I hope all members will join with me in welcoming them to the Assembly. I hope their afternoon is informative and interesting. Thanks for coming.

HON. MEMBERS: — Hear, hear!

MR. N.E. BYERS (Kelvington-Wadena): — Mr. Speaker, on behalf of the hon. member who represents Melville constituency, who is unavoidably absent today, I wish to introduce to you and through you to the members of the Assembly, 26 Grade 12 students from the Melville High School who are seated in the Speaker's gallery. They are accompanied here today by their teachers, Mr. Kawicki and, I believe, Mr. Krotenko. The group has a fairly ambitious program of tours and meetings lined up for today. Unfortunately, Mr. Kowalchuk could not meet with them today because he is absent. I will be meeting with them after they have viewed the proceedings of the Assembly. I do hope that their visit here today will be informative and educational to them, and that they will see fit to visit the Assembly on a future occasion.

HON. MEMBERS: — Hear, hear!

QUESTIONS

SGI Advertising of Smith's Agency, Regina

MR. J.G. LANE (Qu'Appelle): — I'd like to direct a question to the minister responsible for SGI. I asked you Friday about the matter of Dan Smith's agency and how he managed to get an SGI agency. You, of course, didn't answer the question precisely as to how he managed to get it, other than the obvious political tie. Can you tell me how much SGI has budgeted for the advertising and promotion of Smith's Agency, Regina? I notice in Friday's paper (and it's been run for some considerable time in different papers) the paid ad by Saskatchewan Government Insurance congratulating Smith's Agency on its opening. Would you tell me how much you budgeted for congratulating Smith's Agency on its opening? Could you tell us how much you budgeted for this, what I suggest is patronage advertising, and when this advertising will terminate?

HON. W.A. ROBBINS (Minister of Revenue, Supply and Services): — Mr. Speaker, obviously I disagree with the member for Qu'Appelle. It's not patronage advertising at all. Mr. Smith is a fellow of the Insurance Institute of Canada and will be one of the best agents we will ever have in this province. There is no political patronage involved whatsoever in terms of that appointment or any other appointment in so far as SGI is concerned. I will have to get the information of you with respect to the cost of the ad. Obviously I would not be familiar with the cost of the ad at this time.

MR. LANE: — Smith's Agency — can you tell this Assembly how (using Saturday's paper) Mr. Smith was able to get the Weyburn Inn contract (and the date he uses is April 1, the same day he opened the agency)? Would you tell me what preparation was done when he was an employee of SGI, how much time he spent on preparing the necessary paper work to get that agency, and how much of his time was spent while an employee of SGI preparing to get the Weyburn Inn contract?

MR. ROBBINS: — Obviously, Mr. Speaker, I will not have knowledge of individual contracts. I have informed the member of that before. There is no way the minister in charge is going to know about individual contracts. The fact of the matter is, Mr. Smith resigned his position with SGI on March 14 and became an agency representative of SGI on April 1.

MR. LANE: — By way of further supplementary I have two points: (1) getting the contract to the Weyburn Inn on the same day he starts his agency is rather unique to say the least, a fact; and (2) the contradictory statement (if I may for the minister's information) when he advised me on Friday that Mr. Smith was not an employee of SGI at the time of his resignation.

My supplementary now deals with the Frank Buck insurance agency. Will the minister kindly explain to this Assembly how Mr. Buck was able to . . .

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

SGI re Frank Buck Agency

MR. LANE: — Will the minister explain to this Assembly how Mr. Buck was able to get an SGI contract for the Hotel Saskatchewan on the very day that he set up his SGI agency?

MR. SPEAKER: — Order. Order. I think it's understood that questions must be within the jurisdictional competence of the government to answer. This question has been asked

before and I've raised the matter before. I believe it's not within the jurisdictional competence of the minister to answer the question. It's not in his jurisdiction.

MR. LANE: — The minister was on his feet, Mr. Speaker. I now ask whether you have had time to investigate and find out how Mr. Frank Buck, defeated NDP candidate, managed to get a major SGI insurance contract on exactly the day that he opened his agency?

MR. ROBBINS: — Mr. Speaker, the fact that Mr. Buck was a defeated New Democratic candidate has nothing to do with it. He was a candidate in 1972. For all I know he may have changed his political allegiance like the member for Qu'Appelle. He may be a turncoat for all I know. The fact of the matter is that Mr. Buck got an agency with SGI. He is writing insurance for SGI. He will be a good agent for SGI.

In so far as the problem with regard to the Hotel Saskatchewan that the gentleman keeps bringing up, the fact of the matter is that the people who own the hotel wanted to buy their insurance from Mr. Buck. What other reason would there be?

MR. LANE: — Supplementary to the minister. Obviously, on the preparation of insurance tailored for major structures, it takes some considerable period of time. You don't just go and issue a contract on a million dollar building over night. It indicates, I would suggest, that some preparatory work must have been done by the two individuals. Can the minister tell us how the two individuals managed to get the contract on the same day they opened their agency, and whether officials within SGI gave the information to Mr. Buck to be able to prepare it? What officials, in fact, prepared the information on whether or not Mr. Dan Smith used inside knowledge to be able to get the contract?

MR. ROBBINS: — I'll take it as notice, Mr. Speaker.

SGI re Transfer of Investment Portfolio

MR. W.C. THATCHER (Thunder Creek): — Mr. Speaker, a question to the minister in charge of SGI. Mr. Minister, I'm sure you may have noticed the Crown agency that you are in charge of brought in one of its larger, if not the largest, losses in its history (of SGI). Would you tell this Assembly why, about one week ago, the investment portfolio division, or the investment portfolio formerly operated by SGI, was removed from SGI and given to the Department of Finance for administration. Would you elaborate briefly to the Assembly on the reasons for this move?

MR. ROBBINS: — Mr. Speaker, the investment portfolio of SGI, like investment portfolios of other Crown corporations, receives information from the Department of Finance regularly at all times and has done so for a long period of time. SGI suffered a very severe claims-ratio loss in 1979. Their claims went up by \$36 million. They had \$112 million in their investment portfolio; they cashed in some \$18 million of very short-term investments (obviously they should not be put in the position of cashing in long-term investments). That is one of the reasons why an advance is being given to them through CIC, to ensure that those investments are not removed from the portfolio at a time of extremely high interest rates when heavy capital losses would occur on them.

Those are unrealized capital losses and obviously we will not take those losses. We will wait until the turn of the interest cycle and the value will be returned to those investments by lowering interest rates.

MR. THATCHER: — A supplementary question. Mr. Minister, this past year SGI has had the benefit of reduced speed limits, and seat belt legislation. In fact you have had everything going for you as far as a reduction, other than inflation on repairs. Mr. Minister, you are also aware that you lost some \$30 million this year. Isn't it true that the reason for the dramatic increase in insurance rates this year is not the drivers of this province and the increase of the accident rate? Isn't it true that the real reason for this dramatic increase in costs is simply that the people in SGI in charge of your investment portfolio blew it? Isn't it true that in the times of very turbulent economic conditions this year your investment planners were out of their league, and they lost millions of dollars of taxpayers' money, and that is the real reason why it was taken away from you and removed to more competent hands in the Department of Finance?

MR. ROBBINS: — Mr. Speaker, the member for Thunder Creek has a mind like concrete — all mixed up and permanently set. The problem is related to the fact that interest rates have risen and therefore all investment portfolios would suffer very heavy losses if they removed those investments.

The statement of the member for Thunder Creek are patently false. There was a 23 per cent increase in accident frequency, a 30 per cent increase in accident costs, and the total claims went up by \$36 million in one year. Then these people try to tell me it is not due to the accident ratio. Nonsense!

MR. THATCHER: — A supplementary. Perhaps the minister this time, instead of cliches, could answer the question. Isn't it true that your people took a financial bath (those who were handling your portfolios) and will you acknowledge that you took a financial bath? And, Mr. Minister, would you acknowledge to this Assembly today that instead of placing the terrible losses of SGI (some \$30 million) on the backs of our Saskatchewan drivers, you should place it where it belongs: on the backs of the people who bungled it at SGI?

My final supplementary, Mr. Minister, is simply this: will you reduce the rates you have just announced and acknowledge that it was a bungle internally in SGI and not the accident rate.

MR. ROBBINS: — Mr. Speaker, of course I will not acknowledge it because that would be untrue. It is due to the accident frequency and the inflationary tendencies in our economy. There was no financial bungling in terms of the handling of that investment portfolio. Some \$18 million of short-term investments had to be cashed in rather than reinvested when they could have been reinvested at a very high interest rate. That was strictly due to the frequency of accident claims.

MR. THATCHER: — A supplementary to the minister.

MR. SPEAKER: — Order. I will take a new question. Order! I wonder if the member can follow the usual practice of taking his seat when the Speaker stands up? And if I'm going to allow the member a new question there may be some other member who wants a question too.

MR. THATCHER: — A new question to the minister. Mr. Minister, if we follow your logic as to what you have indicated in the past two supplementaries, and if what you say is true, may we then conclude that you are in effect making a long-term announcement

that year after year we are going to face the same sort of dramatic increases as we are facing this year, based on the logic that you were putting forward from your answers in the last two supplementary questions? In other words, what is to change?

MR. ROBBINS: — No, of course I would not agree with you. The fact of the matter is if we can get the accident frequency down, the cost of the claims will come down and so will the rates.

Nuclear Waste Disposal

MR. R. KATZMAN (Rosthern): — A question to the Premier. Mr. Premier, Mr. Lalonde has made an announcement saying the areas that receive refineries shall be deposits for waste. Does your government agree with that policy for uranium waste?

HON. A.E. BLAKENEY (Premier): — Mr. Speaker, I have not had an opportunity to examine Mr. Lalonde's announcement. Accordingly, I am unable to respond to it. I simply haven't been advised of any federal government policy along the lines outlined by the member for Rosthern.

MR. KATZMAN: — Supplementary, Mr. Premier. Are you suggesting that your government isn't concerned with one of the most dangerous things that can happen within the province regarding nuclear waste, and therefore you are not willing to make a comment? Just as you did in the Warman refinery where your people didn't even sit on the panel when advised to, you're shirking your duty.

MR. BLAKENEY: — Mr. Speaker, the hon. member asked me to comment upon a particular statement allegedly made by the Hon. Mr. Lalonde. I have not seen the statement. So far as I am aware, if it was made public, it has been made public only today. Accordingly, not to comment on Mr. Lalonde's statement can hardly be characterized as a failure to comment upon nuclear power or nuclear waste disposal or any other aspect of the nuclear cycle. To suggest that to fail to comment upon an alleged statement by a federal cabinet minister is to fail to respond to a major issue or major problem is I think to misunderstand the nature of the question which he himself asked.

Great Sand Hills — Environmental Studies

MRS. J.H. DUNCAN (Maple Creek): — A question to the Minister of the Environment. There have been grave concerns expressed over the proposed roads through the Great Sand Hills in the southwestern area of this province. There are grave concerns also being expressed by the people in this area over the proposed gas drilling program on the perimeter and perhaps right into the Sand Hills themselves. Has your department undertaken any environmental impact studies on this area?

HON. G.R. BOWERMAN (Minister of the Environment): — I wasn't sure, Mr. Speaker, whether the hon. member referred to a numbered highway. Was it No. 13? I was trying to determine whether or not it was numbered Highway 13. If it wasn't, then perhaps the hon. member would raise the question again. I'm sorry I didn't get the number.

MRS. DUNCAN: — There is a proposal to construct either a super grid or a numbered highway directly through the centre of the Sand Hills. And not only that, there is a proposed gas-drilling program scheduled for the southern portion of the perimeters of the Sand Hills. My question is, has your department done any environmental impact

studies on the whole Sand Hills area itself?

MR. BOWERMAN: — Mr. Speaker, this is the policy with respect to the development of a highway through the Sand Hills area. If it is a new highway, a new construction, then it will be obligated to come within the policy of environmental impact assessment. The Department of Highways would undertake that environmental impact assessment and, if it is a new highway, it will go through the policy procedures of public hearings, etc. The Department of the Environment itself does not undertake environmental impact assessments. It's only the proponents of projects who do that and if there is a proposal, as I say, for new highway construction, then it will follow that policy guideline.

MRS. DUNCAN: — Mr. Minister, this is a very ecologically fragile area and I must say unique, not only in Saskatchewan but to Canada as a whole. Is it not incumbent upon your department to make an independent environmental impact study? Do you have to wait until you're invited in there? Can't you just go in and make that assessment? There's a lot of activity proposed for that whole area.

MR. BOWERMAN: — Mr. Speaker, I tried to indicate that if there are projects to be undertaken in that area, then environmental impact assessments must be done prior to any undertaking of those projects by the proponent. If it's an oil company proposing to drill or if it's the Department of Highways proposing to put through a new project, then they undertake that environmental impact assessment. The Department of the Environment, I think, would find itself in a conflict situation if it was in their doing the environmental impact assessment and judging the project proponent and reviewed by the Department of the Environment. It is then placed in the public for review and for comment and public hearings will be carried out if there's sufficient public reaction to the proposal.

MRS. DUNCAN: — A presentation is being made tomorrow or this week, but tomorrow I believe, the minister in charge of SaskOil by Merland Exploration of Calgary which will include the environmental recommendations made by Western Oilfield Environmental Services, a Calgary-based company, in Alberta. Could you tell me whether or not your officials worked either actively or as observers on the studies done by Western Oilfield Environmental Services?

MR. BOWERMAN: — I'm sorry, Mr. Speaker, I don't have any information with respect to that company. At least, I don't have any available to me at this time. I can take it under advisement and have the information transferred to the hon. member if she so desires.

Memorial Gardens

MR. G.S. MUIRHEAD (Arm River): — Mr. Speaker, a question to the Premier. In light of the fact that in 1952 you were the securities commissioner of the province of Saskatchewan, who with your signature gave birth to the ten memorial gardens in the province, and in view of the fact that Bill No. 65 is coming up for second reading in this House today, will the Premier assure this House that he will be present to shed light on the history of this ongoing injustice in Saskatchewan?

MR. BLAKENEY: — Mr. Speaker, the short answer is that I was not securities commissioner in 1952 or 1951 or 1953.

MR. MUIRHEAD: — I differ with the Premier because he was. Supplementary, Mr.

Speaker. Since the memorial gardens program has had serious problems since its beginning, and has continually fleeced the citizens of this province, and taking into consideration that your government, with a stroke of the pen in Bill No. 65, is going to take away the unclaimed plots, will the Premier agree that such an action is both morally and legally wrong and that your government, in the passing of this bill, will be guilty of fleecing the dead?

MR. BLAKENEY: — Mr. Speaker, I think I could not answer that question without getting into a debate on the merits of the bill which is on the order paper. However much I might like to use the question period to debate the merits of a good number of bills on the order paper, I think members opposite would be the first to complain if I did that and accordingly I am refraining from so doing. Members can make their arguments with respect to the bill when it's called on the order paper.

Decline of Rural Population of Saskatchewan

MR. R.H. PICKERING (Bengough-Milestone): — Mr. Speaker, question to the Minister of Agriculture. The Financial Times of Canada on March 24, 1980, indicated in a recent study the rural population across Canada has increased 8.1 per cent with the exception of Saskatchewan in which it declined. Would the minister inform this Assembly if he knows any reason or reasons for such a decline?

HON. G. MacMURCHY (Minister of Agriculture): — I don't want to get into an argument; on statistics with the hon. member for Bengough-Milestone. It runs in my mind (and I'll have to confirm this) that the latest Statistics Canada figures indicate that while there is a decline in our farm population (and I think that is what we are talking about there), in recent times we have slowed it down. The period of the late '60s and early '70s showed a very significant decline in our farm population and the most recent period from about 1975-76 on shows it has slowed down significantly in the province of Saskatchewan. I think that points out that this government through its programs has in effect slowed down the trend of out-migration from our farms.

MR. PICKERING: — Supplementary, Mr. Speaker. Mr. Minister, because of the fact that we are on the decline (and I think these statistics are right, even the territories are ahead of us), would you not admit that it also is taking away from our small towns, villages and hamlets and that is one of the other reasons for the decline within rural Saskatchewan?

MR. MacMURCHY: — I want to get the information I had before me a few days ago and forward it to the hon. member. I'll be very happy to do that. I think, Mr. Speaker, when I look at the villages and towns of Saskatchewan I am most encouraged by their prosperity as compared to the late 1960s and early 1970s. There is no question there has been a significant turn around in not only the prosperity but the attitude of the councils of the villages and towns, and I think that is reflected in their support for this government.

SOME HON. MEMBERS: — Hear, hear!

Dumping of Raw Sewage

MR. LANE: — I would like to direct a question to the Minister of the Environment about his announcement that 50 million gallons of raw sewage has been dumped into Wascana Creek. The action was taken, I gather by the news reports, without consideration to the municipalities or towns downstream. My first question is: why the breakdown or failure to communicate? And secondly, are you prepared to make a firm and clear commitment that the Government of Saskatchewan will pay any cost of clean-up or take such actions as are necessary to clean up as a result of the dumping of the raw sewage?

MR. BOWERMAN: — Mr. Speaker, I answered the question the other day in the House. With regard to the approval given by the Department of the Environment for the city of Regina, during an interim measure to replace some sewage connection lines, that temporarily there would be a disposition of sewage into Wascana Creek, the approval was given subject to a rather heavy chlorination of the sewage. And further with respect to his question, Mr. Speaker, no, the government will not assume responsibility for clean-up should there be any. With respect to the advisement or the public announcement, the city of Regina was responsible for it.

MR. LANE: — Supplementary. Well, this is not the first time the Department of the Environment and a government office has kept from those concerned, environmental problems. Does the minister not believe that as Minister of the Environment, he has an obligation to those affected by his approval of this discharge? And secondly, don't you believe that you are in fact acting, I suggest, irresponsibly, in not picking up the cost of

clean-up?

STATEMENT BY MR. SPEAKER

Celebrate Saskatchewan

MR. SPEAKER: — Before orders of the day I wish to report to the Assembly that this morning there was a meeting at my office with the Interfaith Subcommittee of the Celebrate Saskatchewan Committee. During that meeting at which the following people were invited to attend — the Premier, the minister in charge of the Department of Culture and Youth, and the Leader of the Opposition — members of the subcommittee on Interfaith presented the petition and I will read it now, and I will introduce them at the conclusion of the reading of the proclamation.

A Proclamation to All Citizens of Saskatchewan Who Have Faith in God Almighty as Creator and Sustainer of Life

The Province of Saskatchewan having come to the Seventy-Fifth Anniversary of its founding as a Province of the Dominion of Canada:

We the Members of the Interfaith Committee charged with calling you to remembrance of the manifold blessings that have enriched the lives of all who dwell in this wondrous land:

Call upon you to give praise and honor that under divine providence our dwelling place is in a land of such great fortune. A land of fruitful plains and mighty waters; with precious riches of earth and sky, of riches beneath the earth; for a land in which there is bread without scarceness.

We give praise for the boundless blessings of dew and sunshine, snow and rain in their season. For all this and the opportunities thus vouchsafed to us we bless and magnify Thy Holy Name.

And we pray Thee to grant us grace so to sanctify Thee in our heritage that men may know that Thou art our God; a God who gives to us a sense of stewardship of Thy bounty; moving us to gratitude of all Thy gifts so freely bestowed upon us. Let us not fail to remember that unto whomsoever much is given, of them shall much be required.

We remember with grateful and loving pride the valiant pioneers who braved the hardships of the founding years of the life of this Province, their faith in Thee and in the future of this land where freedom abounds.

To us who received the torch they lighted, may we not abuse the liberties they so dearly won, using them as license for willfulness and selfish greed, but may we so live that the heritage for which we give thanks at this time of celebration, may be handed on unimpaired and enriched to those who come after us.

This proclamation and invitation to observe this anniversary we address to all fellowships of faith throughout the province of Saskatchewan, and call upon one and all to lead and remind the people in such acts and observations as will make, memorable and worthy this historic moment in our history.

It is presented by the Interfaith Committee of the Provincial 75 Anniversary Committee of the province of Saskatchewan; dated this first day of January, 1980.

Individual copies of this proclamation have been made available to all members and I will lay an individual copy on the Table now for the purpose of the records of the Assembly.

INTRODUCTION OF GUESTS

MR. SPEAKER: — I want to take this opportunity to introduce Reverend Roy Holm who is of the Interfaith Subcommittee of the Celebrate Saskatchewan Committee. He is seated in the Speaker's gallery. I also want to take this opportunity to introduce Reverend Reginald Wright who is accompanying him here today. He is the author of the proclamation and I hope we all acknowledge their presence in the gallery today.

HON. MEMBERS: — Hear, hear!

HON. A.E. BLAKENEY (Premier): — Mr. Speaker, may I, on behalf of the government, join with you in welcoming the Reverend Mr. Holm and the Reverend Mr. Wright. As you have indicated, Mr. Holm is the chairman of the Celebrate Saskatchewan Interfaith Committee. The Reverend Mr. Wright is the author of the proclamation which you, Mr. Speaker, have just read and of which copies have been supplied to all of us. I think anyone who takes a bit of time to read it and to savor the prose will agree that it is a moving statement. I had an opportunity to meet with the Reverend Mr. Holm and the Reverend Mr. Wright this morning and to discuss the work of the Interfaith Committee.

The Celebrate Saskatchewan Interfaith Committee is composed of representatives from church groups from all parts of the province. The proclamation was prepared by the subcommittee as an expression of faith and as a method of reminding us to give thanks for the many blessings which have been bestowed upon our province and its people. During this year of our 75 anniversary, it is important that the citizens of Saskatchewan remember the key role that religious faith held by our early pioneers and the work of organized religious groups played and continue to play in the development of our province. I am certain that the work of the Interfaith Subcommittee will encourage the people of Saskatchewan to consider once again the strength which they receive from religious faith and to consider their obligation to give thanks for the bountiful land which is ours and which we are attempting to bring to the attention of our people in this year of celebration.

I congratulate the Interfaith Subcommittee for the important contribution they have made to Saskatchewan's 75 anniversary. I thank them for reminding us that the role of religious faith and the role of organized religion played a particularly important part in the founding of this province and in the development of its institutions. I thank them too for sharing their proclamation with us and with this Assembly.

HON. MEMBERS: — Hear, hear!

MR. J.G. LANE (Qu'Appelle): — On behalf of the official opposition, I would like to join with Mr. Speaker and the Premier in welcoming Reverend Holm and Reverend Wright. Let me say I had the pleasure of reading along while Mr. Speaker was reading the proclamation and I don't think there can be a more eloquent statement of love for our province and our country. I commend you for the very eloquent statement. We thank you for your contribution to Celebrate Saskatchewan. We know it will continue. We

know that your efforts will continue long past year end. On behalf of the opposition I thank you very much.

I would like to indicate that I will need another copy because I would like to present my copy to the students. I had the pleasure of introducing this afternoon so that they may see it. Thank you.

HON. MEMBERS: — Hear, hear!

HON. E.L. TCHORZEWSKI (Minister of Finance): — Mr. Speaker, as has been stated by the Premier and the member for Qu'Appelle. Our celebration in Saskatchewan this year could not be complete without recognizing the importance of religious faith in the development of our province. As we celebrate our 75th anniversary as a province of Canada, Saskatchewan people are looking at the people and the events of the past which have brought us to where we are today.

The inspiration which has been provided by the Interfaith Committee of Celebrate Saskatchewan I think has reflected that of our pioneers to whom the spiritual aspect of life was very important. Our Interfaith Committee has done a great deal of very important work on behalf of Celebrate Saskatchewan and in preparing for this important celebration which we are honoring in 1980. I think it is fair to say that their enthusiasm and dedication has been generated throughout many of the other things which are happening as part of our anniversary celebrations.

So on behalf of Celebrate Saskatchewan and over 625 local committees which are planning events throughout all of the province, I would like to extend out appreciation to the Interfaith Committee for the tremendous contribution it has made toward making this Celebrate Saskatchewan year the tremendous event that it is.

HON. MEMBERS: — Hear, hear!

MR. D.G. TAYLOR (Indian Head-Wolseley): — Mr. Speaker, I would like to join with the other members in congratulating the Interfaith Committee for this wonderful message which they have brought to this legislature and to the people of Saskatchewan. I can think of nothing more fitting than a trust in God and a statement of this type to keep in mind in this year of our celebration. I join with the Premier in saying that this is part of our ancestry and the pioneers of this province. But I go one step further and say It is my sincere hope and prayer that a statement of this type and a feeling and a trust and a love for God will be maintained in this legislature and this province for many years to come.

HON. MEMBERS: — Hear, hear!

ANNOUNCEMENTS

Congratulations to Regina Pats

MR. P. ROUSSEAU (Regina South): — Mr. Speaker, before orders of the day, I would like to take this opportunity to ask all the members on both sides of the House to extend congratulations to the Regina pats hockey team for winning the western Canada junior hockey league championships yesterday. I hope all members will join with me in extending congratulations to the management, the coaching staff and particularly the players, and also in wishing them success in the Memorial Cup in eastern Canada.

HON. MEMBERS: — Hear, hear!

HON. E.B. SHILLINGTON (Minister of Culture and Youth): — On behalf of the government benches I want to join with the member for Regina South in expressing congratulations to the Regina Pats. Anyone who follows hockey and who follows the Regina Pats would not have predicted last fall when they had their official face-off breakfast that they would be in the Memorial Cup. That team has come a long way. It is a tribute to the coach and to the players. I don't know where the hon. member for Regina South is going. The rest of us are going to be having out attention on Brandon, Manitoba in western Canada and in Regina for the subsequent games of the Memorial Cup.

HON. MEMBERS: — Hear, hear!

MR. W.C. THATCHER (Thunder Creek): — Mr. Speaker, on behalf of the member for Nipawin, I would like to congratulate the Minnesota North Stars for defeating the Montreal Canadians.

SECOND READINGS

HON. R. ROMANOW (Attorney General) moved second reading of Bill No. 77 — **An Act to amend The Queen's Bench Act.**

He said: Mr. Speaker, this legislation is coupled with companion legislation following item no. 76, The District Court Act.

Mr. Speaker, last year the Government of Saskatchewan, and more particularly myself, as the Attorney General, set up a committee composed of members of my department and the private bar, to study the question of whether or not we should merge the district court with the Court of Queen's Bench into one consolidated new court. This committee which was headed by Mr. Isadore Grotsky (more popularly known as Red Grotsky) recommended that merger proceed, subject of course to certain conditions. I believe those conditions have been met, by and large, by the budget presented by the Minister of Finance in March of this year.

What I am now doing in second reading is presenting to this House the legislation which will ultimately bring about the legislative base for merger.

I'm not going to enunciate to the House the very many reasons which the Grotsky committee stated for merger. I should however state in very general terms it is my hope that merger will result in a simplified court system which will be more accessible to the average citizens throughout the province of Saskatchewan. After all, the judicial system is there to serve our society and our individuals, and if we can present a more simplified and more efficient court structure, while at the same time guaranteeing the quality of justice (as I think we can by this bill), this should be a welcome move by the lawyers and by the public at large.

The bill before you today provides for an expanded Court of Queen's Bench, with judges residing throughout the province. We will now have Court of Queen's Bench judges residing at all of those places where district court judges presently live.

I would like to comment specifically and briefly on a number of sections of the

legislation. First of all, in section 4 of the bill, members will note that the Court of Queen's Bench will now consist of the chief justice and 28 judges. At the present time, the Court of Queen's Bench consists of the chief and nine judges, with provision for two new judges. There are 15 judges of the district court, and two judges of the unified family court, both of whom belong to the district court and accordingly, the combined court will now have a total number of 28 judges.

Section 5 — this section deals with the resident section. The present judges of the Court of Queen's Bench and the district court will not be required to change their residence unless of course they consent to a change which might be suggested to them on occasion. The bill requires the Lieutenant-Governor in Council to ensure that judges will continue to reside at the Battlefords, Estevan, Moose Jaw, Prince Albert, Regina, Saskatoon, Swift Current, Yorkton, Melville and Humboldt. In other words, the requirement is for maintained residency at all the centres where they present district court judges now reside.

Section 10 — the new section 52 is a variation of the section from The District Court Act which I will be repealing in the subsequent short second reading speech in a moment. It also makes provision (this new section) for the orderly transfer of documents and the establishment of procedures in case of a change in judicial centres.

Section 16 — this section clearly sets out the authority of the chief justice to assign the work of the court to the various judges. The expanded court will have more than twice the number of judges of the old court. Judicial centres outside of Regina and Saskatoon would probably have more frequent court sittings than was formerly the case. This section ensures that the chief justice will be able to properly manage and assign the judges of the court to undertake the various works of it in a manner which he considers most appropriate and in the most efficient functioning of the court.

Section 17 — under this section we propose to carry forward section 97 of the old district court act. This section sets out the method of determining the nearest judicial centre. The section has been around for quite awhile and I believe it has worked well. Essentially, there is no change recommended.

Sections 18 to 22 — these sections are transitional and are basically for use in the period shortly after this act comes into force. They provide the procedures for documents, appeals and other matters before the district court at the time this act comes into force and I think will be understood by all members.

Section 23 — this section provides that the statute before you, Mr. Speaker, will come into force on a date to be proclaimed by the Lieutenant-Governor in Council. We will obviously have a lot of work to do after the legislation is passed, before the bill can be proclaimed. I'll be working with, and consulting the chief justice of the Queen's bench from time to time, and as needed, about a suitable date for proclamation. Right now our target time is somewhere in the period of April to July 1, 1981.

Mr. Speaker, in closing I would like to say that in many ways this is a simple bill which rather deceptively hides the large task which is being undertaken. This bill (the bill providing for the repeal of The District Court Act) and the consequential amendments, which are contained in a separate bill to be presented shortly to this House, provide for a major reorganization of judicial functions to the people of the province of Saskatchewan.

It has been some time since the concept of courts and the question of judicial centres has been examined by a government, in fact not since the early 1950s. All members will agree that the province has dramatically changed. The functions of the court have also dramatically changed. We have seen the development of such new facilities as the Saskatchewan Legal Aid Services Commission, which has, of necessity I suppose, resulted in a very significant increase in the workload in the judicial system.

I can't say that merger is for the first time being introduced in Saskatchewan or in any province in Canada. That is not the case. Merger has already been implemented and is a fact of life in the province of Alberta as well as in Prince Edward Island, and is being examined in New Brunswick.

The main objective is to try to tailor the judicial system to these changes which have taken place over several years in the various provinces of this country — to tailor the system in such a way as to meet those changed circumstances but every mindful of the high quality of justice that we so very much admire and adhere to in Canada, and of course, in the province of Saskatchewan.

For this province however, this bill is a pioneering, new, bold, and imaginative venture into judicial reform. It is one which, I think, will make it simpler for the average person to use the system, easier for lawyers, and hopefully more efficient on the taxpayers while preserving the very key principle of fairness and equity before the law for all people.

Mr. Speaker, it accordingly give me a great deal of pleasure and pride to move second reading of The Queen's Bench Amendment Act, 1980.

MR. R.L. ANDREW (Kindersley): — I originally hadn't intended to make any comment on this, however, Mr. Lane is preoccupied for a few minutes with regard to students, etc.

I can say to the Attorney General that I do support the whole concept of the unified court. I think it's a good move. It's a move that he says has been taken in other provinces, and I think the lawyers and the people who are required to come before the courts are going to appreciate that. The one concern, however, that I do have, is a concern I've raised before during question period. In conjunction with the new district court act and the new Court of Queen's Bench act I am very concerned that, in fact, in the area of the province I represent the net result in conjunction with this is that we will see the judicial centre of Kerrobert being phased out, whether it's this year, or whether it's next year, or the year after. My concern is that court house. That court house is on the boards to go, and I think if we find a judicial system that simply finds its place in the larger centres and the cities of this province, then indeed I question whether or not the rights of the individual are being better served by eliminating a court area, a judicial centre that will force many of the residents in my constituency to travel up to 175 miles to attend a higher court. From that I think it's a valid concern for the people of rural Saskatchewan, that they have a right to attend the higher courts in an area closer than that, and in an environment that's closer to them. I think the request for the retention of the judicial centre in a place like Kerrobert or a place like Wynyard is very important. The cost to maintain those court houses is not a great deal.

The whole idea of this government supporting the concept of rural Saskatchewan, I find coming into doubt a bit when we start seeing some of the court houses being moved out of the smaller centres, be it Moosomin or Wynyard or Kerrobert. The Kerrobert Court House, of course, serves major trade centres such as Kindersley with perhaps

4,500 people, the town of Unity with 3,500 people and various other towns in that area. As I say, I have made this concern known to the Attorney General. I am very concerned that in fact action is not going to be taken to maintain that court house. Other than that, with regard to the implementing of the program I commend the Attorney General for bringing this particular program in. I would, however, request that the Assembly grant me leave to adjourn the debate on this matter so the critic on the Attorney General, Mr. Lane, will have an opportunity to address a few words to the subject matter.

Debate adjourned.

HON. R.J. ROMANOW (Attorney General) moved second reading of Bill No. 76 — **An Act to repeal The District Court Act.**

He said: This legislation is the companion legislation to the one I've just introduced. I don't think a second reading speech is required, so I simply move second reading of The District Court Repeal Act.

MR. D.G. TAYLOR (Indian Head-Wolseley): — I would just like to pick this one up for a minute and adjourn it as Mr. Lane is tied up with students at the present time. I beg leave to adjourn the debate.

Debate adjourned.

HON. R.J. ROMANOW (Attorney General) moved second reading of Bill No. 79 — **An Act to amend The Provincial Court Act.**

He said: Mr. Speaker, with respect to The Provincial Court Act. I think a few comments are in order to explain the legal effect of these amendments, and some of the reasons for advancing them. By and large the amendments to this bill, The Provincial Court Act, can be categorized as housekeeping in nature. The amendment to section 8 of the bill ensures that the chief judge of the provincial court, and I, as Attorney General, will be able to appoint on a relieving basis persons who have been judges. At the present time, the way the statute reads, it appears that persons only who are currently judges or who are currently barristers and solicitors may be appointed on a relieving temporary basis. When a judge retires, frequently it is his wish or may be his wish, that he does not want to renew his membership in the Law Society of Saskatchewan and therefore technically would not be a barrister and solicitor. If he does not renew his membership, as I say, it is possible that he would like to assist the provincial court on a temporary relieving basis and it would be the chief judge's intention. Chief Judge Boychuk, to utilize such judges where the circumstances may require.

In addition, the amendment to subsection 4 of section 8 of the act ensures that relieving judges are able to complete any matters that are brought before them even though the 30-day period of their appointment may have expired. This, I think, is a logical situation. Once a temporary 30-day appointment has been granted, it strikes me as making sense to give the judge enough time to complete his judicial function.

The amendment to section 15 allows the president of the law society to choose from a larger group when he designates a person to sit in his capacity on the judicial council, by allowing the president to choose either a bencher or a person who has been a bencher for his designate. I should point out, Mr. Speaker, that the judicial council is a reform matter which was introduced by this government a few years ago at the time of

The Provincial Court Act, designed to provide an independent and impartial body for the discipline and regulation of judges of the provincial court. It is patterned along the similar judicial councils which exist at the federal level for section 96 or for federally appointed judges. Accordingly this rather small amendment, which allows a wider field from which to nominate a person to sit on judicial council, is needed in order to make the effective and smooth-functioning of the council work.

The amendment to section 27 allows the Minister of Finance to anticipate any deficiency in the judges of the provincial court superannuation fund. This is necessary to allow the fund to continue to grow. In addition to paying pensions to which the recipients have contributed a large share, the fund is also used to pay annuities and supplementary allowances to judges whose annuities are derived from the previous magistrates' courts act. Such annuities and supplementary allowances were non-contributory.

The amendment to section 34 allows a judge coming from the public service to leave his contributions in the public employees' government contributory superannuation fund until such time as he or she retires.

Finally, the amendment to section 41 ensures that even those judges who elected to receive an annuity under The Magistrates' Courts Act are entitled to the benefits of the Canada Pension Plan.

Mr. Speaker, with these few comments, I would like to move second reading of an Act to amend The Provincial Court Act.

MR. TAYLOR: — Mr. Speaker, the Attorney General points out that this is mainly a housekeeping bill which in all likelihood it could well be. However, he brought forward a number of comments about appointments and I think we would like to scrutinize his remarks so I therefore beg leave to adjourn the debate.

Debate adjourned.

HON. E.L. COWLEY (Provincial Secretary) moved second reading of Bill No. 65 — **An Act to amend The Cemeteries Act.**

He said: I'm making provisions for the hon. members next door here. This bill enables unused cemetery lots in certain circumstances to be resold and thereby made available to others for burial purposes. Family plots containing as many as four or even six burial spaces were commonly sold to a family. Years ago such plots were selling for as little as \$10 whereas today just one burial space in a plot may sell for \$100 or more. One or two burials may have taken place in some of these family plots and every indication is that the empty spaces will never be used unless provision is made for their resale. The owners of the plot may be dead and buried in the plot or in some other cemetery. If still living their whereabouts and that of their next of kin are often unknown.

The problem as pointed out by one city is that on the one hand there is the high cost of maintaining empty lots and on the other hand the high cost of developing new sections of the cemetery to meet the current need for burial space. In one case cited, a lot had been sold and unused since 1896, yet it was unavailable for a person who wished to be buried beside a close relative. The bill seeks to resolve the problem by introducing a provision similar to one that has been in existence for some time in Alberta. Ontario legislation also makes provision for repossession of unused cemetery lots after a period of 20 years.

Another provision of the bill tidies up a section. The need arises because of The New Business Corporations Act and because by amendment to The Cemeteries Act in 1977-78, the registrar under the act is no longer the registrar of companies. The superintendent of insurance has been appointed and is now the registrar under The Cemeteries Act.

Mr. Speaker, I move second reading of An Act to amend The Cemeteries Act.

MR. G.S. MUIRHEAD (Arm River): — Mr. Speaker, I have a few words I want to say about this bill. The first thing the minister just remarked on upset me and it is explained right here in explanations:

Amendment provides a method whereby cemetery lots that have been sold but unused and likely to remain unused may be made available for resale and use.

What in the world does the member think? Naturally a grave is unused until the person dies. Where in the world do you think that these people . . . How are you going to contact all these people? It's an impossibility. I agree there are some useful parts in this bill. If it can be proved a person has died and has been buried in some other place, that property should be picked up and reused, sold to someone else but there are going to be many, many cases where it's an impossibility to find the people who own this property. What if a person is living over in England or Phoenix or any place, and in their will they state when they die they want to be brought back to be buried in Memorial Gardens and their property has been sold? And maybe they paid a lot of money.

What you're forgetting, Mr. Minister, is in the 1950s when this was brought in the Memorial Gardens were set up for a profit business, for gain . . . (inaudible)

interjection) . . . that's what I'm talking about. I'd like to know who's doing the talking, you or me?

Mr. Speaker, I have a few words I've put together here that I want to make him speak on. I would like to say a few words about this amendment to The Cemeteries Act in general before we proceed with this amendment. Mr. Speaker, there are a few members opposite who will recall the reason for the new cemeteries act in 1965 which was brought forward by the Liberal government of the day. It was actually a major improvement on the old cemeteries act which was put in place by the CCF government back about 1955. Now, Mr. Speaker, I know there are no members on this side of the House or that side of the House that really know the problems about the cemeteries in the province of Saskatchewan. When I speak of cemetery problems I am referring specifically to problems with commercial cemeteries. And this is what this act is talking about, commercial cemeteries, which are the 10 cemeteries commonly known as Memorial Gardens. These cemeteries, which are the 10 cemeteries commonly known as Memorial Gardens. These cemeteries are operated for purposes of making money, or as the act states operated for gain. These so-called Memorial Gardens, Mr. Speaker, in many instances, though not all, should be called memories of the CCF-NDP misjudgment an mismanagement with no concern for the public morally or socially.

You see, Mr. Speaker, the problems being faced today by the government and commercial cemeteries are caused by an error, the judgment by our present Premier, Allan Blakeney, in the 1950s. At that time he was the deputy provincial secretary and was a member of the Saskatchewan Securities Commission. I see, Mr. Speaker, the members opposite are not interested at all. They are not interested because they tried since 1952 to get this issue to die.

I assure you, Mr. Speaker, this issue is not going to die, so they might as well listen. Maybe they'll learn something about commercial cemeteries in this province because I am sure that only the older members know anything about what I am talking. But the Attorney General I assure you knows what I am talking about. That time the deputy provincial secretary was a member of the Saskatchewan Securities Commission. They must bear brunt of the circumstances they as a government find themselves in today because it was they who approved the prospectus of these cemetery companies. Thus, they allowed fly-by-night, fast-buck con artist salesmen to go out and sell plots, markers, openings and closings . . . (inaudible interjection) . . .

I don't think I'd do too much heckling because we could be talking about your relatives who were taken by these con artists at these times, your own people. I wouldn't be laughing . . . (inaudible interjection) . . . Well, they weren't stupid enough to buy plots in Memorial Gardens. Well, I tell you, I know lots of people who did. That's the Minister of Telephones who says that. He said his relatives weren't that stupid. I want it on record. He says they weren't that stupid to buy a plot in Memorial Gardens. Well, I'll tell you, that has to be the joke of the day.

They allowed the fly-by-night, fast-buck con artist salesmen to go out and sell plots, markers, openings and closings and vaults in cemeteries which at that time hadn't been developed. They went and sold these plots and they weren't even developed yet. The period of sell, pocket the money and run, the period of the 1950s to the year 1965, was condoned by the CCF government and our present Premier. No wonder he didn't want to be in here today. He skirted around my question in question period because he didn't want to be in here to hear of blunders he made back in the early fifties.

The Liberals, upon taking office in 1964, found that many contracts sold were being called upon to be fulfilled. There was no money to fulfil the contracts after 15 years of selling the plots. Mr. Speaker, why were these companies in this disastrous situation? I'll tell you why — very simply and factually — because the Premier opposite failed to put control on that which he gave birth to in the first place. In the second place, possibly for reasons known only to himself, the deputy provincial secretary failed to inform the CCF government of the day how bad the situation in respect to commercial cemeteries really was.

In the years from 1965 to 1971 while the Liberals were in power, they took these cemetery issues as a serious error on the part of the CCF and did what they thought was morally and socially right. They held meetings of plot holders in such places as Moose Jaw and North Battleford to find out how bad the situation really was. You must remember this sad situation of the people being hit in the heart as well as the pocketbook was being condoned by the Premier opposite, his colleagues and his cohorts.

Now you people just think, it's no joke for somebody to come in for 15 years and fleece hundreds of thousands of dollars away from the people, the citizens of this province and go away. It was condoned by the Premier sitting right there. He didn't do anything about it. Now you think it's a joke, but the people in the province who know about this situation don't think it's a joke. There were no proper records kept by these companies, Mr. Speaker.

Mr. Speaker, at the meeting in North Battleford there were 400 irate contract holders and next of kin of those who had passed on. At that meeting in Moose Jaw there were more than Temple Gardens would hold, approximately 1,100. I think there's only about two gentlemen in here who know what I am talking about and that's the member for Weyburn and the Minister of Highways. They know all about this rotten situation. That's why they don't have too much to say.

Naturally, Mr. Speaker, these two meetings were enough to tell the provincial secretary that the 10 commercial cemeteries were possibly all deficit in respect to trust moneys etc. I'm saying, Mr. Speaker, that our Premier was told in the 1960s of the problems he had created in the 1950s. As the member of the securities commission he was embarrassed in this House and in the press. Mr. Speaker, the reason that I am sure of this is because I'm going to quote from Hansard what he said when the attorney general-provincial secretary in 1965 moved second reading on Bill No. 75, an act to be known as The Cemeteries Act, 1965. This act was put in place by the Liberal government or I should say by the Hon. D.V. Heald, now Justice D.V. Heald, who really believed that right was right and wrong was wrong. I must say he was very easy on his learned friend, the Premier. He really didn't give him the going-over that we on this side of the House have been subject to of late by the present Attorney General for less reason — and we aren't even government!

This is just a passing observation for the benefit of my good hon. friend from Saskatoon Riverdale.

MR. ROMANOW: — That's because we have respect for the opposition.

MR. MUIRHEAD: — Thank you, Mr. Attorney General. Now, Mr. Speaker, I am going to quote the first paragraph from the Hon. A.E. Blakeney (Regina West) on page 1525 of Hansard when speaking on the new act in 1965.

Mr. Speaker, the Hon. Attorney General has given a lucid explanation of the principles contained in the rather lengthy bill and I think that most if not all of the principles which he outlined will commend themselves to members of the House. This is a sort of situation which has arisen over the last two or three years or so and I agree with the Hon. Attorney General that it is a situation which can be assisted by the additional and strengthened legislation.

Mr. Speaker, I want to point out this promotion approved by the new Premier of this province to this House. I want to point it out to the people of this province, those members opposite who undoubtedly don't know much about the cemetery fiasco, and particularly the press, some of whom perhaps were not even yet born when he held his position on the securities commission — which the Premier denied today. Back in 1965 the present Premier was aware of the continuing commercial cemetery problems. Why did he not, on coming into power, say to the first provincial secretary of the day, the Hon. Roy Romanow, you tell that deputy provincial secretary I want an up-to-date report on the commercial cemeteries operation in this province and I, as Premier, want these cemetery problems laid to rest once and for all.

Did he do that, Mr. Speaker? No, it didn't get done. The answer is definitely not. Did he say to the next hon. member appointed provincial secretary, now the financial trust of our province, honest Ed, the Hon. Ed Tchorzewski — look Ed, Roy didn't get that cemetery problem cleaned up, you see that it's looked after. Now he comes in and smiles a little bit but he didn't look after it either. He let this mess go on and on. Now it's haunting you forever and a day.

Did the second provincial secretary get the job done? Absolutely not, he never got it done. But, Mr. Speaker, along comes his loyal and trusted colleague the now Provincial Secretary who wasn't even man enough to sit in the House and listen to this. He put this bill forward and then took off out the door. He wasn't even man enough to sit here and listen to these remarks. The member for Regina smiles and grins as if it's a joke. I say when you start fleecing the dead, it's no joke. You haven't talked to the people out in the boondocks who have bought these plots which you have taken away. They can't even find their contracts, but they're losing them.

Mr. Speaker, there are only 10 memorial gardens in this province and they were all the same 10. I can name the whole works of them; Regina, Saskatoon, Moose Jaw, North Battleford, Weyburn, Estevan, Yorkton, and Moosomin. I might have missed one or two there but that's it and they are still haunting you today. The two haunting you today are Weyburn and Moosomin. The only reason Saskatoon and Regina come out of this mess for you is because they had enough new people dying they were able to make a go of it. But the smaller places couldn't make a go of it. Anyway, along comes the new Provincial Secretary who apparently hasn't resolved the problem yet, but he has placed before us an amendment to The Cemeteries Act known as Bill 65.

I have just given a thumbnail history of the sad cemetery fiasco, because I want to assure the Hon. Provincial Secretary that Bill 65 before us is not going to get approved as easily as an amendment known as Bill 74, when the now Minister of Finance was provincial secretary. By the way, even then to distract the attention from the cemetery problem in '74, Hansard on page 2272 of April 10, 1974 shows the bill being moved for second reading by the minister of consumer affairs, not the provincial secretary. In

1974 when the NDP government amended The Cemeteries Act, this is what the hon. minister of consumer affairs had to say in his opening paragraph:

Mr. Speaker, this bill amends The Cemeteries Act and its purpose is to strengthen the act in several areas where deficiencies have been found since the act was last revised in 1965.

Mr. Speaker, the great Watergate type cover-up still goes on in 1974. The truth is, it is not the deficiencies from 1965 to 1974 that were, or are the serious problems. Mr. Speaker, the fact of the matter is that the approval of the scheme in the 1950s and the lack of concern for the public interest prior to 1966 created the problem which is still with the NDP government of this day.

Now, Mr. Speaker, about the amendment before us, I would like to pose a few questions to the hon. Provincial Secretary but he's not here. He'll have to look this up in Hansard so he can answer them, which I hope you will note. If somebody would take some notes for the fellow so he can wiggle himself out of this mess he's put himself in with this Bill 65. I tell you I'm sure that he has. When he rises to speak on this amendment he'll be able to give me and this Assembly some answers in layman's language.

Does this amendment give the registrar named the power, if it is in his opinion warranted, to turn back to the cemetery company the ownership of a burial plot already paid for by a contract holder? If the cemetery company hasn't contacted the owner of the plot, or the owner hasn't contacted the cemetery in the last 20 years, has the government used every possible means, such as advertisements commonly used to advertise family interests such as Crown corporations, to establish whether or not there are persons with paid contracts who still wish to maintain their ownership, even if they live elsewhere in Canada, Europe, or wherever?

The member for Biggar made the statement that it cost maybe \$10 to buy a lot in the early 1950s. Then he tried to turnaround and somebody over here said it has no connection with these memorial gardens. Of course we're talking about the same ones, because there are only 10. You're just trying to get a bill passed and divert it through, slip it through without anybody knowing what's going on. I'll tell you before it gets through people of Saskatchewan are going to know what's going on.

Mr. Speaker, now this is what's so serious. He said himself that somebody bought a plot for \$10 in the '50s and now that plot could be resold for \$100. There is one good reason why this bill should not go through. If a man bought something in 1950 it's his, nobody else's but his. He doesn't have to claim it until he dies. So get that into your head over there! Here it says unused plots. You don't use cemetery plots until you die, for goodness sake! When you can prove someone is buried somewhere else, or you can find them, that's a different situation. But it says right in here, by the stroke of the pen, when this bill passes they've lost it.

The Minister of the Environment sits there and laughs. I wonder how many relatives you have who owned these plots. You have them; I have them; he has them; we all have them. The member for Meadow Lake has them. You go and talk to my people in the Girvin area. They didn't have a cemetery there so they all bought in Saskatoon. I've asked them since this came out, are you going to go and claim your plots? Well, we can't find the contract. I'll give you the names before this comes to an end. I'll give you the names of the people in Regina who have passed away in the last year or two. They went out to memorial gardens. Their families bought their plots, bought their markers and paid

for the opening and closing of the grave. Then afterward they found when they were going through their parent's belongings that they were bought and paid for in 1952 or 1953.

What kind of carryings on are there in this outfit? There hasn't been a guard put on the memorial gardens by the Premier. You know there hasn't. It's been a rotten mess from day one. It never was cleaned up. I hope to goodness we'll clean it up better than putting a bill through to take the property back. That has to be the stupidest way of cleaning up this mess I have ever seen. If you want the mess cleaned up . . . (inaudible interjection) . . . I'll tell you how to straighten it out.

Mr. Speaker, this is only the beginning. This gentleman in the back row over here from Regina knows nothing about it. Absolutely nothing.

I happen to be of the age when people called on me. They wouldn't go to my parents to sell them a plot because they were too close to using them, but they came to me because e didn't need one yet. You don't know what kind of a fleece game this was. You don't know anything about it. You just sit there and laugh and scorn. I see the older members here know all about this fleece. They're not smiling and grinning. The member for Regina can grin because he doesn't know anything about it.

If the cemetery company hasn't contacted . . . Oh, I guess I've been through that one. You must remember, this is only the beginning. You wait until this session is closed; you'll get my suggestions. You'll get them when I'm good and ready to give them to you.

I'll tell you, if the NDP has just kept on . . . I'm not blowing up the Liberals in this speech, but I'll tell you one thing: they tried to clean up the mess from 1965 to 1972. But you let it get out of hand in 1971, as the Attorney General knows.

Yes, we have a bill right here. I can go to my office and get the only act every passed. There have been four. I know more about it than you do. You seem to forget. The Attorney General has a short memory, Mr. Speaker. There was a cemetery bill passed in 1965. I just finished reading the Premier admitted right in Hansard that the Attorney General was doing the right thing when he passed that bill in 1965. He had the full support of you people to clean up this mess. That is exactly when it was done. If I have to go back and read it to you I will.

You must remember, in the past 30 years, people who purchased these investments (and I might say some purchased as many as 10 lots because as you recall, they were promoted as an investment on which you should make money). Now what do you think about the people who own these plots, maybe 10 of them? That is exactly what the member for Biggar said: maybe some people own these 8 or 10 plots and why shouldn't we have them back? But they were sold to them with the idea of making money. Just because they are maybe living in Phoenix or England or Arizona doesn't say they are ever going to find out this bill was passed to claim them. It could be even right here in the city of Regina and they would never find out.

Mr. Provincial Secretary (he is not in here, but you can get the messages to him), can you tell this House how many burial plots you are talking about where owners haven't been contacted by the company or the company hasn't been able to contact them? We want to know, before you pass a bill, what we're talking about here. Are you talking about a dozen plots; are you talking about 1,000? What kind of a set-up is planned

here? It is just a simple little bill and you think we are supposed to pass it even though we don't know what you are talking about. Have you advertised it? Why didn't you advertise it in Saskatchewan before you passed the bill? Why didn't you have it out in the papers and on the television? You think you own the press and the media; why didn't you get it out there and get it going for those last few months, saying, please, anybody who has a cemetery plot in Saskatchewan, come and claim it? But what you sneaky guys do is you pass the bill and you've lost them. The Attorney General sits there and grins. Well, I will tell you there is nothing to grin about. Why didn't you advertise it first? Come and claim your plots. Then how do they know when they come to claim the plot if they have lost their contract? But I will tell you the person who does know is the Premier of this province and his crew, because they have the copies. They have the titles of the plots and they can soon tell persons if they have plots or not. But no, they are just going to take them away from them.

Also, Mr. Minister, there seems to be no provision in this amendment as to what will become of the trust fund, in perpetual care services and services in respect to these contracts which have been placed in trust. Who gets all that money? Who gets the \$154,000 which was put in this as a one-time write-off in 1969-70 by the Liberal government? It was not an advance; it was a write-off sitting in trust. Who gets that money? You are not saying that in this bill. Who gets it? There have to be a lot of answers before this bill is ever even going to move and I can guarantee it.

Of course, there must be a very valid reason for the Provincial Secretary proposing the amendment. I have my own ideas as to why it is proposed, but I want to hear his detailed reasons. Hopefully the main reason is to benefit those who have used the cemetery facilities or propose to use them in the future, and not to bail the present government out of a problem which I have previously clearly pointed out was created by the present and past members of your cabinet and senior civil servants.

Mr. Speaker, I would take it that if this amendment is passed in its present form it would be quite in order for those who wish to sell all, or at least their own plots not required (which they were convinced to buy back in the '50s and '60s because they were a good and secure investment) back to the cemetery companies who would be happy to purchase same. I presume one of the reasons for this amendment is so the companies won't have to develop more property and lessen the trust fund requirements. I agree with one point here. If you can prove that this person has been buried in some other place and does not need that property, give him his money back, but don't take it away even if it is only \$10 or \$100. I can bring names into this Assembly of people who put up several thousand back in 1952 buying 10 and 12 plots, opening and closing of graves, markers, underground monuments. Are you going to give their money back to them or are you just going to take it?

The members sit over there and say the bill has nothing to do with the memorial gardens. Unless you want to try to wiggle your way out of it by saying some cemetery called Memorial Gardens in some little town . . . You know perfectly well what I'm talking about. I'm talking about the 10. The mayor of the city of Regina over here, the past-mayor, he knows what I'm talking about. He knows about this mess. He could straighten you out if some of you young fellows want to know all about it. He knows every move about it. He knows why Regina was able to come out of it. He had enough people dying in this city for it to be a profitable organization.

But that isn't going to help North Battleford. It isn't going to help Weyburn and the mess it's in today. It isn't going to help the money you're throwing out the back door to them. It

isn't going to help the mess that Moosomin's in today, trying to sneak around behind the back door here throwing the money out to them. I've never seen such a sneaky outfit . . . (inaudible interjection) . . .

Henry would never stand up to support this bill. I know some older members over there who know better, know it's a mess and have admitted it's a mess. I'm looking at members right now who've told me that this is a mess and we have to get it cleaned up. So how do they clean it up with a deal like this?

I would take it that if this amendment is passed in its present form, it would be quite in order for those who wish to sell or at least own their plots that they were convinced to . . . I guess I've already been through that one . . . (inaudible interjection) . . . I'm not worried about it. Laugh if you want. I'll give it to them half a dozen times if I wish.

At that time they were supposed to be a good, secure investment. Back to the cemetery companies which would be happy to purchase same. I presume one of the reasons for this amendment is so the companies won't have to develop more property and lessen the trust fund's requirements. Hopefully, the whole story will be told by the Provincial Secretary this time around and serious consideration will be given by both sides of this House before this amendment is approved.

There are lots of questions to consider, Mr. Speaker. This type of legislation really gives me and the members on this side of the House serious concerns. If a government by simply amending an act can take away the title of property owned by an individual or his heirs, plus money that has been set aside in respect to that title, what will be next? You can fleece the dead and you can laugh about fleecing the dead. I'll tell you when somebody dies and their family brings them back here to Regina to get buried right in Memorial Gardens or in the other nine and the property is gone, see how they're going to feel. If that's not fleecing the dead, I don't know what is . . . (inaudible interjection) . . . You'll find out.

The question arises for example, Mr. Speaker, if you can't find the owner of any chattel which a company has sold, can it be returned to a corporation after a period of 20 years by just a stroke of a pen or of a register? No Sir, I sure don't think it can. It's illegal. Is this the first time this has been done by the CCF-NDP government, or has this been done before? For example, in the case of the old life insurance clubs, I think they did it before.

Have assets, such as we now are dealing with, ever been handled in a similar manner by the Department of the Provincial Secretary or other departments when the CCF-NDP were in power? Mr. Speaker, hopefully the Provincial Secretary could answer this question and assure us as to what happened in the past, what is now happening, and possible activities this government proposes for the future in respect to legislation such as is before us, be it cemetery companies, potash companies, uranium companies, telephone companies, trust companies, investment contract companies. Just give us all the details, good or bad.

I have a lot more to say on this, Mr. Speaker. I beg leave to adjourn debate.

Debate adjourned.

COMMITTEE OF THE WHOLE

Bill No. 25 — An Act to amend The Exemptions Act

Section 1

HON. R.J. ROMANOW (Attorney General): — Mr. Chairman, I should simply advise the members of the committee that all of these bills, items 2 through 18, are all consequential on The Personal Property Security Act. The main bill is still hung up in adjourned debates. These are consequential bill sections that deal with them; all of them with the exception of The Elections Act.

Section 1 agreed.

Sections 2 to 10 agreed.

The committee agreed to report the bill.

Bill No. 26 — An Act to amend The Crop Payments Act.

Sections 1 to 7 agreed.

The committee agreed to report the bill.

Bill No. 27 — An Act to amend The Garage Keepers Act.

Sections 1 to 6 agreed.

The committee agreed to report the bill.

Bill No. 28 — An Act to amend The Factors Act.

Sections 1 to 6 agreed.

The committee agreed to report the bill.

Bill No. 29 — An Act to repeal The Bills of Sale Act.

Sections 1 to 3 agreed.

The committee agreed to report the bill.

Bill No. 30 — An Act to repeal The Corporation Securities Registration Act.

Sections 1 to 3 agreed.

The committee agreed to report the bill.

Bill No. 31 — An Act to repeal The Conditional Sales Act.

Sections 1 to 3 agreed.

The committee agreed to report the bill.

Bill No. 32 — An Act to amend The Agricultural Implements Act.

Sections 1 and 2 agreed.

Section 3 as amended agreed.

Sections 4 to 6 agreed.

The committee agreed to report the bill as amended.

MR. LANE: — I don't believe we have a quorum, do we?

RULING RE QUORUM

MR. CHAIRMAN: — Mr. Speaker, during proceedings in committee of the whole the hon. member for Qu'Appelle brought to the attention of the committee the fact that a quorum was not present. The Clerk immediately counted the House and found there were 11 members present at that time.

MR. SPEAKER: — I will ask the Clerk to do a quorum call at this time.

I find the quorum call to be, I believe, 17 plus the Speaker. The rule that is seldom used but governs this situation is that (no. 212, Beauchesne's, Fifth Edition):

If notice is taken by a Member that there is not a quorum present in the Committee of the Whole, the Chairman follows the course pursued by the Speaker in the House. If he ascertains that twenty Members (in our particular case, fifteen) are not present, he leaves the Chair, the House is resumed, and, on his report, the Speaker counts the House, and if there is not then a quorum, he must adjourn the House forthwith.

I find there is a quorum and the House is not adjourned.

MR. LANE: — On a point of order, Mr. Speaker, I would like to call to your attention the ruling in 1973 in this Assembly when in similar circumstances the House was adjourned. I believe rule 5 of the rules and procedures makes it quite clear that it is the presence of at least 15 members of the Assembly. At the time of the count there was not that number and the House should be adjourned.

MR. SPEAKER: — Any further comments on that point of order before I deal with it? I believe the situation the member for Qu'Appelle was citing occurred when the House was in session and when they were not in committee. At this particular instance, the House was in committee and I followed the rule in Beauchesne's which directs the Speaker what to do with regard to that. Upon taking the count I found 17 members plus the Speaker, which is more than a quorum.

COMMITTEE OF THE WHOLE

Bill No. 33 — An Act to amend The Threshers' Lien Act

Sections 1 to 3 agreed.

The committee agreed to report the bill.

Bill No. 34 — An Act to amend The Landlord and Tenant Act.

Sections 1 and 2 agreed.

Section 3 as amended agreed.

Section 4 as amended agreed.

Section 5 agreed.

The committee agreed to report the bill as amended.

Bill No. 35 — An Act to amend The Creditors' Relief Act.

Sections 1 to 3 agreed.

The committee agreed to report the bill.

Bill No. 36 — An Act to repeal The Registered Documents Destruction Act.

Sections 1 to 3 agreed.

The committee agreed to report the bill.

Bill No. 37 — An Act to amend The Distress Act.

Sections 1 to 4 agreed.

Section 5 as amended agreed.

Section 6 as amended agreed.

Section 7 agreed.

The committee agreed to report the bill as amended.

Bill No. 38 — An Act to repeal The Assignment of Book Debts Act.

Section 1 to 3 agreed.

The committee agreed to report the bill.

Bill No. 39 — An Act to amend The Limitation of Civil Rights Act.

Sections 1 and 2 agreed.

Section 3 as amended agreed.

Sections 4 to 10 agreed.

The committee agreed to report the bill as amended.

Bill No. 40 — An Act to amend The Sale of Goods Act.

Sections 1 to 5 agreed.

The committee agreed to report the bill.

Bill No. 41 — An Act to amend The Executions Act.

Sections 1 and 2 agreed.

Section 3 as amended agreed.

Section 4 as amended agreed.

Sections 5 and 6 agreed.

Section 7

MR. LANE: — I'd just like to raise one question there. Are you not by your house amendment limiting who may register the writ or execution, 'by the execution of creditor or his solicitor? What about personal representatives and categories of that nature, are you not excluding them by specifically referring to others?

MR. ROMANOW: — Mr. Chairman, the member is right. There is limitation being suggested by the amendment. I'm advised the reason and the rationale for that is by this process we are changing the method of registering a writ of execution. Under the present system, once a judgment is obtained, a writ of execution is in effect registered by the sheriff in the system that we know. The proposed system, which is the subject of this amendment, is in effect to make the registration in the name of the execution creditor. It gives, by this legislation, and that procedure, the execution of creditor a higher standing, a notice vis-à-vis all other parties. As a consequence the amendment we're talking to would also require the party on the writ be the applicant in concern.

It's consistent with the approach that's taken. The idea thereby would be to make sure the financing statement is accurate, complete, that there is a protection involved for the debtor himself, that it's not just any individual who is seeking the remedy. It's consistent with the thrust of the central registration system and the legislation which is passed. That's the reason for it. The member is correct.

MR. LANE: — The only concern I have is I think by specifically mentioning the creditor or his solicitor, you are by implication excluding personal representatives. If that's the case, my concern is that an execution creditor or the one acting on his behalf with proper power should in fact be able to file the writ as well.

MR. ROMANOW: — Well, it's true what the member says but the objective of this is intended to have some element of control. The objective is not to have our representative, who is a non-solicitor, wheel in to take out a writ or execution. The thrust of the series of amendments is to put the writ in the hands of the execution creditor personally or someone like his solicitor rather than some person who says, her I am, I'm the representative of the execution creditor. So the member is right but it is designed to do it that way.

Section 7 agreed.

The committee agreed to report the bill.

Bill No. 74 — An Act to amend The Elections Act.

Section 1

MR. D.G. TAYLOR (Indian Head-Wolseley): — I just had a minute to look over these but the other day in our discussion on this, Mr. Attorney General, I think there were two or three things which we pointed out. I think the main one (we had agreed on everything and this House amendment does cover that) is there be the five days for advance poll . . . (inaudible interjection) . . . Yes, that's the one, and certainly no election or anything on a holiday or Saturday or Sunday. The other thing was the times and we had agreed on those. That was in the bill so I think with these House amendments it looks fine.

Section 1 agreed.

Section 2 agreed.

Section 3

MR. CHAIRMAN: — Clause 4(1)(d) of the act as being enacted by section 3 of the printed bill is amended by striking out the last two lines and substituting the following:

nomination day but, if that day is a holiday, Saturday or Sunday, then on the first day following that is not a holiday. Saturday or Sunday:

Strike out clause 4(1)(e) of the act as being enacted by section 3 of the printed bill and substitute the following:

(e) fixing any five days before polling day in which the advance poll is to be held.

MR. TAYLOR: — Are those not supposed to be any five consecutive days, rather than any five days? That could be anything, couldn't it?

MR. ROMANOW: — I'll make a further House amendment. It's intended to be five consecutive days, except we may start on a Wednesday, and do Wednesday, Thursday, Friday. We don't want to have a polling day on a Saturday or Sunday. We have them on Saturday now. That's the problem. We start again on Monday. It's not consecutive in the straight fashion. We do have them going that way, as I understand. We don't have them starting Monday and ending up on a Friday, so therefore five consecutive days has not been the practice. We don't intend to change the practice on this.

MR. TAYLOR: — As this reads, it says to me, any five days. Could you not word it more precisely by saying five consecutive days with the exception of Sunday or a holiday?

MR. ROMANOW: — Mr. Chairman, I think what I should do is stand the bill and we'll take a look at this. Rather than hastily rushing into an amendment, we'll take a look at it. So, we'll stand this and move on to the next one, if the Hon. Mr. Robbins is available.

MR. CHAIRMAN: — Rather than stand, it might be better if you reported progress on this bill.

The committee agreed to report the bill.

Bill No. 60 — An Act to amend The Superannuation (Supplementary Provisions) Act.

Sections 1 and 2 previously agreed.

Section 3 agreed.

Section 4

MR. P. ROUSSEAU (Regina South): — Mr. Chairman I would like to introduce an amendment to this bill. I move, seconded by the member for Rosetown-Elrose (Mr. Swan), that Bill No. 60 be amended by striking out 'subsection is' in the first line of section 4 of the bill and substituting therefor 'subsections are' and striking out 'Where' in the first line of subsection 36 (3.1) of The Superannuation (Supplementary Provisions) Act as being enacted by section 4 of the bill and substituting therefor 'Subject to subsection (3.2) Where' and by adding the following subsection after subsection 3.1:

(3.2) No increase shall be paid pursuant to subsection 3.1 to a superannuate in respect of any period in any year in which he receives any remuneration fees or other payments for services rendered by him to the government.

Mr. Chairman, as I indicated in the second reading of the bill, the reason for my amendment is to avoid the payment of political favors to political buddies who perhaps can take early retirement on a full pension. As I also indicated at the time, the basic idea of the bill is good and it is to protect pensions and pensioners from inflation; but in the case of the political favoritism and patronage, those receiving it are already drawing more pension and salary than they ever had when they were working. In all cases they have been more than well compensated for the falling value of their pensions. So, without reiterating the argument I gave last time, Mr. Chairman, I move this amendment.

Debate continues on amendment.

MR. W.A. ROBBINS (Minister of Revenue, Supply and Services): — Mr. Speaker, I was aware of the fact that the member for Regina South was going to introduce the amendment. We have 2,450 people on pension in the public service of Saskatchewan, and in so far as we know at the present time there aren't five of them working for the government after being pensioned.

Only in rare instances does a person come back to employment with the government after being pensioned, and if they are back in employment for six months or more the pension is cut off totally.

I want to point out to the members that all this would do is stop the increase. It doesn't have to do with the pension as such, but it would simply stop the increase, indicated in this particular bill, which the members opposite have argued isn't high enough. But in any event, that's all it would do. On the basis of that and on the basis of the fact that rarely if ever, do we get pensioned people coming back to employ in the government, and if they do come back and work longer than six months the pension stops being paid

to them, I reject the idea that this can be used as a means of political patronage, and rewarding people. It simply doesn't happen. Therefore I would urge the members to defeat the amendment.

MR. ROUSSEAU: — Mr. Chairman, in answer to the minister, certainly it is not the intention of anyone on this side to stop pensions, even of people who may come back to work. However, I think there are certain people who do take advantage of the situation. As I mentioned, it's all very well for them to take off for six months in the winter time, enjoy the warmth of the tropical climates in the southern part of the North American continent, or wherever, and come back in the summer and regain employment so they work for six months less a day, and their pension continues at that point.

You say there are only five out of some 2,400 or 2,500 people who would fall into this category. I wonder if you are including in that five, those with whom you may contract, or retain under contract, such as consultants and so on and so forth? I would venture to say far more than five contract their services to the government after they have left the employ of the government.

The amendment we have brought forth is to include those people. As you see in the amendment (I don't have a copy of it now) it's remuneration by the government for services rendered to the government. So therefore, it isn't only those who are employed by the government but also those who offer their services in the form of contracts, such as consultants, etc. So because of the abuse which could take place, and because of abuse not only by the employee but also by the government itself to offer this type of patronage, certainly I think the amendment is in order.

It certainly does not affect the majority, as you have indicated, of the employees who retire and who well deserve the increased benefits proposed by this bill. That is not our intention, and certainly we agree with that section of the bill, and we will vote in favor of it. However, I would again urge the members on the opposite side of the House to support the amendment for the reasons I have outlined.

Amendment negatived.

Section 4 agreed.

Sections 5 and 6 agreed.

The committee agreed to report the bill as amended.

Bill No. 67 — An Act to amend The Education and Health Tax Act.

Section 1

MR. E.A. BERNTSON (Souris-Cannington): — Mr. Chairman, I have talked with the minister on this before. I just want to make sure I have it put away properly in my mind so there can be no mistake down the road later. I notice in the explanatory notes that agricultural aircraft are now exempt from E&H tax. Agricultural aircraft, as I understand it, are airplanes specifically designed for that purpose, not 182s with extra plumbing and that sort of thing on it. My question is, is it your intention either through this legislation (because the wording is a little vague) or by regulation, to tax commercial operators with agricultural aircraft?

MR. ROBBINS: — The answer is no if it is to be used primarily in agriculture activities.

MR. BERNTSON: — I am sure we all know there is not a farming enterprise in Saskatchewan that would warrant an agricultural aircraft for its own use. So that is where the question comes from. Somebody buys an agricultural aircraft; even though he be a farmer he is likely going to be doing commercial work in primary agricultural work to pay for the thing. That is where the question derived from. I think it is a good move, by the way, so I thank you for that.

MR. ROBBINS: — Yes, that would not be taxable. However, if a farmer is using an aircraft which he could normally use for something else and equips it with tanks, pipes, hose and all the rest of it, that is taxable.

Section 1 agreed.

Sections 2 to 5 agreed.

Section 6

MR. ROUSSEAU: — Mr. Chairman, I am going to have to ask you a question first. I have several amendments to this bill. Do I read them all at once or one at a time?

MR. CHAIRMAN: — Are they all under this section? Let's do them one at a time.

MR. ROUSSEAU: — Mr. Chairman, I move, seconded by the member for Indian Head-Wolseley (Mr. Taylor) that Bill No. 67 be amended by adding the clauses following after clause 81 (qq) of The Education and Health Tax Act as being enacted by section 6 of the bill, '(rr) electricity for irrigation pumps.'

MR. ROBBINS: — Mr. Chairman, first of all, I might say I'm a bit surprised that the amendment is found in order. I'm not trying to question the Chair, necessarily, but I think this deals with a money bill and I don't know how a member of the opposition can in effect bring in an amendment . . . (inaudible interjection) . . .

Well, I realize that this question has been raised before, but I think it's fair to say that it's very difficult to really tell whether electricity is going to be used simply to power irrigation pumps on a farm or for other purposes. It's a very difficult area. A pump motor can be powered with gasoline or diesel fuel and the farmer can use marked or purple fuel and not pay any road tax on it.

An E&H tax exemption for electricity used by a farmer in other farming operations, except if the electricity is used solely for heating, is now in effect. It would be extremely difficult to isolate the power used to operate a grain auger or welding machine, for example, from electricity used for general lighting. If irrigational electrical power is exempted from tax then other legitimate farm use of electricity should also be exempted. This is simple not practical. To get back to the same old argument, if the farmer goes to town to pick up a repair part he pays tax on his fuel if he drives a car. But he pays no tax on fuel if he drives a truck. The individual farmer must choose how he's going to arrange his affairs to minimize all costs including taxes.

I think it's fair to say then that electric motors for use in farm production machinery have . . . established exemption for portable internal combustion engines. We also continue to exempt newer, remanufactured automotive motors that are purchased as a

replacement for farm implements on machines. I think these exemptions will more than adequately address the member's concerns. I think, because it's strictly a question of a real problem in determining whether or not the electricity is used specifically for irrigation purposes or other purposes, we must, in my view, defeat the amendment and I would therefore urge members to defeat it.

MR. CHAIRMAN: — Order! I just want to clarify the hon. member for Saskatoon Nutana the point that he raised because I think it's an important one and one that all members should understand. I refer all hon. members to a statement by Mr. Speaker in this House on Friday, May 26, 1978. This was in regard to a point of order that was raised along similar lines by the Hon. Attorney General. I quote:

The point raised by the Hon. Attorney General quite accurately pointed out that the releasing or compounding of any sum of money owing to the Crown creates a charge in the public revenue. This phrase however has always been interpreted in the strict sense that money owing to the Crown refers to money owing to the Crown through actual debts, loans, contracts and guarantees, and has never been interpreted to mean in a general way any money which may be owed to the Crown through charges for services or even taxes. While a private member may not introduce a resolution or bill to increase a charge or impose additional burdens on the public purse or impose increased taxes, any member may move to reduce the charge, expenditure or a tax.

I refer all hon. members to Erskine May, parliamentary Practice, 18 edition, page 744, which states that:

No special formal procedure applies to proposals to reduce existing charges and they may be moved in the House or in committees without the royal recommendation.

MR. H.J. SWAN (Rosetown-Elrose): — Mr. Chairman, Mr. Minister in your remarks you stated it would be very hard to identify the power used for irrigation. I don't know whether you are aware or not of the method of irrigation where they use electric pumps. But wherever irrigation is being done and the electric pumps are being used, they must of necessity run three-phase electric power to each field. Now that's a very costly process. They don't approach it lightly. They have to go through the government's Saskatchewan Power Corporation in order to have those poles placed in their fields. It is three-phase power which is easily identified, separate meters. It's no problem at all to know which power is being used for irrigation pump operation. It's very high power consumption.

In the one circumstance I have been raising with you and I think in a number of others as well, these men are not using hundreds of dollars but thousands of dollars of power in a year. The one I refer to has used in excess of \$10,000 worth of power just for irrigation. I believe rightly he has a case to be made here. He should be excluded from paying that 5 per cent tax because it's a source of power; it's saving on the other types of energy he would normally use. They tell us that we're going to have to start to convert to electric energy but as long as you continue to tax it you don't encourage people to convert to it.

So I think you should take another look at this particular amendment. It is very easily identified as power for irrigation only. I would ask you to wholeheartedly support this amendment and allow these people their just energy consumption.

MR. ROBBINS: — Well, Mr. Chairman, the member for Rosetown-Elrose says you can easily identify this particular use of electricity in relation to irrigation. I'm not doubting his word in that particular instance but obviously you run into major difficulties in relation to other uses of electricity on that particular farm. The argument is then going to be: why should I pay E&H tax on electricity I use for my welder or any other machine that I might be using on the farm. Now I know you are using an example of an individual who is encountering very large costs because it's related, I presume, to a relatively large operation. I heard of one other who indicated he had used about \$2,400 worth of electricity in terms of irrigation and he was irrigating a fairly large acreage. This fellow must be irrigating a very large acreage on that basis.

But I think because of the attendant problems related to the use of electricity on the farm, I still think we should defeat this amendment. We'll certainly have another look at it later. If we can find some way of devising a method that might work properly, we would consider it but at the moment I'm asking the members to defeat the amendment.

MR. SWAN: — I don't think there is anyone in this Chamber concerned about the electricity used in a farmyard to run the farm home, the welder, the farm shop. We've been paying the education tax on that for many years.

When you look at the energy used for irrigation, it's entirely different. The particular man I mentioned uses \$10,000 worth of power. He has eight irrigation circles, each one irrigating 150 acres. You can break it down and see that if a person has one irrigation circle and one motor, he is going to use about one-eighth of the amount of power.

You're really looking at a pretty high level of power consumption each year by each of these people. As irrigation develops along Diefenbaker Lake, you're going to find a number of people each year being added to the list of people who are going to complain to you because you're charging the cost.

I believe this is the proper time to be looking at the change in this act. The act is being amended now and it hasn't been changed in a long time. I think today is the time. If you want to encourage people to get away from using diesel fuel and gasoline to drive their pumps, then I think you must do it in this way. I would encourage the minister to give the more thought than he is giving it now and to ask all members of this House to support the amendment.

MR. ROBBINS: — Well, I think, Mr. Chairman, you must realize this has implications for our treasury board. We don't know what the total cost of this would be in terms of loss of revenue. It has other implications that could be applied in relation to utilization of electricity in a plant like IPSCO (Interprovincial Steel and Pipe Corporation) or the Degelman plant or the Morris Rod-Weeder plant. It could have implications in terms of a proposed upgrading plant at Lloydminster. I still ask the members to defeat it. We will certainly look at it and give some consideration to it but I think this amendment should be defeated at this time.

MR. R. KATZMAN (Rosthern): — The minister is making an argument which I think is incorrect. He refers to the heating of homes and so forth. He already has an amendment which exempts electricity from heating a home when it's solely by electrical heat. So you've already exempted for a home that is totally electric heat. You seem to use that

argument. I'm certain the production of food comes before the heating of a home.

MR. ROBBINS: — I would just point out, Mr. Chairman, that has always been in the bill.

MR. ROUSSEAU: — I find it difficult to believe what I am hearing from the minister. We have for some time now been accusing the government of having no interest whatever in the renewable resources of our province. This further strengthens our argument. Here is an opportunity to indicate to the farmers of this country, of this province, that the government does care about their costs, that the government will pay heed to their developing in the renewable resource sector. And the minister is concerned that treasury board may question the amount of money involved.

You don't seem to be too concerned when the Department of Tourism and Renewable Resources asks for \$2 million but won't tell us what it's for and doesn't know itself what it's for. But when it comes to something like reducing some of the costs of the farmers to produce, to encourage the production, to encourage renewable resources, you're not interested.

The farmers in Saskatchewan will know how much this government cares about their plight, particularly at this time of high costs. And, Mr. Chairman, I would ask the members to reconsider and I would ask the minister to reconsider his decision and include this amendment and approve this amendment.

MR. ROBBINS: — Well, Mr. Chairman, I've listened to the arguments. I realize they have some basis for those arguments but the fact remains that this is an extremely difficult tax to administer, extremely difficult.

As for the argument that you would do this for an irrigation farmer, I'll be willing to bet the members of this House there isn't 0.1 per cent of the farmers in Saskatchewan who irrigate. Now, it's not an argument against those farmers but the fact remains that as soon as you make an exemption on something like this, you're flooded with other requests for exemptions, related to other farmers who will say, if that fellow gets an exemption for that, I should get an exemption for something else. I would therefore ask the members to reject the amendment.

Amendment negatived.

MR. ROUSSEAU: — I move, seconded by the member for Indian Head-Wolseley (Mr. Taylor), that Bill No. 67 be amended by adding the clause following after clause 8(1)(qq) of The Education and Health Tax Act as being enacted by section 6 of the bill: '(rr) children's clothing and footwear.'

Debate continues on this amendment.

The committee reported progress.

The committee recessed until 7 p.m.