

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 16, 1980

The Assembly met at 10 a.m.

On the Orders of the Day

WELCOME TO STUDENTS

MR. C.O. WHITE (Regina Wascana): — Mr. Speaker, I would like to introduce to you and to members of the House, a class of students from the Regina Plains Community College. They are taking English as a second language. Among the group is a person who will be acquiring Canadian citizenship, from Greece; there are two from Vietnam, one from Hong Kong. There is also an individual from Quebec, I believe, in the group.

I would like too to welcome them all to the House, and I think we should especially welcome their escort and teacher, Mrs. Felicity Harding. This is her second trip; it's becoming a habit with her, bringing people over here. I would like to welcome them to the House. I will be meeting them afterward for drinks and pictures.

HON. MEMBERS: — Hear, hear!

HON. D.F. McARTHUR (Regina Lakeview): — Mr. Speaker, I would like to introduce to you and to the members of this Assembly, 64 Grade 8 students from Argyle School, sitting in the west gallery this morning. They are accompanied, Mr. Speaker, by their principal, Mr. Huber, and by their teachers, Mr. Milani, and Mrs. Ingenthron.

Mr. Speaker, these students from Argyle School make regular visits, as part of their Grade 8 classes, as I understand it, to our Legislative Assembly each year, indicating their interest in our activities and the government of the province.

I would like to welcome them here and indicate that I look forward to meeting with them a little later for pictures and refreshments, and for questions and discussion.

HON. MEMBERS: — Hear, hear!

MR. R.H. PICKERING (Bengough-Milestone): — Mr. Speaker, it is indeed a pleasure for me this morning to introduce to you and through you to the members of this Assembly, 12 Grade 4 students in the Speaker's gallery. They are accompanied here by their teacher, Mr. Strand, and chaperones, Mrs. Schiefner, and my wife, Dorothy. Included in this group is my youngest daughter and needless to say, it is kind of a special group to me. I will be meeting with them following question period for pictures and refreshments. I understand later in the day they are visiting the RCMP Barracks. I hope their visit to the Assembly is enjoyable and perhaps educational.

I would like all members to join with me in welcoming them to the Assembly, and wishing them a happy stay and a safe journey home.

HON. MEMBERS: — Hear, hear!

HON. G.R. BOWERMAN (Shellbrook): — Mr. Speaker, I want to take the opportunity this morning along with my colleague and my MLA, to welcome the Grade 8 students from Argyle School. I have a son who goes to Argyle School. He is not there this morning, and

I want to confirm with the teachers and the principal that he is really not playing hooky. He is over at Moose Jaw at a band festival there. So I want to welcome you particularly and I want to say how pleased I am you are here, and that I am here to welcome you. I will extend to Mark this afternoon what he has missed by not being here to visit the legislature with you. I do hope you have a pleasant day. I do hope your stay in the legislature this morning will be informative and rewarding to you — to the principal and to the teachers as well.

Thank you very much, Mr. Speaker.

HON. MEMBERS: — Hear, hear!

MR. P.P. MOSTOWAY (Saskatoon Centre): — On behalf of the member for Biggar, Mr. Cowley, I would like to introduce to you and to this House, 14 students and 2 adults from Sonningdale School in Biggar constituency. They are accompanied by Mr. Klassen, one of their teachers, and Mr. Schultz, the bus driver. I understand they will be meeting with one of the government MLAs in case their MLA is still tied up with business, a little later on and they will be enjoying drinks and having a little discussion.

I might add that should Mr. Cowley not be able to meet with you, you will be treated to Mr. Bob Long, the MLA for Cut Knife-Lloydminster (whose mother comes from Sonningdale) and I am sure he will be very pleased to have this meeting with you. It is my hope that you find particularly this question period in the Chamber very informative and interesting, and that you have a safe journey back.

HON. MEMBERS: — Hear, hear!

QUESTIONS

Quebec Referendum

MR. J.G. LANE (Qu'Appelle): — My question is to the Premier. Mr. Premier, having just returned from Ottawa, there is a matter of increasing public concern about the position of the federal New Democratic Party in its refusal to take sides in the referendum debate. Press statements in Ottawa from a Saskatchewan member of parliament representing the New Democratic Party reinforced that and state unequivocally that the New Democratic Party . . .

MR. SPEAKER: — Does the member have a question with regard to Saskatchewan?

MR. LANE: — . . . will not take sides in the referendum debate. What representations has the Premier made to his national leader or the national party or to the Saskatchewan MPs?

MR. SPEAKER: — Order. I'll take the next question.

MR. LANE: — New question, Mr. Speaker.

MR. SPEAKER: — Order.

MR. LANE: — New question. I have been cut off.

MR. R.L. COLLVER (Nipawin): — Mr. Speaker, at this point in the light of the urgency of

the question from the member for Qu'Appelle, I yield to him.

MR. LANE: — Thank you, member for Nipawin. Would the Premier advise this Assembly what representations he has made to either the Saskatchewan New Democratic Party MPs or the national party expressing deep concern about the position of the Saskatchewan MPs? What recommendations have you made?

HON. A.E. BLAKENEY (Premier): — Mr. Speaker, the Government of Saskatchewan has made no representations to any party at Ottawa as to what their stand should be on the referendum. We think all the parties at Ottawa are quite capable of making up their own minds as to what their stand on the referendum should be. The Government of Saskatchewan has made its position on the referendum abundantly clear. I know the hon. member is not asking me what representations I may have made to the New Democratic Party as Leader of the Saskatchewan New Democratic Party because I know he would not have me ask his leader what representations he has made to Mr. Joe Clark by reason of the fact that he did not intervene in the Quebec referendum issue when he was prime minister. I do not acknowledge the statement of fact by the hon. member with respect to the New Democratic Party leader's position in the referendum. I have heard him state unequivocally what his position is. However, with respect to the Government of Saskatchewan (and that's what the question period is about), we have not made representations to any party leader at Ottawa.

MR. LANE: — Supplementary to the Premier. The Premier has indicated on numerous occasions that he was giving the position of the Government of Saskatchewan and the people of Saskatchewan. The seeming refusal of the Saskatchewan federal New Democratic MPs to follow your position for a no vote — would you not suggest, Mr. Premier, that you should be raising that matter with them?

MR. SPEAKER: — Order.

Government Borrowing of Money

MR. W.C. THATCHER (Thunder Creek): — A question to the Premier, Mr. Speaker. Mr. Premier, I am sure you are aware that interest rates have been falling surprisingly speedily in the past month. My question to you in the absence of the Minister of Finance is during the period of time when your budget came down and you indicated that there would be some fairly heavy capital borrowing, did you in fact borrow any money when the interest rates were at those record high levels? Or what are your plans now that they are falling? In the light of these very unstable situations when the rates were way up there and now appear to be going down and appear that they are going to go down a little further, what are you going to do? Are you going to borrow long-term or short-term or what are your plans now?

MR. BLAKENEY: — Mr. Speaker, we have recently borrowed about \$125 million, about \$50 million of it relatively shorter term and about \$75 million relatively longer term at interest rates of approximately (I am now speaking from memory, I'm sorry) 11.5 per cent for the shorter term and about 12 per cent for the longer term. And those were the rates obtained. They are higher than we would have liked to pay, obviously, but we do not expect to see the long-term rates fall appreciably below that for some months at least.

MR. THATCHER: — Supplementary question to the Premier. Mr. Premier, at the time when you did these borrowings and you got these rates of 11.5 per cent over a 20-year

period (again I'm off the top of my head on that one, but I believe it was 20 years and granted hindsight is always 20/20), would you not agree that when your people made the decision to borrow it was rather obvious rates were going to fall because of the U.S. presidential election. They traditionally do fall at the particular time and therefore, did you not make a decision for which the people of Saskatchewan are going to pay a rather excessive interest rate over a 20-year period?

MR. BLAKENEY: — Mr. Speaker, I think we'll only be able to know that a year from now. The rates in the United States as we know have been in the 16 per cent, 17 per cent, 18 percent range with some as high as the 19 per cent and 20 per cent range. Our rates in Canada were never at those levels and the government, particularly with respect to long-term securities, have been borrowing at significantly less than that.

The issue the hon. member raises is whether or not long-term rates will drop very much below 11.5 per cent in the next while during which we would be forced to borrow if we wish to carry on with our programs and the like. I frankly don't know that. We are of the view that the borrowing was in all the circumstances a prudent borrowing. I think only time will tell. We may not have been as fortunate this year as we were last year, when we borrowed at lower rates than any other province in Canada for one issue because we hit the market right and our credit rating was high. I do not know whether we will be equally successful this year but I think we'll only know a year from now.

Bedbugs Found in Regina General Hospital

MR. COLLVER: — My question is addressed to the Premier. The Premier will recall the rather unprecedented move two years ago to call Mr. Hewitt Helmsing as a witness before this Assembly. Mr. Helmsing testified that the Regina General Hospital was not filthy. We now have evidence to prove that the operating theatre at the Regina General Hospital has closed because of bedbugs found in the ceiling. Is it the Premier's intention to remove Mr. Helmsing now from the position he achieved after he was called as a witness before this Assembly? Is it your intention to remove him from the position as chairman of Regina hospital commission?

MR. BLAKENEY: — Mr. Speaker, Mr. Helmsing is not and has not been for some time the chairman. He's already removed.

MR. COLLVER: — Supplementary question, Mr. Speaker, and perhaps the question would be more satisfactorily addressed to the Attorney General. Is the Attorney General's intention to seek perjury charges against Mr. Helmsing for his testimony before this Assembly?

HON. R.J. ROMANOW (Attorney General): — No.

MR. COLLVER: — Since it's not your intention to seek perjury charges, do you believe therefore the testimony given by solemn witnesses before this Assembly (and I'd be happy to quote from that testimony if the Attorney General so desires but the question period is not the time to do so), that there is no problem with the Regina General Hospital? Would the Attorney General again reconsider his stand and examine the possibility of bringing perjury charges against Mr. Helmsing because of his solemn testimony before this Assembly?

MR. ROMANOW: — Mr. Speaker, if I may say so, I think the hon. member would be better off leaving old battles where they were and are, namely old battles. The evidence

given at the time was given surrounding the allegations made at the time. I don't have the transcript in front of me. I believe the information was there, given, tendered, faithfully and honestly by all those who appeared. If there is a new situation which takes place this time round it's open to the hon. member to make his accusations or his requests.

Quebec Referendum

MR. LANE: — Mr. Premier, with the referendum vote coming up next week, do you not believe that it would be in the best interests of national unity, that you, as both leader of your party in this province and as the Premier, immediately urge the federal members of parliament representing your party to reconsider their position, particularly the Saskatchewan members, and in fact indicate to the people of Quebec that they would endorse heartily a no vote?

MR. BLAKENEY: — Mr. Speaker, I don't agree with the hon. member. I agree that representations I may make to the members of parliament from the New Democratic Party (and the member was careful to suggest that I only make them to the members of the New Democratic Party), can best be made through party channels. Since these are not the concern of the government or the legislature of Saskatchewan I would not want to transgress on the time of the House to say what I may have said to NDP members of parliament in party circles. I have attended a number of party functions, some in Ottawa, recently at which the referendum matters have been debated at some length, but as Mr. Speaker will know, any comment on those would be quite irregular.

I really must say to the hon. member that I think it would not be productive for me, as Premier of Saskatchewan, to make these representations. Clearly they ought to be made by me as a party person since they're being made within the party context, as the hon. member was careful to state that I should make them only to NDP members.

Funding Pain Management Clinic

MRS. J.H. DUNCAN (Maple Creek): — A question to the Premier in the absence of the Minister of Health. Chronic pain is becoming recognized increasingly as a major burden on the economy through the loss of working time and compensation payments, not to mention the price in human suffering and destruction. Mr. Premier, the pain management clinic based in Saskatoon is now taxed to the limit of its capabilities given the resources on hand. Would your government consider increasing funding to this particular discipline to allow it to effectively carry on?

MR. BLAKENEY: — Mr. Speaker, I am not informed on the funding to the pain management clinic, and I will accordingly take notice and ask my colleague, the Minister of Health, to reply more fully.

MRS. DUNCAN: — Supplementary. Mr. Premier, when you're taking notice would you also advise the House that because the results of the pain management clinic have been truly remarkable in people suffering from chronic pains such as cluster migraine headaches, back pain or the like, many have been able to re-enter the mainstream of society without costly surgery or becoming dependent on drugs. Would you take notice and advise this House as to whether or not consideration will be given to establishing a similar clinic in Regina, in view of the fact that it is only being serviced once a month by one doctor out of Saskatoon (about once in every 10 days, I believe)?

MR. BLAKENEY: — Yes, I will take notice of that and ask my colleague, the Minister of Health to reply to the hon. member's thoughtful question.

Drought Committee Subsidy Program

MR. R. PICKERING (Bengough-Milestone): — Mr. Speaker, in the absence of the Minister of Agriculture, I would like to direct my question to the Premier. Mr. Premier, in light of the near disastrous drought conditions in Saskatchewan and in light of the reply to a question earlier this week by the Minister of Agriculture, regarding alternate grazing facilities for livestock producers in which he answered:

My reports are that the staff of community pastures is discouraging bringing the cattle in as long as possible so that the available pasture on the farm is used up before coming into the community pasture.

Is the Premier aware that the Saskatchewan Stock Growers' Association has taken the opposite position and feels co-op and community pastures should be filled to maximum capacity immediately so that they can take advantage of the green grass while it is still there?

MR. BLAKENEY: — Mr. Speaker, I have to answer the hon. member's question honestly and say no, I was not aware that the Saskatchewan Stock Growers' Association had taken that position with respect to community pastures or PFRA (Prairie Farm Rehabilitation Act) pastures.

MR. PICKERING: — Supplementary, Mr. Speaker, to the Premier. Would the Premier not agree that in view of the fact many diversified farmers and ranchers with inadequate pasture lands at home are using their leftover winter feed and grazing their livestock in hay fields from which they attain their winter feed, they should be given priority in community pastures and co-op pastures at this time?

MR. BLAKENEY: — Mr. Speaker, the question of who should have priority in a community pasture or co-op pasture is clearly one in respect of which I would expect that a number of people would have different views, at least with respect to the co-op pastures. And some of the others have the local boards which make these sorts of priority decisions. I am not sure that the Government of Saskatchewan is called upon to make those — certainly not with respect to PFRA and certainly not with respect to co-op. With respect to our own community pastures, I am advised there are local boards who make these priority judgments.

Assistance re Transportation of Food

MR. D.G. TAYLOR (Indian Head-Wolseley): — In the absence of the Minister of Agriculture, I will ask the question of the Premier. Mr. Premier, last summer I made representation to the Minister of Agriculture for some assistance for feed in southeastern Saskatchewan because, as you will recall, there were rather dry conditions. With the drought that is taking place at this time, many of the dairy farmers in the area and in fact some of the beef men are, at this time, starting to bring feed in. My question is will your government implement a plan of assistance in transportation so that these people don't have to start cutting their herds because of the drought that is here right now?

MR. BLAKENEY: — Mr. Speaker, I am not sure of the precise stage at which the plans, earlier announced by the Minister of Agriculture, are. I will be recalled that he indicated there would be a federal-provincial program which would involve not only the well-drilling and not only pumping for dugouts, but also assistance in transportation of feed and fodder from surplus areas to deficient areas. I believe that program is in place or is about to come in place. But I really do not know precisely what its timing is at this time.

MR. TAYLOR: — Supplementary. I understand the deputy minister is back from those meetings with the federal government. Can we be looking for an announcement within the next week, Mr. Premier, so that these people can make the decisions as to whether to keep their herds or whether to start cutting?

MR. BLAKENEY: — Mr. Speaker, without being able to commit the Minister of Agriculture firmly, I would expect an announcement within the next week.

Compensation re Milk Dumped during Strike

MR. J.W.A. GARNER (Wilkie): — My question is to the Premier, in the absence of the Minister of Agriculture. Mr. Premier, it is one week since the dairy strike has been settled in Saskatchewan. Can you tell us how many pounds of milk were dumped during the strike period, and is your government going to give any compensation to the dairy producers who have dumped milk during the strike?

MR. BLAKENEY: — Mr. Speaker, three quick answers. First, I am not aware that the strike is settled, but rather that the work stoppage is stopped at least temporarily. I am not aware of a contract having been signed.

Secondly, I do not know how many gallons of milk were dumped nor, if I understand the situation rightly, does anyone else, nor will we know until . . . (inaudible interjection) . . . I think if the hon. members ask the people in the dairy producers co-op, they will not be able to tell them until late this month when the reports for this particular period are in and might be compared with previous periods and when an appropriate estimate of how much milk was dumped could be made. Certainly that's the statement made by an official of the dairy producers' co-op.

As to question number three, we have no plans for compensation farmers who may have dumped milk during the work stoppage.

MR. GARNER: — A supplementary, Mr. Speaker. Mr. Premier, are you telling the Assembly that the farmers who fed the cows, milked them and then poured the milk down the drain, are going to have to bear the burden of this government's inaccuracy in taking care of the farmers of Saskatchewan? Why will you not implement compensation for them and quit letting the farmers take the brunt every time this government acts in Saskatchewan?

MR. BLAKENEY: — Mr. Speaker, I have obviously missed the thrust of the hon. member's question. So far as I am aware, no one dumped any milk as a result of any action by the Government of Saskatchewan. If anyone dumped milk because of action by the Government of Saskatchewan, then the hon. member, I know, will bring it to my attention and we will consider it further.

If milk was dumped because of an industrial dispute between members of a trade union

and members of a co-operative, most of whom are the particular farmers the member refers to, then that is not an action of the Government of Saskatchewan. I know he wouldn't expect us to compensate the trade union members who may have lost wages or the farmers who may have lost milk or the dairy producers' co-op which may have lost profits.

Removal of Hewitt Helmsing as Chairman

MR. COLLVER: — Mr. Speaker, my question is to the Premier. I am sure the Premier would not want to give the impression to this Assembly that because of the inadequacy of the member for Nipawin, he was attempting to mislead this House.

Earlier in the question period he said Mr. Hewitt Helmsing had already been removed as chairman of the Regina General Hospital commission. The Premier will be aware that Mr. Helmsing got a promotion from the Regina hospital commission and is now the chairman of the Saskatchewan hospital commission.

Perhaps that's not quite the correct title for Mr. Helmsing. He is however the chairman of some Saskatchewan hospital group. Would the Premier use his good office to see that Mr. Helmsing is removed? I don't know the name of the particular group Mr. Helmsing is chairman of.

MR. BLAKENEY: — Mr. Speaker, I'm glad the hon. member asked that question because it gives me the opportunity to correct an earlier impression. I should not have said Mr. Helmsing was removed since no one in fact removed him; he accepted another appointment. I was just responding to the suggestion of the member for Nipawin that he be removed from the office which the member alleged he occupied and which was not the case.

Mr. Helmsing is, I believe, the executive director of the Saskatchewan Health Care Association which is a non-governmental organization. It is in effect an organization of hospitals and possibly nursing homes which choose their own staff. I'm sure that the representatives of the hospitals and the nursing homes will be able to consider whether or not Mr. Helmsing is serving them well. My unofficial reports are that he is thought to be a good employee by the Saskatchewan Health Care Association.

MR. COLLVER: — Supplementary question, Mr. Speaker. I appreciate the Premier telling this Assembly what Mr. Helmsing is the chairman of. I ask again . . . (inaudible interjection) . . . Executive director. It's hard to know about titles with the members opposite.

Would the Premier use his good offices to advise those who choose the executive direct of the Saskatchewan Health Care Association of Mr. Helmsing's misleading this House by saying that the Regina General Hospital was not filthy when in fact, as the Premier knows, it takes years to develop bedbugs in the ceiling of a hospital and obviously . . . (inaudible interjection) . . . Mr. Speaker, apparently the Premier is more interested in shortcake than he is in bedbugs. I think he thinks it's funny. I don't think the people who were operated on in the Regina General Hospital think it's funny that there are bugs in their hospital. Would the Premier attempt to use his good offices to get rid of Mr. Helmsing from the Saskatchewan health care scene?

MR. BLAKENEY: — Mr. Speaker, I think it's unfair for the hon. member to suggest when two years ago, Mr. Helmsing said the hospital was not filthy, that because of evidence

two years later, Mr. Helmsing was misleading this House. He could only mislead this House if he knew those conditions existed two years ago. I suspect that neither he nor anyone else knew that they existed, if in fact they did.

All I can say is if Mr. Helmsing or anyone else is going to be held to account for what he said two years ago, I think the member for Nipawin ought to be the first one to be upset if that particular tradition came to be enforced. Mr. Helmsing at least was as accurate two years ago as, let us say, the member for Nipawin was with respect to a very large number of his statements two years ago.

SOME HON. MEMBERS: — Hear, hear!

MOTION

Priority of Debate re Quebec Referendum

MR. J.G. LANE (Qu'Appelle): — Mr. Speaker, before orders of the day, with leave of the Assembly, I have forwarded a copy of this to the House Leader, Mr. Speaker, the Clerk, the member for Nipawin. I respectfully request leave under Rule 17 to move a motion asking for priority of debate for the purpose of discussing a definite matter of urgent public importance being:

1. There is a deep concern that duly elected members of parliament for the province of Saskatchewan representing that New Democratic Party have refused to take sides in a referendum debate and in particular have refused to endorse a no vote thus giving the people of Quebec a mistaken impression about the true feelings of the people of Saskatchewan.

2. For this reason, there is an urgent and compelling need for this legislature to debate the matter of the endorsement of a no vote as an expression to the people of Quebec of our desire for a renewed federalism.

MR. SPEAKER: — I have a statement with regard to the priority of debate raised by the member for Qu'Appelle. I notice under Rule 17 that it was received at the Table at 10:14 a.m. today. The proper two hours notice as required under Rule 17 was not followed. I am prepared though to review the notice at this time. I find the subject matter raised by the hon. member out of order since it is not within the jurisdiction of the Government of Saskatchewan. I refer all hon. members to Beauchesne's Parliamentary Rules and Forms, fifth edition, page 91 which states:

It must deal with a matter within the administrative competence of the Government and there must be no other reasonable opportunity for debate.

I also refer members to precedents of our Legislative Assembly. See the Journals of Saskatchewan March 6, 1974, November 29, 1974 and March 10, 1975. The matter raised is also of a continuing nature and one that could have been debated in the normal way with proper notice. On this point I refer members to precedents of this Assembly Journals of Saskatchewan April 13, 1977, April 14, 1977, December 21, 1977, March 13, 1978 and April 3, 1978. On these two grounds I rule that the matter raised is out of order under Rule 17. Anything further?

Point of Order

MR. LANE: — Speaking to the point of order.

MR. SPEAKER: — What's the point of order?

MR. LANE: — Point of order, Mr. Speaker. I would like Mr. Speaker to consider numerous precedents, and just taking a look at the blues today, for example item 1, dealing with a matter strictly within the competence of the federal government which is a matter for the debate in this Assembly, it may be a continuing nature.

MR. SPEAKER: — The member is in effect debating my ruling, and I am not prepared to have the ruling debated. I have made it and I'll stand by it. It will be in the record later on. If the member wants to check it he can check it, but I stand by the ruling. If the member has a new point of order, I'll take it.

MR. LANE: — New point of order. Mr. Speaker indicated that this matter was not pressing because it could have been a matter of continuing debate. I would suggest to Mr. Speaker that the fact that the referendum is Tuesday the impact of such a motion would be . . .

MR. SPEAKER: — The member is debating my ruling. I'll take the Attorney General.

MOTION

Adjournment

HON. R.J. ROMANOW (Attorney General): — Mr. Speaker, I move, seconded by the Minister of Municipal Affairs (Urban) (Mr. Smishek) by leave of the Assembly:

That when this Assembly adjourns on Friday, May 16, 1980, it do stand adjourned until Tuesday, May 20, 1980.

Motion agreed.

ANNOUNCEMENT

MR. J.A. PEPPER (Weyburn): — I would like to make an announcement if I might at this time before orders of the day. I would like to ask all members, Mr. Speaker, to join with me in extending our congratulations to a 15-year old young man from Marcelin, Saskatchewan, who last weekend here in Regina won the Optimist Oratory Competition for the province of Saskatchewan . In that oratory competition the young man chose as his topic the subject of world peace. He will now travel to Edmonton, I understand this weekend, to compete with young people from Alberta and the state of Montana. And, Mr. Speaker, I know the young man will represent our province very well. The young man's name is Scott Banda, and he is the son of my colleague (the member for Redberry) and his wife, Mr. and Mrs. Dennis Banda.

I am sure, Mr. Speaker, that I am speaking on behalf of all members when we say we wish Scott every success in this competition in Edmonton.

HON. MEMBERS: — Hear, hear!

MOTION

Morning Sittings

HON. R.J. ROMANOW (Attorney General): — Mr. Speaker, I should like to move another motion by leave of the Assembly, seconded by the Minister of Municipal Affairs (Urban) (Mr. Smishek) that:

By leave of the Assembly that notwithstanding Rule 3(1), this Assembly shall commence Wednesday, May 21, 1980 and each Wednesday and Thursday thereafter, meet at 10 o'clock a.m. And there shall be a recess from 12 o'clock p.m. until 2 o'clock p.m.

Motion agreed to.

SECOND READINGS

HON. G.T. SNYDER (Minister of Labour) moved second reading of Bill No. 117 — **An Act to amend the Pensions Benefits Act.**

He said: Mr. Speaker, ensuring financial security for the residents of Saskatchewan in their retirement years is an issue of major importance and a matter of growing concern to the Government of Saskatchewan. Not only do too many of the currently retired citizens experience a significant reduction in their living standards following retirement, but the prospects for future generations of Saskatchewan residents as they reach retirement are little better. Instead, as the number of persons 65 years of age and older grows and their proportion of the total population increases (as is inevitable), the retirement income problem will become more and more difficult for us to solve.

The cost of services and the financial support to the elderly and the burden of these costs on the individual taxpayer will grow substantially as these demographic changes occur. Consequently, the Government of Saskatchewan firmly believes that the only realistic and effective long-run solution to the retirement income problem is to ensure that more adequate provision is made for retirement years when those people are currently working. In other words, workers must take a greater share of their earnings as a deferred wage in order to ensure more adequate retirement income.

To this end the amendments I'm introducing today seek to improve the private pension system so that it provides more adequate retirement incomes to more members on a more equitable basis. We are under no illusion that these amendments, in and of themselves, will solve the total problem. Rather the Government of Saskatchewan sees these amendments as a statement of our intent to systematically address this problem over the next several years, and as a first step toward a solution.

Mr. Speaker, in case members opposite harbor any doubt as to the seriousness of the retirement income problem and the need for action in this respect, I would draw their attention to many recent studies on this topic. These include four major government reports over the last two years: the Confirante report on the financial security of Quebec's elderly, released in May of 1978; the Economic Council of Canada's report, One in Three Pensions for Canadians to 2030, released in December of 1979; the report of the special senate committee on retirement age policies, entitled Retirement Without Tars, also released last December; and most recently the federal government's extensive three year interdepartmental study, The Retirement Income

System in Canada, Problems and Alternative Policies for Reform.

Each of these reports has documented the inadequacies of Canada's retirement income system. Each has issued a call for action to improve Canada's public and private pension system. Each has proposed alternative reform measures. If members opposite review these reports, examine the financial plight of our retired residents and study the demographic trends, then they, as we have, must come to the conclusion that the time for action has arrived.

In proceeding with amendments to The Pension Benefits Act at this time, Saskatchewan will be breaking rank with the other jurisdictions regulating private pensions. This is somewhat unfortunate in that it will result at least in the short run in less uniformity in the regulations of private pension plans across Canada. However, years of consultation (and I say many years of consultation) between pension supervision authorities have failed to produce a consensus for joint action among the provinces. Nor do we see any prospect of such a consensus emerging on the horizon. As a result, we've concluded that Saskatchewan must now assume a leadership role in this area and expect that the other provinces will follow.

Mr. Speaker, it's my pleasure to introduce amendments to the House for The Pension Benefits Act. 'I'll address each of the major provisions in turn and comment on their application and their implication.

It's proposed that the definition of employer be expanded to explicitly include the employers participating in multiple employer pension plans. The amendment assures that in the future each employer participating in a pension plan will be responsible for his share of pensionable obligations. An amendment would improve the minimum vesting provisions that a pension plan must provide.

Under the present act, members will know, an employee is entitled upon termination of employment to a deferred pension when he or she is 45 years of age or older and has 10 years of service with that employer. Approximately — and I think this is significant, Mr. Speaker — 3 per cent of all employees terminating employment in a year currently qualify for a deferred pension under the present vesting provisions. The amendment would give the employees entitlement to a deferred pension when their age and years of service together total 45 or more. That is to say an aggregate of 45 will allow them to qualify. For example, a person aged 35 with 10 years of service would be entitled to a pension under the new vesting rule. It's estimated that the new provision will apply to approximately 15 per cent of all terminations and over 80 per cent of terminations occurring after age 35. This will ensure much needed pension protection for a highly mobile section of the work force.

Most employees enrolled in contributory employer-sponsored pension plans believe that their employers contribute at least 50 per cent of the value of their eventual pension. However, high interest rates over the last number of years have distorted conventional funding arrangements for defined benefit plans. As a result, employer liabilities for employees 50 years of age and under have been drastically reduced or, in many instances, Mr. Speaker, an employee over 50 years of age who retires has had no contribution made to his pension plan by his employer. He has purchased it entirely himself. An amendment would limit the allocation of employee contributions and earnings applied to the purchase of his or her own pension under any plan to 50 per cent. This means the employer will be required to pay a minimum of 50 per cent to

the employee's pension calculated in accordance with the benefit formula of the plan.

Many pension plans, Mr. Speaker, do not permit employees to transfer their contributions to another retirement income plan. A proposed amendment would allow terminating and retiring employees to transfer to another pension vehicle any contributions and earnings in excess of those required to provide 50 per cent of the deferred or immediate pension to which they are entitled under the terms of the plan. Quite often, Mr. Speaker, employees require additional financial resources when they terminate employment. For example, an employee may not have another job to go to immediately or he or she may incur moving expenses or a number of other features that make this a consideration. In recognition of such circumstances, an amendment will permit a vested employee participating in a contributory pension plan to receive a once-only lump-sum cash payment of up to 50 per cent of his or her contributions with accrued interest. This refund will constitute no more than 25 per cent of the employee's total pension entitlement.

A proposed amendment stipulates that all pension plans must make provision for a surviving spouse's pension benefit, providing a minimum of 50 per cent of the deceased's retired employee's pension.

A retiring married employee may choose to receive a pension which does not include provision for a surviving spouse's pension, only (and I emphasize only) if the employer receives a duly executed and witnessed waiver signed by the other spouse.

Procedures will be implemented to ensure that the spouse is fully advised of his or her rights, has been informed of the specific pension benefit which he or she is waiving.

Persons with a legitimate interest in a pension plan should have an explicit right to all reasonable information with respect to their rights and obligations, the operation of the pension fund and their contributions to and entitlement under the plan. An amendment would provide for regulations prescribing information to be provided to such persons.

Many pension plans do not adequately protect members' interests in their practices for allocating interest to members' contribution accounts. One problem is that the rate of interest applied is often unreasonably low, significantly less than the actual earnings. Another problem is that interest may not be attributed to an employee's account for a year or more after it is deposited.

A proposed new clause will set, by regulation, a minimum rate and the method of allocating interest to members' contribution accounts. The government intends to establish the 10 year average of the weekly yield on Government of Canada long-term bonds as the minimum rate of interest which may be attributed to members' accounts. It is entirely reasonable to expect pension funds to earn a rate of interest sufficient to allocate this rather conservative minimum rate of interest to members' accounts.

To ensure that pension values are calculated fairly, a proposed new clause would require the table of values used in such calculations to meet the conditions prescribed in the regulations to be approved by the superintendent.

Experience under The Pension Benefits Act has indicated that on rare occasions, the interest of plan members may be placed in jeopardy. This may occur when, for example,

an employer goes out of business or is taken over in whole or in part by another company, and the pension plan is left in a state of limbo. A proposed new clause would allow the superintendent to appoint a trustee in such cases. Presently (and I think this is a very inadequate feature of the present act) the only action the superintendent can take is to declare the pension plan wound up. The province of Quebec has had a similar provision in their act for some time, and I'm given to understand that no problems have arisen in its application.

It should be noted also that another amendment gives the employer the right to appeal to the Court of Queen's Bench any decision of the superintendent to place his pension plan under trusteeship.

There is nothing in the present act which specifies how an employee's service and pension rights are to be dealt with when one employer is taken over by another. The proposed new section sets out the financial responsibilities in various takeover circumstances and spells out the employee's continuous service for pension purposes. A similar provision exists in some of the other provincial pension benefits acts.

Another amendment is proposed to eliminate any source of conflict between The Pension Benefits Act and The Matrimonial Property Act. This amendment will allow for the assignment of pension credits by a court order or in accordance with an interspousal contract. It is proposed that a new section be added to the act, stipulating that all employee and employer-contributions are held in trust by the employer.

This section should make it clear to liquidators and receivers that employee and employer contributions owing to a pension fund are a preferred indebtedness. The section is adopted from the Ontario Pension Benefits Act.

The foregoing comprise the major amendments to The Pension Benefits Act before you today. There are a few other amendments of a housekeeping nature that don't require the time of the House for an explanation today.

Mr. Speaker, in terms of the magnitude of the retirement income problems, these amendments represent, I believe, only modest improvements in the private pension system. This is so because we have attempted to carefully balance employee and employer interests. We have deliberately sought to ensure that additional employer liabilities are manageable.

Consequently, we expect these amendments should receive the general support from both employer and employers. I have received favorable comment as a result of some consultations already. We hope they will also be supported by members opposite because they are very fundamental to the retirement income system, in our province, which has been inadequate in the past.

Mr. Speaker, I would like to reiterate that these amendments are but one step in addressing the retirement income problem. Further measures to ensure greater savings to retirement by persons not participating in private pension systems will be needed. Indeed, further improvements in the private pension system may also be required. The government will be carefully examining alternative solutions. In due course we will be bringing forward additional measures.

With these amendments, Mr. Speaker, we are taking the lead. We are beginning the process of reforming our retirement income system. We hope the other provinces and

the federal government will join us in this effort so the retirement income system can be reformed for all Canadians in the future. Mr. Speaker, it is with great pleasure that I move second reading of this bill.

MR. R. KATZMAN (Rosthern): — Mr. Speaker, there is one unfortunate part of Bill No. 117 and that is the late time of its arrival in this Assembly. It has come very late in the session and will not give the members of this House sufficient opportunity to talk to those affected. I agree with the minister that pensions for retiring people are a very important part of their wage package while they are employed; it is unfortunate that most people in negotiations 10 years ago did not realize that. The deferred income (because that is basically what a pension plan is) was not then a major concern of a lot of people.

Fortunately today people are becoming aware of pension plans and the end result. You know it is interesting, Mr. Speaker, that CPP (Canada Pension Plan) did not accept the farmer's wife for pension when she worked on the farm. And fortunately it changed federally; not it allows a husband to pay his wife or finally allows her the right to qualify for CPP and not be a second-class citizen.

Mr. Minister, actuarial records are done every so many years on all pension plans and they state wither they have sufficient or non-sufficient funds. You referred earlier during our comments that sometimes employers do not put in sufficient money. I always thought they had to have permission from the supervisor of pensions. The minister shakes his head no. If he will in rebuttal comment on that I would appreciate it.

Mr. Minister, I am going to ask for leave to adjourn debate on this issue. I would ask if you would be willing, because of the late timing of this bill, to give the opposition the letters you received about this bill from people (I assume you have sent it out for them to look at) containing their ideas and suggestions. I think this bill's ramifications will be around long after you and I and most of the members of this House are not here any more, and it is important that whatever steps we take for change are for the benefit of those who are contributing to pensions.

Mr. Speaker, I have to reply to that member. It is normal for the Minister of Labour's department (for the information of that backbencher) to send out letters called confidential and not to talk to anybody until the minister brings it up in the House. And then they send all the correspondence to the opposition within about two or three weeks. But rather than waiting here two or three weeks for it to come, I'm suggesting that maybe the minister could send it across. Now if the backbencher doesn't know how government works I'm not surprised, because they've always kept you guys in the dark like mushrooms. But let's get to the bill, Mr. Speaker.

You talk about 3 per cent of the people in your comments. Mr. Minister, it's surprising how many people have talked to me and said, I don't like the law, I want to take my money out. I'm going to quit my job so I can get my pension money and then I'll be rehired and that's the way I'm going to beat this. That's an unfortunate circumstance and I keep telling them they're wrong. And they keep saying well, it's not going to be worth anything later down the road. I keep arguing with them and saying, no, the whole system of the pension plan is to look after you when you're older. When you're not earning an income you'll have to go on social aid or welfare or something like that. You are not a burden on society. Society does not mind, and neither does our party, assisting those who are in dire need. But we don't have to assist those who are foolish and waste their pensions. And I've always been concerned with the right to quit just

before the 45(1)(l) clause comes into effect to get your money out, get rehired or go to a new job just because you want your pension money.

Yes, I agree with the minister from his chair who says this addresses it in part. I agree. And I'm glad it addresses it because down the road that's a concern of all of us and as legislators we have to be concerned with it. Mr. Minister, we have to do this right while we're doing it. Let's not do a piecemeal job. Let's do it right. Now there are two choices to be made: either a motion of some kind is made that this bill not be dealt with for six months; or we give it second reading to allow it to go out to the public, then to come back to be reintroduced and passed in the fall session.

The reason I suggest that, Mr. Minister, is because this has such far-reaching effects. I would like to hear from the senior citizens' groups and the pension benefit groups because they may spot something we don't. We're not professionals in this field and many of them are. And the suggestion, even though I ate to see some people left out because we delay . . . (inaudible interjection) . . . The minister says from his chair that every day we delay is another day wasted. I agree with the minister. That's true. But it's unfortunate then that the minister didn't bring in this bill in November so we could have had time and had it on the paper and completed this year. No, he waited until the House was winding down. That's where the minister was wrong. So if there's any blame, Mr. Speaker, it belongs with the minister for talking so much time where a problem existed. Maybe his department has been working as fast as it could.

I don't know the answer, but I assume that when the minister brought in this bill, he would have like to have the best for the people who are going to be affected. That's my concern. I think that's the minister's concern. And, Mr. Minister, hopefully over this long weekend I will have sufficient time to contact some of the people I know in the pension industry, both on management and employee sides, to find out their concerns. But as I say, Mr. Minister, it's unfortunate that we had to wait so long for it.

The one-shot 25 per cent bothers me a little, but I'm not sure how to react to it, Mr. Minister. The way you seem to indicate it, they were taking 25 per cent of their own; the employer's 50 per cent was still left there, plus 25 per cent of theirs plus the accumulation of interest and so forth. Am I correct on that summation? Could you indicate that, when you wind up second reading, probably on Wednesday or Thursday?

Mr. Minister there are more portions of this bill I would like to refer to. As I indicated when I spoke, all of us in this House should be concerned with making sure that pensions are sufficient for those who go on them at the time, so that they keep their dignity and are able to live in a proper lifestyle. I am concerned with the surviving spouses and their families, and to make sure that if they need protection they are covered. I see one reference to it here and I would like to check the ramifications of that.

Mr. Minister, I compliment you for bringing the idea to the House, but I also suggest you've waited a long time to do it. And I would ask leave, Mr. Speaker, to adjourn debate so that over the long weekend I can check with some people so I can get some reaction from those who are directly affected and understand it better than any other member in the House. Therefore, I beg leave to adjourn debate.

Debate adjourned.

HON. G.R. BOWERMAN (Minister of the Environment) moved second reading of Bill No.

114 — **An Act to amend The Department of the Environment Act.**

He said: Mr. Speaker, I am pleased to move second reading of The Department of the Environment Act, or amendments thereto, this morning. I want to advise at the outset that one of the primary objectives of this bill which has been made public, and long standing, is for the mandatory reporting of chemical spills. With some detailed review, it has been shown the objective does not clearly come through in the bill, although I have subsequently been advised by officials and law officers that adequate powers are contained in the bill, even though they may be somewhat less than obvious. I want to assure the House that House amendments will be offered if needed in order to clarify that point more satisfactorily in the minds of the public, and the members of the House as we move through the bill.

Mr. Speaker, we have before us some important amendments to The Department of the Environment Act. The reasons for these amendments are to change various sections and introduce new provisions into the act so that it will enhance the legislation in its objective to protect the environment of Saskatchewan.

We are all well aware, Mr. Speaker, that our province is becoming industrialized at an increasing rate. The oil and petroleum industry is expanding. The mining industry is expanding and developing as never before in the history of our province. High technology and secondary industries are locating factories and plants in our province.

In addition to this, our traditional industries of farming and ranching are becoming increasingly complicated and more and more dependent upon chemical and industrial processes. With this rapid increase in mining, in processing, in manufacturing and the use of chemicals in agriculture, the chances of hazardous materials being spilled into our environment are bound to increase. Wherever hazardous materials are used, if accidentally spilled into the environment, the necessary and stringent standards of care, protection and clean-up are and must be adopted.

Our present legislation gives us the right to stop the entry of pollutants that violate our standards of air and water quality when the entry of these pollutants becomes known by the Department of the Environment. In many cases in the past the voluntary reporting of spills to the Department of the Environment has been commendable. I acknowledge the responsible behavior of Saskatchewan public enterprises in this respect. I commend the petroleum industry for voluntarily reporting spills and for accepting the responsibility for physical and financial clean-up. And finally I acknowledge the way in which many truck transport firms have reported and cleaned up accidental spills. However, Mr. Speaker, I must stress that almost all these voluntarily reported spills have taken place on public land and in public places.

The problem that we have identified and seek to address in these amendments is to deal with the non-reporting of spills that have taken place on private lands and farm from public places. Some people and some organizations in our province assume because they own or control land that what happens on the land relative to the broad public interest, is their business and no one else's. I want to indicate that this is a mistaken assumption because the public is affected in cases where accidental spills or chemical spills are released into the environment. Too often in the recent past we have seen situations where harmful chemicals spilled on private property have resulted in pollution of the air, water or land, and in some cases they have affected the health and the peaceful existent of many persons.

The central principle of these amendments therefore is that while we have certain legal rights to do many thing on our own land, those legal rights to not give us authority to undertake an activity that in any way could result in harm to others or harm to the surrounding environment. Thus these amendments require that all spills, whether they occur on private land or public land must be reported as soon as possible to the Department of the Environment.

As I pointed out in the remarks I made at the outset, Mr. Speaker, that does not seem to come through clearly in the bill and does not seem to come through clearly to myself. I am advised by the officials and the law officers, after a review of it, that there are adequate powers in the bill to provide for such reporting. And as I indicated, I would prefer myself to see it made clear for the public purpose; we will attempt to do that by way of a House amendment if it's thought necessary.

Related to this central principle, the reporting of all spills, are several supplementary points which are also covered in the amendments. The amendments set down in clear language the criteria for determining who is the owner of hazardous substance at the time of the spill and what the owner's responsibilities are. We want to avoid the situation where after a spill has occurred all the parties connected to it are able to disclaim ownership and responsibility, a problem which we have had some difficulty with in the past.

The amendments define the responsibilities of the transporter of hazardous materials. Often when a spill occurs during transport, it may be the transporter who is responsible and not necessarily the original owner. The right is given to the Lieutenant Governor in Council to make regulations governing all possible aspects of spilled substances as well as the right to make additional regulations needed to prevent such spills or, if the spills take place, regulations to control and to mitigate any consequences and the effects of that spill.

These amendments, Mr. Speaker, place a great deal of authority in the act with the issue at hand. It will authorize the right to order an investigation of a spill and subsequently order whoever is responsible, whether it be the owner, the transporter, or both, to clean up the spill and remedy any and all ill effects. The provisions also provide for the issuing of clean-up orders and contain provisions to alter and revoke orders that have been issued notwithstanding what other legislation my now say.

There are also provisions to ensure that the device of requesting a hearing cannot be used to stall the clean-up of a spill. That could be observed or could be considered a loophole if it were not provided for.

The legislation further authorizes that should the owner or transporter fail to clean up a spill, clean-up may be ordered and the owner or transporter made legally and financially responsible. In short, the polluter must pay for the clean-up of the operation. That has not been the case up to now. The legislation will further require preventive measures designed to avoid new or further spills.

It is also an additional obligation upon whoever is in control of the hazardous materials at the time of the spill or whoever owns the property where the spill takes place to advise the department of all matters related to the spill of which they have knowledge. In other words, a polluter will not be allowed to avoid the responsibility and the liability of denying information.

These amendments also enable the province of Saskatchewan or any individual citizen to seek compensation for costly losses or damages incurred as a result of a spill or hazardous materials. They allow the right of appeal to any party which thinks it has a grievance against the minister for any cost and expenses improperly assessed. This might be more easily interpreted as being third party liability, Mr. Speaker.

There are the proposed amendments as they relate to the spills of hazardous chemical materials. There are also amendments pertaining to the proper regulation of the uranium industry. As hon. members know the responsibility of pollution prevention in uranium mining and milling, together with the protection of Saskatchewan citizens from natural radiation hazards, is now the responsibility of the mines pollution control branch which has been within the last year transferred to the Department of the Environment. The amendments before us deal with mine pollution control in the following respects.

In the mining industry, we find for the most part large companies which sometimes overlook or disregard environmental regulations and penalties. To deal with these large companies, the amendments propose high maximum fines, up to \$100,000, for those individuals and companies found violating the regulations pertaining to mining and milling. That's a fairly significant portion of the bill, Mr. Speaker, and because of the significance of the maximum fine of \$100,000, it should deal with mining companies in the amounts of funding and the amounts of revenues they obtain from mineral development. It will certainly be a deterrent to their activities not in accord with the legislation as proposed.

We believe that such substantial fines are necessary to impress upon all those who participate in the mining industry that indeed we are serious and we expect our environmental policies and regulations to be observed.

Finally, Mr. Speaker, there is one more important principle that these amendments cover. In Saskatchewan, many important enterprises are carried on by Crown corporations. I have already mentioned the commendable manner in which our Crown corporations have voluntarily reported spills; however, our government does not wish to leave Crown agencies beyond the provisions of the act, while other Saskatchewan industries are required to comply. For this reason public enterprises will enjoy no privileges over private companies in the area of environmental protection. There has been some public debate that the actions of Crown corporations have left something to be desired and that somehow there is a conflict of interest perhaps between the minister responsible and the other ministers responsible for various Crown corporations. I do want to impress upon the members that there is provided in the bill for no exclusion of Crown corporations in this sense.

By these amendments, the Crown will be bound by The Department of the Environment Act, or the amendments we are placing before the legislature at this time. Therefore, Mr. Speaker, in summation, I believe these amendments to The Department of the Environment Act and the principles embodied in them are essential to the Department of the Environment fulfilling its mandate to protect the environment of our province. I believe they are progressive; I believe they are positive; I believe they go beyond what is legislated in other provinces in Canada, and other states of the union, our neighbors to the south.

I believe that the adoption of these principles will give this government the legal powers

and the direction we need to protect our environment as industries in the economy of our province continue their rapid growth. I am both pleased and proud that I have received the support necessary from members of the caucus, members on this side of the House, to bring in this forward kind of legislation with respect to the environment. I believe, Mr. Speaker, that not only this legislation and the proposed amendments, but also those bills we have already dealt with in the House, or already are before the House in terms of The Environmental Assessment Act and The Ecological Reserves Act and this one today, do provide for the members of the House — and I hope will provide to the public — our sense of determination here to deal with matters relating to the environment in a most serious and fundamental and comprehensive way. I am sure that all members will support the principle of the bill. I would encourage them to do so. I therefore take pleasure in moving second reading.

MR. G.S. MUIRHEAD (Arm River): — Mr. Speaker, as I studied the general terms of the bill, I believe it to be the same as the other two environment bills, there was nothing to worry about. We could let it go through second reading, and then it would depend on the answers in committee of the whole. But after listening to the minister's points and remarks here, I beg leave to adjourn debate so I can study the remarks and come back to speak on them at a later time.

Debate adjourned.

HON. W.E. SMISHEK (Minister of Municipal Affairs (Urban)) moved second reading of Bill No. 101 — **An act to amend The Department of Municipal Affairs Act.**

He said: Mr. Speaker, what is proposed in this bill is to repeal The Department of Municipal Affairs Act and the reason for that as all members will be aware, is because the Department of Municipal Affairs will not exist. In fact in practice, it does not exist now. It has been replaced by two departments: the Department of Urban Affairs and the Department of Rural Affairs. Legislation has been introduced to establish the departments by legislative authority. Bill 93 is on the order paper, in second reading at the present time and Bill No. 99 establishing the Department of Rural Affairs is in committee of the whole, so this legislation is no longer necessary. I moved Bill No. 101 — An act to amend The Department of Municipal Affairs Act be read a second time.

Motion agreed to and bill read a second time.

HON. E.E. KAEDING (Minister of Municipal Affairs (Rural)) moved second reading of Bill No. 115 — **An Act to amend The Local Improvement Districts Act.**

He said: Mr. Speaker, in introducing this bill I'd like to briefly review some of the history of local improvement districts in Saskatchewan. When the Department of Municipal Affairs was established in 1908 the province has only four cities, 43 towns, 97 villages, 2 rural municipalities and 359 LIDs (local improvement districts). On December 13, 1909, small local improvement districts were disbanded and the province was divided under a general plan into nine township units. During early stage of local government development of this province, provision was made for local improvement districts to become self-governing rural municipalities when conditions warranted. By the end of 1912 the number of rural municipalities had increased to 200, while the number of LIDs had decreased to 90. At that time the plan called for the transition to rural municipalities to be completed by the end of 1912, the change in each case being made following a favorable vote among residents of the area. By 1948, there were 269 rural municipalities and 13 LIDs.

Mr. Speaker, it is important to note that in recognition of the importance of local self-government, this government entered into serious negotiations in 1975-76 with the remaining 10 LIDs to try to resolve them into rural municipalities. Our government in 1976-77 established a five year program to assist the newly constituted rural municipalities during the phase-in period. By January 1, 1978 the conversion was completed and the special assistance will conclude in the year 1982-83.

Having now arrived at a point where the entire area south of the Department of Northern Saskatchewan jurisdictional boundary has achieved local government, it is appropriate to repeal the now obsolete act. The repeal of this act represents the end of an era in our history of local government in the southern jurisdiction of this province and should be recognized as such.

We are proud, Mr. Speaker, that this government, as well as those that came before it, has worked steadfastly toward the goal of providing full local autonomy to our urban and rural municipalities as quickly as local authorities were prepared to undertake those responsibilities.

We are proud that our local authorities have now undertaken full responsibility for government at the local level and we commend them for this very worthwhile undertaking. The activity of the government through its Minister of Northern Affairs is rapidly moving toward the development of greater local autonomy in the last frontier of this province, the northern administration district. I am confident that as expertise in local government in that area is achieved the day is not far distant until all local government in this province will be in the hands of local people.

Therefore, Mr. Speaker, I take pleasure in moving second reading of Bill No. 115 — An Act to repeal The Local Improvement Districts Act.

Motion agreed to and bill read a second time.

HON. E.E. KAEDING (Minister of Municipal Affairs (Rural)) moved second reading of Bill No. 116 — **An Act to amend The Local Improvement Districts Relief Act.**

He said: Mr. Speaker, this bill follows the one just read and is also obsolete now since local improvement districts no longer exist. I won't say any more about it. I simply move that this bill be now read a second time.

Motion agreed to and bill read a second time.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Snyder (Minister of Labour) that Bill No. 92 — **An Act to amend The Labour Standards Act** be now read a second time.

MR. R. KATZMAN (Rosthern): — Once again, I hate to speak to an empty chair, Mr. Speaker, but it seems that I have adjourned debate and that I can't adjourn it again to wait for the minister to take his chair . . . (inaudible interjection) . . . I'm glad.

Let me first indicate to the Attorney General, who I call the minister of no responsibility, that lawyers inform me (and I don't mean the lawyers in our caucus, I mean lawyers in the industry who are dealing with labor law), that they are going to make more money on this bill than any other piece of legislation you have ever brought before this House. This is a lawyer's dream. And this particular man says, thank you Mr. Attorney General for allowing Mr. Snyder to bring in such a bill. It is just one unbelievable piece of legislation that they will make a fortune on by going for hearings and appeals, for exemption orders, and so forth down the line. And of course the one issue they are referring to is the Sunday thing; you can drive a truck through it.

Mr. Speaker, when I first was elected to this Legislative Assembly, I was told we came here in the fall so that the controversial legislation could come on the order paper and that over the Christmas break people could have time to think about it and make suggestions on what could happen and how this particular bill would affect them.

This bill, the labor bill, Bill no. 92, has ramifications that are unbelievable. Certainly the minister says ten employees and so forth and so on and it doesn't affect you if you have less than that. But I've talked to a few restaurant owners; they say that's the best day and they want to work Sunday because that's when they make the most money. Therefore, they have to go through the proceedings and ask for an exemption so that they are not affected.

I understand that several organizations have already (one of them was Federated Co-op) made a presentation. I wonder how many other people have made presentations to the Minister of Labour? Is he trying to slip this one past the Assembly by not doing, as was the original intent of the Legislative Assembly to bring in a bill and allow people to talk about it. I realize, Mr. Speaker, that a bill of this type would have benefits this summer if it were passed and assented to. I chastise people in private enterprise who do not try of their own free will, wherever possible, to give people two days off. I think they are wrong. I have heard statements from members of this House saying, when Regina got the Monday opening, the people were promised they would get two days off. You know, Mr. Speaker, you represent a Saskatoon riding. Saskatoon has had open Monday forever.

AN HON. MEMBER: — He doesn't represent any riding. He is the Speaker.

MR. KATZMAN: — Oh, I correct myself, Mr. Speaker. You were elected in a Saskatoon riding even though you are neutral in the Chair. Mr. Speaker, with a little hesitancy when completing my remarks, I will write a motion and move it with this particular bill. I make that motion with the understanding that it is the only method by which we can give the people of Saskatchewan sufficient time to make their representation. I am totally disgusted with the way the government seems to be operating lately in not bringing this kind of legislation forward when they are supposed to, in the fall sitting.

You know, they say that we have the fall sitting, Mr. Speaker, so we can handle controversial legislation. And that is what this is. Bill No. 92 has many ramifications as I said earlier in Bill No. 117. But dealing with Bill No. 92, I keep hearing the only reason we have this bill now is because the city of Regina went to Monday opening. The city of Saskatoon has had it for years. I know union contracts in the city of Saskatoon have a clause in them which says, two days off consecutively, Sunday, wherever possible.

AN HON. MEMBER: — Do you oppose that?

MR. KATZMAN: — You know, Mr. Speaker, a member from his chair (the member for Regina Rosemont) said, do you oppose that? Mr. Member for Regina Rosemont . . .

AN HON. MEMBER: — From his chair, Ralph?

MR. KATZMAN: — Well, sorry. So he has found another chair. He doesn't have that chair. I apologize.

Mr. Member for Regina Rosemont, that is an important clause to those who work on Sunday and weekends. They like it there. But they also have the responsibility to know that it can't be abused. Where an industry is a seven-day industry, there is a difference in this bill. If it operates 24 hours a day, then you are exempt if it is also seven days a week. But if it is seven-days a week and not 24 hours a day, then you are not exempt. It is a little point, but I am concerned. My suggestion to the public would be: do your best in the industry.

Because I am concerned and there is no other way to handle this, the motion I will be making says that this bill basically be hoisted and brought back in the fall, in other words, it be left out there for a time for public input. The one clause that gets the most public attention — the Sunday wherever possible — is one particular portion of a clause that could be brought in separately in another bill if the minister so wished. But the rest of it has many ramifications.

Therefore, Mr. Speaker, I move, seconded by the member for Kindersley (Mr. Andrew), that all the word after 'that' be deleted and the following substituted therefor:

This House declines to proceed with this bill until the subject matter has been investigated by a special select committee of the legislature, with provision for public presentation to said committee, and a report of such investigation is tabled in the legislature.

MR. R.L. ANDREW (Kindersley): — Speaking to the motion, Mr. Speaker, I think there is merit in this motion by the member for Rosthern. In the last day or two I have received representations and one of the representations I received was from Federated Co-op retailers. The members opposite always seem to take great pride in how the co-ops are so important to them and that they have the patent on the support of the co-operatives.

I was advised by the Federated Co-op retailers that they were given notice of this bill something like a week before its introduction. The members of that organization were concerned with the ramifications this bill would have on Federated Co-operatives and in particular on the co-operatives in rural Saskatchewan. They were concerned with regard to the question of 10 employees, in many small co-operatives, as to whether or not they would be required to fit within the 10 employee rule with regard to the two consecutive days off, one of which must be a Sunday. They thought that would in fact be of great concern or could project very serious problems on many of the small co-operatives in Saskatchewan.

They further were somewhat concerned, Mr. Deputy Speaker, with the whole question of notice, the amount of notice now required, particularly after one year. They felt that this would be a very serious problem.

I suggest this type of legislation is not of urgent nature, and I think this legislature could

give very serious consideration to the motion which would have the effect of a committee of this legislature going out into their areas, hearing representations from people who feel they could be seriously concerned by this type of legislation, and on the other hand hearing representations from various other employees, whether in trade unions or in unorganized labor to see what their views are so perhaps we can come down with a bill with certain amendments which all people can live with, whether it's the employer or the employee. Surely that is a function of this legislature to hear those people, to hear representations. Too often we sit in this chamber and become somewhat isolated from the people out in the rural areas and the city areas of this province. I think that's normal and something that not only we in Saskatchewan face but other provinces face as well.

I would ask members opposite to give consideration to this motion. By giving consideration to the motion you're not saying the bill is wrong, you're not saying you are going to change the bill. You're simply saying this has been brought on fairly quickly. I think the point made by the member for Rosthern is very valid, that when this type of legislation comes in perhaps it should be brought in much earlier in the session, perhaps in the fall session. That is the government's reason for calling a fall session, to introduce the legislation which is going to have an effect and perhaps is going to be controversial and to have that introduced early so all segments of the population can be properly briefed. They can prepare some studies on it, compare some research and present their briefs to the government. I think this is one bill which could have fit into that. I don't think you're going to be perceived as going against the government.

I ask the members to give consideration to the motion presently before the House. I think it is a good motion and that the institution of the legislature is better served by that type of motion and that type of procedure being used on more bills.

Amendment negatived on the following recorded division:

Yeas — 11

Berntson	Pickering	Duncan
Larter	Garner	Andrew
Lane	Muirhead	McLeod
Rousseau	Katzman	

NAYS — 24

Blakeney	Banda	Long
Pepper	Kaeding	Johnson
Bowerman	Hammersmith	Nelson
Romanow	Kowalchuk	Engel
Snyder	Feschuk	Poniatowski
Baker	Matsalla	Lingenfelter
Gross	Lusney	White
Mostoway	Prebble	Solomon

Debate adjourned.

Point of Order

MR. R.L. COLLVER (Nipawin): — Mr. Deputy Speaker, I rise on a point of order.

MR. DEPUTY SPEAKER: — State your point of order.

MR. COLLVER: — It is customary in this House to ring the bells until all the members who indicate they are going to come are here. We were here. We were busy with the press outside. May I please ask that in the future when the bells ring the doors remain open until all the members have been consulted as to whether or not they are returning to the House for the vote.

MR. DEPUTY SPEAKER: — I'm sure it was not deliberately done. It was an oversight. I'm sure that the House, the Speaker, and the Sergeant at Arms will take due note of your comments and try to see that it doesn't happen again.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Smishek (Minister of Municipal Affairs (Urban)) that Bill No. 93 — **An Act to establish the Department of Urban Affairs** be now read a second time.

MR. R.L. ANDREW (Kindersley): — With regard to the Urban Affairs Act, Mr. Deputy Speaker, as I said earlier, there is some concern that perhaps the rationale for creating the department came not from the government listening to the representations being made by the SARM (Saskatchewan Association of Rural Municipalities), but rather as a vehicle by which the Premier could find a place to put the now Minister of Rural Affairs.

Last year was not, I suppose, a banner year for the now Minister of Rural Affairs. I think that some of the rationale was that we have to find him a department, And so we have created the Department of Rural Affairs.

Obviously there was some representation made by SARM. I am a little bit concerned especially by some of the point made by the member for Bengough-Milestone that we are going to have a lot of duplicating, especially in the smaller areas. Clearly urban affairs also applies to the small town in Saskatchewan and not simply to the cities and the major towns. I suggest that is perhaps the thing which really pushed this government into making that decision. I do say there are distinctions between the two departments and some of the positions advanced by SARM.

I only hope that the net result of this change is not to provide poorer service to the rural municipalities of this province and that the emphasis will not continue to be place upon the urbans to the detriment of the rurals. As we know, the emphasis of this government's programs is going to be on urban affairs. There's nothing wrong with putting emphasis on urban affairs, provided the same emphasis, the same policies, the same degree of expertise, etc., is also going to be available for the people of rural Saskatchewan, particularly the people who live on the farms.

And for that, I know that bill is going to go. We're going to have to look at exactly how the program works and we're not going to know that for a couple of years until we see what

happens. And then perhaps it will be blamed . . . Well, the minister wasn't a strong minister and the minister of urban affairs dominated it. But that's the reservation I have and that's the problem I see in the future. And I think the same problem has been raised by many people in rural Saskatchewan. The SARM, I know, supports this and I honestly hope that the program is going to prove to be a good program.

I do say though, I have reservations and we'll have to see what happens two or three years down the road.

Motion agreed to and the bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Cody (Minister of Telephones) that Bill No. 13 — **An Act to amend The Saskatchewan Telecommunications Act** be now read a second time.

MR. J.W.A. GARNER (Wilkie): — Mr. Speaker, our leader Mr. Grant Devine received a letter from Credit Union Central. It says:

Dear Mr. Devine:

Credit Union Central indicated some weeks ago concern about Bill No. 13, An Act to Amend The Saskatchewan Telecommunications Act. Other co-operative central organizations which have also expressed interest to this point include The Co-operators, Federated Co-operatives Limited and the Saskatchewan Wheat Pool. Our concern is that once this amendment has been debated in the legislature by elected members of the Legislative Assembly, changes to the tariffs can be made without debate by the public.

There is a possibility, of course, of continuation, after amendment, of the exclusions existing under the present tariff. However, the amendment is actually a change in government attitude in this regard. Under the amendment all things are prohibited unless specifically approved, with no apparent right to appeal. At present, positive rights are available under contract and existing tariff items. As we interpret the amendment, it gives Sask Tel the right to make changes to the schedule of tariffs, as they were regulations made through orders in council. The difference is there is no recourse to the publicly elected members of the legislature.

We would have no problem with the amendment if the cabinet were required to propose a schedule of tariffs as an order in council with an opportunity for publication, information and input.

We recognize the need for Sask Tel to maintain the integrity of the communication system within this province by preventing the attachment of poor quality equipment. However changes to the tariff involving further exclusions might not be in the best interest of our members, the people of Saskatchewan. Yours sincerely, Norman A. Braumberger.

Yes, and I hear the intellectual giants of the NDP say is that Credit Union Central? Yes, that's Credit Union Central.

Mr. Speaker, the letter from Credit Union Central is a clear indication that the time has

come for the creation of a public utilities review committee to police utility policies and price increases in the province. The Progressive Conservative Party stands behind such a concept. Mr. Speaker, if a public utility review committee existed in this province it would guarantee the people of this province their fundamental rights.

Those rights are being silently taken away by socialist government programs, and policies that are daily exerting greater and greater control on the lives of the people of Saskatchewan. Bill 13 is a clear example of this.

If a public utilities review committee existed, Mr. Deputy Speaker, Bill 13 would have to go to public hearing and there would be genuine public input by the people of Saskatchewan. These are the people who are concerned, Mr. Speaker. It should be noted seven provinces and all 50 states of the U.S.A. have public utility boards to protect the consumer. But Saskatchewan does not. Saskatchewan people do not have the protection of such a watchdog agency. Now I hear the former minister of agriculture getting into this debate. Hopefully, Mr. Speaker, he'll have the guts to get into it because he couldn't handle agriculture.

Bill 13, Mr. Speaker, is definitely not sitting well with the people of Saskatchewan. There are concerns about it. The government will not listen to them. Just another step, as my colleague once told me in this Assembly, the socialist sickle strikes again.

From the editorial in the Leader-Post on Wednesday, April 2, 1980:

The bill would grant Sask Tel more power than necessary. On the face of it, Bill No. 13, an Act to amend The Saskatchewan Telecommunications Act, now being piloted through the legislature by Don Cody, the minister responsible for Sask Tel . . .

It sounds disarmingly reasonable. They say 'piloted'. One of my colleagues said rammed, forced. Force it down the throats of the people of Saskatchewan. Back to the Leader-Post:

. . . would give Sask Tel control, with a growing array of equipment that can be attached to the corporation's line facilities. Sask Tel would have the right to approve the advertising and sale of all connecting hardware. But the impact of it is that Sask Tel would have full control over the use made of its facilities and a virtual monopoly in the sale of tie-in equipment.

If that were its choice, Sask Tel could become in effect the sole supplier. That would give Sask Tel practically unchallengeable power over a growing field of communications technology. Already, objections to Bill No. 13 are mounting, both inside and outside the legislature.

A national organization of telecommunications equipment manufacturers, which includes many small firms, has asked Premier Blakeney to intervene personally and quash the bill . . .

I would just like to digress from that now, Mr. Speaker, for a minute. To ask the Premier of Saskatchewan to intervene in anything is almost impossible, because he can't even control his own party.

It's beginning to look like the ambitious technocrats of Sask Tel have sold

Cody and the provincial government a make-work project. Now the bill is in the legislative process, it might be embarrassing for that regime to back off. Such monopolistic no-loophole controls by a Crown agency over the use of basic telecommunications facilities and the technological hardware needed to gain full access to the corporation's basic line services, don't match the people oriented family of Crown corporation's image the government has tried to create.

Sask Tel as a public utility claims and defends certain basic monopoly prerogatives in the supply of basic telecommunication services in the province. When the corporation seeks to go far beyond the basic service to and for the public, the users of its services have a right to wonder whether Sask Tel isn't getting altogether too pushy. The image of the benign service-oriented, people-conscious, Crown firm is fading. Cody appears to be failing to give consideration to the wider ramifications of the proposed amendment. The government is stuck with a bill that is clearly in Sask Tel's interest but against those people it serves in a social and commercial sense.

The minister says nothing about the fact that Sask Tel could never hope to keep up with the process of applying sensible criteria for approved tie-in equipment or with the rapid technological development spurred by intense competition in the telecommunications field today.

I think just to digress there for a minute, Mr. Deputy Speaker, it is fairly obvious that the government cannot keep up with private enterprise in the province. The modern technology that is coming in will be for the betterment of the people of Saskatchewan. With Bill No. 13, we just go back about 10 steps. I know the farmers of Saskatchewan aren't farming with horses. Pretty soon we'll be back to smoke signals by wet blankets if Sask Tel keeps up as it is doing.

Federal standards protocol for such equipment is in the works. Would it not be sensible for Saskatchewan to wait for it? But no. Saskatchewan can't wait for anything. They have to ram it through. Don't wait for the people of Saskatchewan to have their input into it, push it through, steamroll over the people of Saskatchewan, take over total state control of all telecommunications in the province. I tell you, the members on this side aren't going to let it happen because we are speaking for the people of Saskatchewan.

Judging by what he said so far, Cody's arguments for the bill sound vague and weak. Cody attempts, without much hope of conviction to defend Bill No. 13 and to deny it is a thrust toward complete monopoly that could hold back and frustrate user-orientated telecommunication progress in the province. Some tie-in equipment causes maintenance problems for Sask Tel. There is no total monopoly implied because Sask Tel has tariff regulations that preclude it.

Telecommunication interests outside the government say the maintenance argument is nothing but a smoke screen. They point out that the tariffs, unlike legislative initiatives, are now law. The hub of the thing, says a university computer service manager is that Sask Tel can cut off competition equipment. The corporation can make a lot of money for itself.

Colin Turnbull, manager of the University of Regina computing service, says a real concern is that we may be locked into a closed market place. The ominous thing about Bill No. 13 is that Sask Tel could have full power how telecommunications are

used in Saskatchewan. Bill No. 13 is wrong. It goes too far and it should be dropped now.

Mr. Deputy Speaker, the Progressive Conservative Party of Saskatchewan stands behind the ideal that a government is the servant of the people and not the master. In this case, it just goes to prove the government is the ultimate master, the ultimate being, they think. They think they know what is best for the people of Saskatchewan. They don't want to listen to the people of Saskatchewan. Mr. Deputy Speaker, indeed, a government should be truly representative of the people, will at all time be accountable to the people, will reflect the wishes and aspirations of the people. This is not a government that wants to listen to anyone in Saskatchewan.

With Bill No. 13, the present government has totally rejected both ideals. I previously stated Bill No. 13 is the product of NDP technocrats who have no concern for the will of the people. I don't think we should just blame the technocrats on this. I think we have to blame the Minister of Sask Tel and all of his little helpers, the Premier, the Attorney General and all of his little helpers . . . (inaudible interjection) . . .

The Minister of Labour says such melodrama. Well, you know, Mr. Deputy Speaker, the Minister of Labour can enter into this debate, if he so wishes, later on. He says he can't take it on an empty stomach, maybe he should go for lunch and come back later, we'll still be here . . . (inaudible interjection) . . . Well, one of my colleagues said something else, but I won't repeat that. I think the Minister of Labour got the message. It was unparliamentary but maybe true, maybe true.

If they really did, Mr. Deputy Speaker, they would listen to the representations from such organizations as the Saskatoon Board of Trade which sent the following message to the minister responsible for Sask Tel. I think maybe all the members from Saskatoon should just take note of this because . . . (inaudible interjection) . . . The Saskatoon Board of Trade — the member for Saskatoon Centre says it would be against anything. I imagine the bill is going to interfere with their freedom and the freedom of the people of Saskatoon. Oh, now he is leaving the Chamber; well, that's fine.

They are going to be against anything, Mr. Deputy Speaker, as I am, that is going to interfere with the freedom of the rights of the people of Saskatchewan. After all we did have a very great man, Mr. John Diefenbaker, who believed in freedom, believed in rights. Now I hear the members opposite hollering again when I talk about Mr. John Diefenbaker. He was the real champion of freedom in Saskatchewan!

Have received Bill No. 13, An Act to amend The Saskatchewan Telecommunications Act, the Saskatoon Board of Trade strongly feels that the bill has far-reaching implications. We urge that Bill No. 13 be tabled until such time as the business community through the Saskatchewan Chamber of Commerce has the time to study the bill and make recommendations.

It appears that Sask Tel would have monopoly control from manufacturing, sale and/or lease of any equipment to be used in conjunction with telecommunication and the right to seize equipment. The President of the Saskatoon Board of Trade.

Again, Mr. Speaker, I seriously emphasize the need to listen to the people. I think it brings us right to where we are at. We could call it the telecable fight — whether it is Saskatoon Telecable or Regina telecable. Mr. Deputy Speaker, this government is

acting as if Bill No. 13 has passed second reading, committee of the whole and is law. It disturbs me very much when a government intervenes and interferes with the rights of business in Saskatchewan.

Saskatoon Telecable has the licence to operate their earth station. They have received approval from CRTC (Canadian Radio-Television and Telecommunications Commission) to broadcast the proceedings from the House of Commons in Ottawa. But all of a sudden, the provincial government can see Bill No. 13 has some holes in it already. But no, we will just keep pushing. We will scramble the signal.

That brings us to the double headend equipment we have in Saskatchewan owned by Sask Tel — one set of headend equipment in Telecable (Saskatoon or Regina) and another one in Sask Tel's office. We are the only province in Canada to have double headend equipment. Why do you suppose, Mr. Deputy Speaker, we have the double headend equipment? It is set up to control all media (televised media) into Saskatchewan. This was set up before they even thought of Bill No. 13. Then somebody had a wild dream and came up with Bill No. 13 which just fits right along with it.

I say that is wrong. It is wrong to interfere with the rights of businessmen in s. It is wrong to interfere with television broadcasting in Saskatchewan.

MR. ROMANOW: — It is immoral.

MR. GARNER: — The Attorney General says it is immoral. I have to agree with him; it is immoral.

MR. ROMANOW: — It's a God-given right to have television; it is immoral to capitalism.

MR. GARNER: — I won't answer that one, Mr. Attorney General, because when I talk about the Lord, I am serious. I doubt whether you are.

Mr. Deputy Speaker, what does this government expect Telecable (either Saskatoon or Regina) to do? They have complied with the federal regulations. They have the federal licences.

MR. ROMANOW: — Honor their contracts.

MR. GARNER: — I hear the Attorney General hollering, honor their contracts, honor their contracts. If you don't like the contracts, why don't you take them to court? You don't have the guts to take them to court. Mr. Deputy Speaker, I don't doubt that most likely next week Telecable will be taking Sask Tel and the provincial government to court. Now, isn't that something. We are going to be using the Saskatchewan taxpayers' money (the government will) to fight the people of Saskatchewan, using the taxpayers' money to try to take complete state control of all telecommunications in the province of Saskatchewan — and we're going to use the people's money! Well we aren't, Mr. Speaker, the government is. That is wrong.

Mr. Deputy Speaker, it is wrong when the government threatens Cable Regina with, if you put in an earth station, we'll scramble your signal too. Now is this the attitude of the government in handling business, to threaten business with Bill No. 13, An Act to amend The Saskatchewan Telecommunications Act? Is this the way to encourage business in Saskatchewan, to say come in here but watch out, we're going to put you under our thumb?

Mr. Deputy Speaker, this is not the direction to go for the government. It's not a joke, it's a serious matter, because when we have a government that starts threatening business through Bill 13, what business, what enterprise, Mr. Deputy Speaker, is going to enter the province? They're not. They're moving from the East, many firms are moving from the East, and the Premier has even stated a lot of them are not going to come to Saskatchewan. He knows that they're not going to come to Saskatchewan because they're afraid of Bill 13 and other bills like it.

I hear one of the members there talking about communists. I don't know that much about communism, but the government members opposite seem to . . . (inaudible interjection) . . . Oh, now I hear another one hollering about the Ukrainian communities. I have some very good friend who are Ukrainian people and they'll be affected by Bill 13 too. They're very nice people, and why should the government come down on the Ukrainian people? They shouldn't Mr. Deputy Speaker. But they are not just coming down on them, they are coming down on all people of Saskatchewan.

Mr. Deputy Speaker, I would like to turn now to another little matter. People like Slater Turnbull of Wolseley . . .

MR. ROMANOW: — Who?

MR. GARNER: — Oh, never mind. The Attorney General is saying who, who, who. He sounds like an owl. I hear them . . . (inaudible interjection) . . . I'm going to have to back up a minute, Mr. Deputy Speaker. They're starting the witch hunt on Bill 13. Talking about Clint Forster, there we have a businessman in Saskatchewan who is very concerned about his business. Right away they start the witch hunt. Well, I have a letter from Mr. Clint Forster and I think it's about time we brought it into the records. It's addressed to the Canadian Radio, Television and Telecommunications Commission.

Dear Sir:

Please find enclosed a copy of an article which Saskatoon Telecable ran in the Saskatoon Star-Phoenix on May 3, 1980. The article relates to the Sask Tel signal jamming issue in Saskatoon.

I trust this is satisfactory.

Yours truly

Clint C. Forster, President, Saskatoon Telecable, with copies to:
 Hon. Francis Fox
 Hon. Ray Hnatyshyn
 Jim Garner, MLA, Regina
 Broadcast Magazine
 Cablecommunications Magazine
 Jean Fournier (?), Department of Communications

AN HON. MEMBER: — Don Cody?

MR. GARNER: — No, I guess he didn't send a letter to Don Cody. Isn't that tragic? But just so that Don Cody hears about it, Mr. Deputy Speaker, I'll read it into the record for the benefit of members opposite.

The Sask Tel signal jamming issue background: during the two-year struggle through which the Saskatchewan Cable TV licensees attempted to initiate cable TV service in the province an agreement was negotiated with Sask Tel which was approved by the provincial government, the CRTC and the federal government. The underlying principle supporting this agreement is that the cable TV operators or licensees have the right to own (note this, Mr. Deputy Speaker) operate and control the signal receiving headend apparatus and that Sask Tel has the right to provide the cable and microwave delivery system used to carry cable TV services to the home. At this time the cable operators jointly owned a headend at Oxbow, Saskatchewan, and at Outram, Saskatchewan. These units received signals from Williston and Minot, North Dakota. The cable licensees have entered into agreement with the Winnipeg cable operators to receive the ABC signal. In addition each of the licensees owns a local headend which receives the local CBC and CTV signals available in their respective communities. Consistent with this ownership policy and consistent with our agreements with Sask Tel, Telecable installed a satellite ground receiver to provide subscribers with services now available via satellite, as well as television services to become available in the future (Mr. Deputy Speaker, a company looking ahead to the future).

MR. DEPUTY SPEAKER: — Order. I wonder if we could have a little more order here. Not that I'm having a lot of trouble hearing the hon. member, but if we want to have chit chat and stuff I would suggest you go behind the bar rather than back and forth across the House. The hon. member for Wilkie.

MR. GARNER: — Thank you, Mr. Deputy Speaker. Thank you.

Telecable entered into agreements with (now this is very, very important, Mr. Deputy Speaker; this is going to just prove that the agreements are there, regulations are being followed and they have the proper licenses), the Canadian Satellite Network (CSN) to receive special programming services including the live presentation of the House of Commons' proceedings. The House of Commons resumed on April 14, and as the programming commenced, Sask Tel took action to jam the signal as it passed through the First Avenue facilities and prior to its introduction to the cable distribution system.

AN HON. MEMBER: — Can they do that with the coupling device on my answering service?

MR. GARNER: — I think maybe they could. But, Mr. Deputy Speaker, this is just what I was talking about before; there is double headend equipment in the province of Saskatchewan and the government cannot deny it because it is there and it is in place. The Attorney General is hollering, will I permit a question? I'm in this debate giving you my views and the people's view on Bill No. 13.

Mr. Deputy Speaker, after the next provincial election the Attorney General will have all the opportunity to ask me all the questions he wants because he'll be over here with a couple of other members, maybe, and we'll be over there and he can ask me all the questions he wants on Bill No. 13 or anything else. Now back to the letter.

Telecable regrets that subscribers have not had access to the live coverage

of the House of Commons' proceedings, including the Speech from the Throne, the important debates relating to the Quebec referendum, daily question period as well as other government proceedings. In addition viewers have been prevented from access to coverage of important (this is very important now, Mr. Deputy Speaker) CRTC (Canadian Radio Television and Telecommunications Commission) hearings relating to the issue of the delivery of television services to remote and northern communities, as well as plans to initiate pay television service across Canada.

Telecable has attempted to present the live question period from the House of Commons on the community channel, Telecable 10. Sask Tel has jammed the community channel for the period as well. Sask Tel has permitted Telecable to present a videotaped delayed version of question period at 10 p.m. daily. Other special programs are scheduled by CSN and will be available to Telecable subscribers providing Sask Tel allows the signal to reach our subscribers.

I'd just like to distract from the letter right there. This is just an example, Mr. Deputy Speaker, of how this government wants to control what is seen by every individual citizen of Saskatchewan. If they like it, people will get a chance to see it. If the government doesn't like it, the people won't see it. They will jam the signal or scramble it.

AN HON. MEMBER: — All we'll get is Winnie the Pooh!

MR. GARNER: —

For example on May 3 a musical special originating from the Ottawa National Arts Centre will be available; the Canadian Stage Band Festival featured over 75 stage bands from across Canada and many big name performs will be available via the CSN (Canadian Satellite Network) service. Why Telecable is unable to give in to Sask Tel pressure (this is very important now, Mr. Deputy Speaker) . . . Telecable, along with more than 100 other cable companies from Newfoundland to Vancouver Island has over the past several months arranged for the installation of an earth station, has received the appropriate department of communication licence to operate the ground station and has been particularly concerned with being in a position to present House of Commons' proceedings at this critical time in Canada's history.

Sask Tel made a last minute offer to intercept the CSN signal and . . .

Now, Mr. Deputy Speaker, I hear the Attorney General saying, false. Well, maybe when he gets up with a few remarks . . . (inaudible interjection) . . . quite a few remarks, that's very good, maybe he will correct it if this is wrong. We'll let him intervene then.

Sask Tel made a last minute offer to intercept the CSN signal and resell it to Telecable. Telecable rejected this verbal offer made ours before the resumption of parliament on the basis that it was too late to be given serious consideration. No cost information or terms or conditions were advanced by Sask Tel, and Sask Tel had no authority or agreement with the CSN to intercept the signal.

In fact at the time the verbal offer was made Sask Tel did not have a ground station in

operation. Mr. Deputy Speaker . . . (inaudible interjection) . . . I hear the record starting again . . . False, false . . . This is the way it is, Mr. Deputy Speaker. A government with the two headend equipments doesn't have the ground station in place, putting the thumb down on the people of Saskatchewan.

Sask Tel is proposing to intercept a signal without legal authority. They propose to require Telecable to break its agreement with CSN and then they propose to resell the signal to Telecable. Sask Tel has subsequently offered to intercept the CBC version of the House of Commons coverage and to provide Telecable with this feed. Telecable does not have an agreement with CBC and does not wish to break it's agreement with CSN in order to satisfy Sask Tel's demands. Now to me the government can't have it both ways. They want to stretch the law. They want private enterprise in this province to break the law and to break agreements.

Mr. Deputy Speaker, this relates directly to Bill 13. Telecable Saskatoon has an agreement with CSN, Sask Tel does not. Sask Tel want to take the signal and sell it to them again. Now how many times do they want them to buy the signal? Twice? Three times? Five times? They want to force them out of business. Telecable is a large Sask Tel customer and is not prepared to be pressured into breaking legal agreements or having its business arrangements dictated by its supplier of services.

What happens in the rest of Canada? Throughout the balance of Canada cable television licensees operate effectively and efficiently and beyond the ability of the telephone company serving the same are to interfere with programming. In other provinces the cable licensees control their own cable distribution system. The program material does not flow through third party locations where it can be tampered with and certainly, in all cases, the cable operator has the option to own and operate his earth station. That is the key, Mr. Deputy Speaker. They have the right, the individual right, to own and to operate their own earth station. Sask Tel and this socialist government will not allow that. The federal government allows it but the big Sask Tel and the NDP government will not allow it.

In all other provinces virtually all communities of 600 homes or larger are either receiving service nor or have been licensed to receive service in the near future.

Now, Mr. Deputy Speaker, Alberta is a very nice place, is a very nice province. In Alberta, for example, over 90 per cent of the province is either receiving service or is about to receive service. Under recently issued licences, almost 100 per cent of these communities are served by companies operating (this is for the Attorney General) independently of the telephone company. Imagine, they can operate independently, Mr. Deputy Speaker.

It has to be the good Conservative government which they have in Alberta that allows this freedom; they don't have Bill No. 13 in there.

Cream-skimming, rate-averaging, what does this mean? In Alberta and throughout the Maritimes, as examples, the cable television licensees have divided the total cost of importing the distant American television channels between all cable subscribers throughout the region. This has been done by the cable operators on a voluntary basis in order to make it possible to provide cable television service in small communities as well as the major communities within the region.

This is a general concept with which Saskatoon Telecable is in agreement. Cream-

skimming is an expression used to describe a practice whereby the cable operator in a major centre does not contribute to a financial pool which makes it possible for service to be delivered to smaller centres. Provision has been made with the Saskatoon Telecable contracts whereby a rate-averaging formula has been established. Cable subscribers in major centres are now paying a surcharge to create a pool to allow the establishment of cable throughout the smaller Saskatchewan centres.

The establishment by Saskatoon Telecable of its own earth receiving station does not undermine the rate-averaging concept in Saskatchewan.

MR. ROMANOW: — False!

MR. GARNER: — Oh boy! Now true, now false!

Indeed the establishment of earth receiving stations and the use of satellite technology opens the door to all Saskatchewan residents for future television reception. Earth stations are now sufficiently inexpensive to make it economically feasible for small town cable systems to operate. The day is rapidly approaching when the price will be sufficiently low to allow individuals, particularly individuals on farms, to secure their personal earth station to view additional television programs.

I would just like to take off from the letter there a minute, Mr. Deputy Speaker. I think my colleague in the House the other day brought it to the attention of the members opposite that the earth receiving stations will be low in price, anywhere from \$200 to \$500. Even a poor farmer-rancher like myself could afford one of these, Mr. Deputy Speaker.

Do you think that the farmers and the ranchers of Saskatchewan will want to invest \$200 to \$500 in a receiving disk? They would most likely do it. Can you imagine what that would do for the manufacturing industry in Saskatchewan? We could open up a whole new field, bring in more manufacturing, create some new jobs. It would be a really good idea. Do you think it's going to happen? No, Mr. Deputy Speaker, it's not going to happen.

If Bill No. 13 goes through the only people who will have an earth station are the ones that know the Attorney General, because he will have that much control through order in council. And, some of the members opposite are maybe short on friends so we could be short on earth stations.

Well I hear the Attorney General talking about poles now. I'm not talking about poles. I'm talking about earth stations. Maybe they want to put these earth stations on telephone poles. I don't know. That could be.

Telecable rejects monopoly control, Mr. Deputy Speaker. Telecable welcomes the advancing satellite technology, which will make a wider variety of programming available to the broadest possible segment of the Saskatchewan population.

We view this advancement as a great opportunity for all to have access to additional service, everyone in Saskatchewan, not just the friends, not just the select few, but everyone in Saskatchewan. It's their right. Why does the socialist government want to take it away? Freedom, Mr. Deputy Speaker.

The reason I am in this Chamber is because people of the Wilkie constituency want to retain their freedom. I want to retain my freedom too.

Now the Attorney General has left poles and he's gone to something else. He's sure going to have a great speech when we get into Bill No. 13.

Mr. Deputy Speaker, we reject the concept that Sask Tel must own and control all communication hardware in order to maintain telephone rates. This concept is not valid in the balance of Canada and it's not valid in Saskatchewan.

I hear one of the members opposite hollering, give it away. We don't want to give it away. We just want to give the people of Saskatchewan, through a public utilities board, the right to know what's going to happen to their equipment, to their connection, to Sask Tel's line.

Telecable believes it is important to retain at least a small degree of independence as represented by our ownership of a ground receiver. This was an article in the paper:

What do you think? We would appreciate your comments. Call or write Saskatoon Telecable Limited at Box 1950, Saskatoon, or phone 664-2121.

Mr. Deputy Speaker, why has this government no feeling for the people of Saskatchewan? They won't listen to the people of Saskatchewan. The point that really amazes me is that they tell me they're not getting that many representations. They're not getting that many calls. Not one. I hear them say! Why then is the Progressive Conservative Party getting all of this? Why? Mr. Deputy Speaker, I think they're getting, in fact I'd almost bet they're getting it, but naturally they're not going to say because when you're in the little socialist circle, you want to ram something through — you get some opposition to it, you just put it in file 13. Mr. Deputy Speaker, this government is going to get burned on this. The only trouble is the people of -s could get more badly burned if it goes through.

Mr. Deputy Speaker, I have another letter I would like to read written by . . . (inaudible) . . .

As a citizen of this province, an amateur radio operator, a computer user, and a businessman, I take this method of voicing my extreme unease and displeasure with the proposed amendments to the above mentioned act, specifically section 44.1, 44.2, 44.3, 44.4. I do realize that verbal assurance has been given that hobby and private users will not be affected by the proposed changes, but unless this clearly is spelled out, no one in this province, I suggest, is naive enough to accept that assurance. I find it impossible to conceive of a logical explanation for this addition to the act.

Sask Tel has a monopoly on telephone service now. I rent a telephone answering device from the corporation and know that it is in no way . . . (inaudible) . . . Its monthly licensing fee is ridiculous. You are now seeking to compound the situation. At a time when the North American communication system, of which Sask Tel is an integral part, is seeking ways to better serve the public by making its networks serve many functions, it would seem that Sask Tel is trying to set up a monopoly in the after terminal area. I cannot believe that the public interest is served best in this way. Sask Tel does not

have a research and development branch sufficient to explore the many areas of communication presently being researched by private firms. If a monopoly situation exists, it is certain that R&D will be placed at the bottom of the corporation's considerations and the citizens of Saskatchewan will fall even farther back into the area of phone service than they now are.

I am now further concerned that no appeal procedure is contained in the legislation allowing the public to present their side of a case in question should an application for attachment of a device be denied by the corporation. This is dictatorial in the extreme.

Section 44.4 authorizing the corporation to seize attachments and remove telecommunication service for a period of not more than three months is also dictatorial in nature. There is no warning, no discussion and no appeal.

To sum up, I do not at all understand how the proposed sections can be passed claiming public interest as the reason for their existence. To the contrary, taken to the extreme, I have a feeling that the day will come, if this is passed, that the government of the day will be able to determine what our province's citizens can see and hear. This is controlled information at its worst. I have no desire to live in a province that leaves their possibility open.

Signed by J. Slater.

The Attorney General says where? And I say, go find him yourself. If you want to witch hunt, take the weekend and witch hunt.

SOME HON. MEMBERS: — Hear, hear!

MR. GARNER: — Mr. Deputy Speaker, I notice it is now 1 o'clock. I call it 1 o'clock.

The Assembly adjourned at 1:00 p.m.