

# LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

May 22, 1980

## AFTERNOON SESSION

### WELCOME TO STUDENTS

**MRS. J. H. DUNCAN (Maple Creek):** — Thank you, Mr. Speaker. It is my pleasure to introduce to you and through you to members of the Assembly, a group of 19 Grades 2, 3, and 4 students seated in the east gallery. They have journeyed from the town of Richmond, which is on the west side of the province. I believe it's a trip of 300 miles or more.

I might mention, Mr. Speaker, Richmond is probably the most sports-minded town in all of my constituency. Right from Grade 1 up they develop very aggressive, good, sports-minded children. They are accompanied today by their teachers, Miss Wendy Straub and Gordon Ziegler, and chaperone, Mrs. Margaret Franz. I ask all members to join in welcoming these students from Richmond and wishing them a pleasant day and a safe journey home.

**HON. MEMBERS:** — Hear, Hear!

### INTRODUCTION OF GUESTS

**MR. J. L. SOLOMON (Regina North-West):** — Thank you, Mr. Speaker. It's my pleasure this afternoon to introduce to you and through you to the members of the House some visitors from the Wascana Hospital who are located under the Speaker's gallery.

I would like, on behalf of the member for Regina Wascana, Mr. Clint White, who is not able to be here at the moment due to some constituency business, to introduce to you these people. Mr. White will be along around 3 p.m. to visit with you, to answer any questions you may have and to discuss anything that may be of interest to you. The person who is leading the group this afternoon is Howard Gelmich. I would like to have all members join with me in welcoming them to the Assembly. I certainly hope they enjoy their stay this afternoon and also their visit with Mr. White.

**HON. MEMBERS:** — Hear, Hear!

### WELCOME TO STUDENTS

**MR. R. H. PICKERING (Bengough-Milestone):** — Mr. Speaker, it is indeed a pleasure for me to introduce to you and through you to members of this Assembly some 26 students from Grades 7 and 8 from the Ceylon School. They are seated in the east gallery and are accompanied here today by their teacher Neil Haggquist and bus driver, Lawrence Vargo.

I would like to inform them that they will be missing question period today because we sat this morning from 10 a.m. until 12 o'clock. Question period today was at 10 o'clock. I had the pleasure, Mr. Speaker, of visiting the Ceylon School not too long ago to deliver the Celebrate Saskatchewan pins. I hope this group finds their visit enjoyable, informative and educational. I would like all members to join with me in welcoming them to the Assembly and wishing them a safe journey home.

**HON. MEMBERS:** — Hear, Hear!

**MR. R. G. LONG (Cutknife-Lloydminster):** — Mr. Speaker, I would like to introduce to you and to this Assembly 18 students from the town of Maidstone, together with their teacher Violet Stanger and the other ladies travelling with them — Mrs. Don Johnson, Mrs. Jean Elliott, Mrs. June Frank, Mrs. Dale Brooks, and Mrs. Audrey Reid.

They have travelled from the very vibrant town of Maidstone to visit the city of Regina. I understand this morning they visited the RCMP Museum and the Museum of Natural History. They are here this afternoon to observe what's going on in the Chamber. I'll be meeting them to have pictures taken in the main rotunda at 3 p.m. and we'll be getting together for a discussion and some treats in the members' dining room at 3:05. I would like all members here to join with me in welcoming these young people who came so far.

**HON. MEMBERS:** — Hear, Hear!

## **SECOND READINGS**

**HON. G. R. BOWERMAN (Minister of the Environment)** moved second reading of Bill No. 120 — **An Act respecting the Control of Drainage of Surface Water.**

He said: Mr. Speaker, in moving second reading of Bill No. 120, An Act respecting the Control of Drainage of Surface Water, I think one should point out at the outset that this act is the result of about two years of effort by the representatives of both government and the public. The Department of the Environment was the lead agency here. The Department of Agriculture, the Department of Tourism and Renewable Resources and (I believe) the Department of Municipal Affairs and the Public Advisory Committee which is representative of the National Farmers' Union, Saskatchewan Association of Rural Municipalities, Saskatchewan Federation of Agriculture, Saskatchewan Wildlife Federation, the C and D (Conservation and Development) Association for Saskatchewan and SUMA (Saskatchewan Urban Municipalities Association) — these groups were the ones who by their representatives on the public advisory committee were the main actors along with the representatives of the department that I have mentioned.

I think it is important, Mr. Speaker, to clearly point out at the beginning that the basic premise of this act is that surface water drainage is a privilege and not an inalienable right. It has been the practice and perhaps even thought and consideration that to drain water was not a privilege, but it was a right to move water off one's land to some other place or from where it is causing problems to either oneself or one's community or to an urban centre or whatever. I think the point that must be made here is that this is clearly not the case. To move water, to drain surface water onto some other area or to drain it into some other drainage basin or into a channel, is a privilege and must be consented to.

The prime objective, Mr. Speaker, as the name of the bill implies, is the control of surface water drainage activities, mostly with reference to unauthorized drainage but it also has concerned itself with drainage that has been authorized, and of course, will be permitted in the future. It does not personally relate to water on one's own property where he may wish to move surface waters from one area to another, but only as it affects other land owners, and only as it affects downstream implications. This is the kind of drainage which farmers and R.M.s and urbans do sometimes wilfully, without

prior approval, or do without adequate concern and study with regard to the implications of the draining that is being done. It will also relate, as I have already indicated, to the projects like Ducks Unlimited, like C and D association projects and so on.

The reason the bill is before us, Mr. Speaker, is that the years 1969 until this year at least have been relatively wetter than the average of all the years for which records have been kept in the province — over 50 years in some parts of the province at least. This has caused the natural ponding areas (sloughs) to enlarge and to expand into the farming areas. The natural water basins, small lakes and streams, carry greater flows of water and trap more volumes of water that have been drained into them. As a result they have encroached on the farmlands and onto private lands and so on.

Continuing the sequence, the low levels of the larger drainage basins such as the Qu'Appelle, the Souris, Carrot River Valley, the Assiniboine River have experienced flooding and almost continuous water damage over the years. For example, where certain communities and farmlands experienced two or three floods in 10 years prior to 1969. They are now in these years since 1969 experiencing flooding and water damage in increased ratios of 6 to 8 flooding years out of 10; so it has been a problem. It has been a problem for those people who are in the lower reaches of the drainage system and the problem is caused by those on the higher levels who drain water into those areas. Much of this increasing problem has been induced by unauthorized draining of upstream or highland areas of a drainage basin — farmers wanting to drain that 30-acre slough so it can be seeded when the remaining 130 acres is ready for seeding.

Unauthorized drainage is causing very serious problems as the member for Estevan or those people living in the Souris Valley or along the Qu'Appelle and some others whom I have mentioned will know. The construction of new roads with related ditches alters the natural draining and ponding of spring water, thus adding to the downstream problems. I think we have not addressed ourselves to the problems created by that and it's necessary to do so. I know most MLAs with any experience will know that frequently your electorate will come to you with problems of drainage; not only drainage from one neighbour to another but drainage related to municipal road and highway construction where the ditching on a long slope is taking the water down to those persons living at a lower elevation.

In addition, Mr. Speaker, major urban centres that pave hundreds of acres or even thousands of acres, as in the case of Regina, and subsequently design storm sewer systems to run water away in a hurry, are in some cases responsible for flooding problems of downstream communities and farmers. It's not difficult to observe that on 1,000 acres of blacktop, a two-inch rainfall, running into a storm sewer will create a much different result than two inches of rain falling on a natural terrain where much, if not all, of the water which falls will be absorbed in that same 1,000 acres. And so it's true that as a result of paving programs in urban centres even small inconsequential rainfall causes some problems and in some areas causes quite serious problems.

The method of control that is provided for in the bill, Mr. Speaker, is the establishing of legally described drainage basin areas. Large areas (about seven or eight I believe) are suggested for the province. Each one comprises about 50 to 60 rural municipalities. You can see they are large in geographical area, and that in itself will create some problem in the administration of the act and in the proposals which are being made.

For the administration and control of the drainage basin, the act provides for the setting up of a commission in each of the drainage areas. The representation on that commission in the original draft of the act was to be two from the Saskatchewan Association of Rural Municipalities, two from the Saskatchewan Urban Municipalities Association, two from the Saskatchewan Wildlife Federation, two from the C and D association and three were to be appointed at large. That has subsequently been taken out of the act because of the concerns expressed by the Saskatchewan Association of Rural Municipalities. It's not now in the act and therefore will not be a matter for our consideration but it's a point that should be made and should be considered.

The commissions are additionally given many wide and varied powers, some of which were questioned by the Saskatchewan Association of Rural Municipalities, particularly the financing or the assessment of rural municipalities for the cost of maintaining the commissions. Many of the costs were to be apportioned on a mill rate basis but it was an assessment that the bill allowed to be made and really, the municipalities didn't have any alternative. They had to pay the bill. When it was presented they paid, such as the school boards or the unit boards do now. They present their requirements to the rural municipality and the mill rates are based not only on the operation of the municipality but on the operation of the school unit as well. This would have been an additional assessment on the municipality. Therefore again one of the concerns expressed by SARM was that really, with only two members representing the municipalities on the commission, they were not being given adequate representation on the basis that they were the major financiers, (that is, for the commissions). Also the area affected was mostly rural. So they had some objections there.

Other considerations about the establishment of commissions and giving to them the authority granted under the act were questioned by the government because of the implications of interprovincial and international water apportionment agreements. The Water Power Act, Water Rights Act, Water Resources Management Act and so on, are all authorities that the province uses in water management and in legislation relative to interprovincial and international water apportionment agreements, some of which have already been made and apportionments already agreed to. I will refer to the government policy regarding the full establishment of drainage basins and commissions in my final remarks.

I'm going to turn now to some of the powers of the bill that are delegated to the commissions when they are established. Drainage works — this will mean that in the future, once the act becomes valid and is passed, permits will be required. Now this is not different from what was required under The Water Rights Act. Anyone who wishes to drain water or wished to dam or pond water by building a dike could do so but they required a permit. That requirement was there. There was a penalty affixed but it was never enforced and it was never dealt with as we propose to deal with it in The Drainage Control Act. So in the future, under the auspices of this act, the person who wishes to drain (even a rural municipality which is constructing a major new road or the Department of Highways which may be constructing a major new highway system) will have to take into account the implications of drainage of water and be prepared to mediate those concerns.

The person who will be applying for that permit must provide all relevant materials to the commissions in order that they may make a judgment. Before, it was a matter of getting a permit. In The Water Rights Act it said that a person who wanted to drain went to the department and the department issued a permit. But usually if a person is going

to be draining water off his own land, he is going to be affecting someone else. So this bill proposes that a person, in coming to make application for a permit, must contact the neighbours and get either approvals or easements or all of the things which are necessary in order for him to move that 30-acre slough, if you will, from his quarter section or from his half section, down into the main channel or to a channel that will finally get into the main system. Now, if he does come with all of the approvals; if he comes having received the approval of six of his neighbours and the easements, which are necessary, across their lands and so on, it does not automatically mean approval of his application. The point here is that the commission will be required to assess the ultimate downstream and interprovincial implications and may find that the applicant cannot proceed because of them. In other words, just because that person makes an application and gets the agreement of his immediate neighbours to get it into a small stream which will finally run into a larger tributary and into a main channel, this is not conceded to be approval for his application.

The commission, as I have already indicated, must give its attention to and assess the implications of a downstream problem. I perhaps can give you an example of what I am talking about. I do this knowing that there will be some exaggeration in order to be able to demonstrate the principle. The Qu'Appelle drainage basin, if it were established, would, as I indicated, include about 60 or more than 60 rural municipalities.

An applicant, let's say in the extreme northwest position, at the northwest end of Last Mountain Lake, may make an application to the drainage commission to drain a 30-acre slough on his farm. Ultimately that water will pass through Last Mountain Lake which obviously would affect (it won't but an accumulation of them will) the elevations in Last Mountain Lake and cause damage to private properties — both shoreline damage as well as agricultural farmland damage. If the elevations were to rise by 6 to 8 inches or a foot, that encroaches on private lands to some considerable degree in some areas.

From that point of Last Mountain Lake, it goes into the valley and as we know, over the past number of years, there have been lots of effects on Lumsden, Craven, on the urban communities in the valley with respect to flooding and on valley farmers, private landowners and so on. From there it goes into Manitoba and here's where we run into the implications with respect to interprovincial water management and water agreements.

I am advised that the acceptable and approved maximum Qu'Appelle River valley flow is 500 cubic feet per second. In other words, that's the maximum flow of the main channel if it were cleaned and straightened. Presently the maximum that you can get through that channel is about 100 cubic feet per second. I further understand that during some peak flood periods in the valley, particularly the last flood experience in Lumsden, water was coming through at about 16,000 cubic feet per second. And so one sees the magnitude of difference here and the complication of problems associated with upstream drainage if an application is approved just on the basis of getting it out of this township or off this half section into another township. It ultimately has to go out the river channel on the Manitoba border.

So, as I indicated, just because the farmer makes an application, it will not necessarily mean he is going to get approval for drainage. That's what I wanted to point out and emphasize at the outset of the act. Drainage must be understood to be a privilege and not a right because we're simply having too many problems associated with the main channels and the downstream problems associated with them.

The point, Mr. Speaker, is that if 500 cubic feet per second is to be the approved maximum flow then the upstream drainage approvals must take into account that fact. This may result in rejection of an application or finding some alternatives to the absolute drainage. Maybe it means ponding; maybe it means diking — holding the water for a certain period of time and releasing it at a period in time when it can find its way through the Qu'Appelle River system at periods and times when peak flow is not at its maximum.

There are other authorities granted to the commission, Mr. Speaker. They deal with complaints about drainage. The reference to permits is not retroactive but under the section dealing with complaints, if a person has a complaint and has damage and he complains of that damage, then he may make complaint in writing to the commission. If he does so, the commission can review the complaint and deal with it in a very detailed way as set forth in the act. In doing so they may come to the conclusion that the person's ditch, which was dug or undertaken five, six or ten years ago, is still causing problems and they may order that it be closed. So there is a remedy within the act.

I know this will be of interest to members opposite, but nevertheless there is no remedy unless there is some way of controlling. Part of the problem we had in the past was that even though you had civil action — one farmer or neighbour against another neighbour or against a municipality or against an urban centre — there was no real remedy in the act. In other words it was an offence and the penalty was \$100; but as some of you know, ditches are being dug to drain land these days that are in the thousands of dollars and therefore there was no factual or practical remedy. The fact is that now the commissioners have been given authority after making their assessment and their judgment with respect to ditches. They may order that the ditch be closed; if the owner does not close the ditch they have the further authority to close it and charge the responsible owner.

The penalties, of course, have been increased considerably. The maximum penalty is \$5,000. That is the maximum penalty and the judge we trust will be responsible in his assessment of penalty relative to the offence. There is a provision for the establishment of a provincial appeals board, so that if I make an application and it is rejected by the commission, I can then appeal to a Saskatchewan Appeals Board. So I can still have another step to go as to whether or not I can get my drainage ditch approved. If I am turned down by the Saskatchewan Appeals Board I do have the right, of course, to go to a court of law on the basis of law — not on the basis of fact, but on the basis of the law or wrong interpretation of the law. That provision is there. We believe that's a right that should be there.

I also suggest to you that does not deny anyone's right under civil law to take an action against his neighbour if he thinks damage has occurred to his property. There is a provision in the bill, however, which suggests that if a neighbour does not want to get into a civil action against his neighbour, he can call on the commission to act as a mediator. Of course, the results are not binding but they can act in a way to try to bring the parties together, and recommend some solutions to the problem. This makes an attempt, at least, to keep the issues out of the court and out of the hands of the lawyers (that is, if the two parties so agree).

Mr. Speaker, with reference to the establishment of commissions and drainage areas, because of the concerns mentioned earlier by the Saskatchewan Association of Rural Municipalities, and because of the concerns which we have as a government with

regard to the implications in international and interprovincial water agreements, it will be our stated policy and objective not to proceed with the establishment of commissions as provided for under the act until there has been a further consultation by the public advisory committee with SARM and SUMA and with other interested groups respecting the problems related to it and some of the problems identified by SARM relative to cost allocations; regarding the commission's representation, that is whether or not there should be a greater number of persons representing the rural municipalities and, if so, some adjustment there; other acts of legislation and/or agreements related to interprovincial and international agencies in governments; finally, the financial obligations and the specific responsibilities of which water channels and their improvements will be the responsibility of the province, which should be the responsibility of the municipality and perhaps which should be the responsibility of the person making the application.

There is some reason to believe (and I think justifiable reason) if a farmer or a group of farmers seeking to drain a marsh area which would provide a couple of hundred acres of farmland, then perhaps the cost should be borne by those who will be the ultimate benefactors of removing that 200 acres of surface water into some other part of the system.

If there are to be no commissions and no drainage basins, the question can logically be asked: what effect does the act have? I would point out that under the provisions of section 5 of the act, the Department of the Environment will proceed in accordance with the powers of that section to make the act operative and when the agreements have been reached with those referred to earlier in the consultation process, commissions and watershed basins will be established or may be established on the basis of the recommendations received at that time.

Finally, Mr. Speaker, in recognition of the weather which we have been having this spring, we may be returning to the pre-1969 era, when the problem was not with drainage of water but was absolutely the reverse. The problem then was associated with water rights where farmers were building dikes to hold water in order that they might retain water on their land. The building of dikes caused problems to farmers upstream rather than downstream and the holding of water from downstream users got to be an argument between neighbours as well.

So, Mr. Speaker, even though we are now in the process of passing (or hopefully will pass) The Drainage Control Act, I indicate to you that depending on the seasons of the year in this province, The Water Right Act may be the one which is mostly in vogue in the next few years if the weather situation continues as it is at the present time.

I know there will be lots of questions with respect to this bill. I want to say in closing that the bill is basically that which has been put together by the officials of the department (very few there were) along with the public advisory committee which is representative of the public which I named. They subsequently went out in the province and around the country and I am sure would have been in all the constituencies of the province, with the exception of the urban constituencies. There they undertook to have meetings and they reported to us there was an acceptance of the bill as we see it here today. I think that should suggest to all members of the House that there has been a process, a consultation process; and while not all have agreed, while there are still some important areas yet to be agreed upon, we think the bill should go forward now in order that we can have it in effect should the situation change in the years ahead. Therefore, Mr. Speaker, it gives me great pleasure to move second reading of Bill No. 120, The

Drainage Control Act.

**MR. R. H. PICKERING (Bengough-Milestone):** — Mr. Speaker, I should like to point out that Bill No. 120, An Act respecting the Control of Drainage and Surface Water, is a clear indication of how the current government reacts rather than leads in the facets of public affairs. In this instance, they reacted to the pressures of farmers and groups such as the conservation and development association.

Mr. Speaker, I welcome legislation to modernize and to put in orderly manner the private ditching and flood works in this province. This province is in need of better legislation in this regard. For the record, I should like to read an article which appeared in The Western Producer, April 17, 1980 headlined: Regional Flood Control Gets Thumbs Down Signal:

After two years of planning, hearings and surveys, the Saskatchewan government has shelved plans to set up regional drainage and flood control bodies. The move has left the conservation and development association wherein disappointed in the alternate plan to amend existing legislation to provide stricter controls on private ditching and flood works. At their annual meeting here, President Dollard Hudon said the proposed changes to The Water Rights Act will create an explosion of private ditching rather than orderly and organized solutions to a serious problem.

The government has been wrestling with how to control erosion and flooding caused by farmers cutting ditches and constructing flood works. A plan was made to set up watershed commissions to operate in each of the seven major Saskatchewan river basins. They would have issued permits to farmers after assessment and provision for appeal boards was included in the plan. Last year a series of public meetings were held and questionnaires sent out across the province soliciting response.

This has been the central concern of the C and D association for more than a year, as they operate local committees dealing with drainage problems. Hudon said they could have lived with the government's plan, but the commission concept has now been set aside.

Speaking on behalf of Environment Minister Ted Bowerman, Rural Affairs Minister Edgar Kaeding said the government hasn't been able to reach total agreement on who should administer drainage regulations and how it should be done. He said the government has worries about living up to provincial, national, interprovincial, and international commitments about water quality and delivery. The proposal put forward simply does not demonstrate how commissions could operate without conflicting with these broader responsibilities which we cannot avoid, Kaeding said. The government also has doubts about the support for the plan. Kaeding said although 23 public meetings were held on the issue, only 1,200 persons showed up.

There were 85,000 questionnaires mailed out and distributed but only about 600 people replied less than 1 per cent of the total. A 1 per cent response cannot be considered as a very significant response to a mail-out on an issue which can generate strong opinions, Kaeding said. The proposed amendments to The Water Rights Act will require that drainage proposals be



approved and make it an offence for anyone to go ahead without approval, punishable by a \$5,000 fine. Anyone can bring charges against people contravening the act, and it will be the responsibility of the defendant to prove his works didn't cause the damage. The act will have a three-year time limit, meaning charges can be laid any time up to three years after the works are constructed.

However, Sam Stan, a water rights official with the Department of the Environment, pointed out it would be very difficult to win a case unless action was taken at the time of the damage when the evidence is still clearly visible. Kaeding said the amendments are only an interim solution to the drainage problem and the idea of watershed commissions hasn't been scrapped.

Mr. Speaker, legislation dealing with the control and drainage of surface water is long overdue. As I stated earlier, the present government reacts rather than initiates when it comes to matters such as this.

Mr. Speaker, you can be sure that we on this side of the Assembly will carefully scrutinize this legislation and want assurances that it is indeed in the best interests of all concerned. I question, Mr. Minister a controversial bill such as this coming out so late in the session. The people of Saskatchewan and the SARM have been calling for this for a number of years. We are almost at the point of setting a new record sitting in this legislature and you come out with a bill such as Bill No. 120 which is very controversial. I beg leave to adjourn debate.

Debate adjourned.

**HON. G. R. BOWERMAN (Minister of the Environment)** moved second reading of Bill No. 121 — **An Act to repeal The Drainage Act.**

He said: Mr. Speaker, with the passage of The Drainage Control Act, The Drainage Act, which is an old act brought in early in the establishment of the province, will not be needed any longer. So therefore I would move that we approve the second reading of An Act to repeal The Drainage Act.

Motion agreed to and bill read a second time.

**HON. G. R. BOWERMAN (Minister of the Environment)** moved second reading of Bill No. 122 — **An Act to repeal The Private Ditches Act.**

He said: Mr. Speaker, the same things apply with respect to The Private Ditches Act. It's another act which was brought in early in the history of the province for purposes that will now be covered by the passage of The Drainage Control Act. It's no longer needed; therefore, Mr. Speaker, I move second reading of Bill No. 122 - An Act to repeal The Private Ditches Act.

Motion agreed to and bill read a second time.

## **COMMITTEE OF THE WHOLE**

### **Bill No. 89 — An Act respecting the Prevention and Suppression of Fire**

## Section 1

**MR. R. KATZMAN (Rosthern):** — Mr. Minister, as I said earlier there were several portions of this bill on which I wanted to check with people in the fire industry and I asked you several questions. I don't know if you wish to reply to them now, before you go into it.

For example, what is 3.8 degrees? Is that the flash point of natural gas, and what products are allowed or not allowed under that?

**MR. G. T. SNYDER (Minister of Labour):** — I really don't know what this has to do with the legislation before us in particular, but the question, I think, had to do with the flash point of some particular gases. My note indicates to me that the requirement has existed in The Fire Prevention Act for many years. Changes are to agree with the new definition for flammable and combustible liquids. The clause originated after a number of very severe fires caused by gasoline lamps and stoves.

My note indicates (for the interest of the House) that one gallon of gasoline mixed fully with air has the explosive power of 87 sticks of dynamite. Gasoline vapours travel unseen to sources of ignition and each year are a leading cause of death and damage. This section does not prohibit natural gas or propane stoves in kitchens and as heaters in certain motels, and does not prohibit the use of jellied gas or similar heaters used for warming dishes, for table cooking in restaurants or dining rooms. Research studies have indicated adequate alternate and safer forms of heaters, stoves, burners and lanterns are available, and the section will not cause any undue hardship. I don't know whether that answers the hon. member's question or not.

**MR. KATZMAN:** — Yes, Mr. Minister, that answers the question. Thank you.

Section 1 agreed.

## Section 2

**MR. KATZMAN:** — Could you give me a better explanation of what dwelling unit means? I refer to a room or suite operated for housekeeping units.

**MR. SNYDER:** — I think during second reading, Mr. Chairman, the hon. member asked a question concerning the definition of apartment building. The suggestion from him was, I believe, that it might not be comprehensive enough to ensure safety in buildings where there was more than one family dwelling. Actually the definition of apartment building has been removed from the definition section of the latest copy of the bill. However, it is defined in the apartment building regulations.

In this bill it only appears in the context of with section 30-1 where it deals with the dangers posed by gasoline fuel heaters, lamps, etc. The definition is one prepared by the National Research Council of Canada and it is used in the national building and fire codes. It takes into account many safety and functional requirements that may not in all cases be appropriate restrictions for smaller structures, and I think this is the key to what the hon. member is questioning. The act does however provide authority under section 16 to ensure that such smaller buildings, for example rooming houses, are not especially liable to fire or in a dilapidated condition; that the occupancy is appropriate to the type of structure; that there are no combustible or explosive materials, faulty

heating equipment or especially flammable conditions — for example the inappropriate use of gasoline, fuel heaters, etc. — and that there are adequate fire escapes, exits, fire alarms, fire extinguishers and similar safeguards. Therefore, we feel able to use the nationally recognized standard and that the adequate safety of the public and of the tenants or occupants can be ensured by section 16 in a building that falls outside of the definition of apartment building as defined in the section you draw attention to.

Section 2 agreed.

Sections 3 to 10 agreed.

## Section 11

**MR. SNYDER:** — Mr. Chairman, that was a typographical error. It was intended to read 'local assistant'. Instead 'local inspector' found its way into the last draft.

**MR. KATZMAN:** — I believe I asked the minister, at this point when you refer to 'local assistant', could volunteer fire brigade people qualify to be local assistants or would that mean you would pull somebody out of the city of Saskatoon to investigate a fire where there are full-time employees?

**MR. SNYDER:** — Keeping in mind the question that was directed during second reading, perhaps the quickest way to handle the matter might be just to read to you what was prepared by the department by way of answer.

It says essentially that in this day and age investigation of fire calls is a team effort in Saskatchewan and every municipality (be it rural or urban) has access to that team. The first member of the team is a local assistant to the fire commissioner, usually the fire chief but often the secretary-treasurer, who by observing the right things when approaching a fire and during fire-fighting secures vital and often conclusive information.

Second on the team are the municipal people and the Royal Canadian Mounted Police officers who are often first at the scene and in a position to identify additional considerations.

The third and fourth partners are the insurance adjusters, supported by the insurance crime prevention bureau, who maintain a staff in Regina and Saskatoon with special fire investigators.

The fifth partner of the team is the fire commissioner and his staff. There are nine field men and five office staff who can assist directly in an investigation.

In the cities, members of the fire inspection staff are normally trained in investigation and/or there may be a full-time investigator. At present, an elementary arson investigation component is being introduced into the basic levels of the fire-fighter training course. In addition the Saskatchewan Police Commission is co-operating with the fire commissioner and the insurance crime prevention bureau, and will each year, commencing in 1979 (that is to say last year) hold a special course in arson investigation which may be attended by police, insurance and fire investigation staffs.

I don't know whether that touches on all the matters the member . . .

**MR. KATZMAN:** — Yes, Mr. Minister, that touches most of them. My concern was that you shouldn't override the local people if they were able to assist. From what you indicated you intend to use the local people wherever possible.

Section 11 as amended agreed.

Section 12 and 13 agreed.

#### **Section 14**

**MR. KATZMAN:** — Mr. Minister, during the second reading I also showed some concern about arson. Maybe you have something to reply to that portion. I commented about the increasing arson problems that we are having in the province and so forth.

**MR. SNYDER:** — It has to be said that with hog prices hanging together as well as they have in recent years we haven't had as many fires in hog barns. In my remarks at the finish of the member's last inquiry I think I indicated, at least in part, that the fire commissioner's office had been involved directly in some firefighter training courses. And the police commission, in co-operation with the fire commissioner and the insurance crime prevention bureau was holding a special course in arson investigation which is offered to the various city police forces and insurance and investigation staffs of fire departments. I don't know whether there is anything more the member wanted to know over and above that.

Section 14 as amended agreed.

Section 15 as amended agreed.

Sections 16 to 18 agreed.

#### **Section 19**

**AN HON. MEMBER:** — Away to go, pal.

**MR. KATZMAN:** — You know, I wish the Attorney General would just be quiet; things will go along much more smoothly if he stays out of this. Mr. Minister, why have you not allowed a further appeal under this bill except to the fire commissioner?

**MR. SNYDER:** — As a matter of fact we've added a level of appeal. That's precisely what's happened here under section 18, 19, and 20. Initially, the appeal as I recall it was to the local fire chief, to the fire commissioner originally, and from there to the provincial fire commissioner. We provide by section 20 an additional level of appeal to a judge of the Court of Queen's Bench. So this, essentially, is adding a level of appeal which did not exist in the old act. We're providing for one additional level of appeal, to the courts, which was not in existence previously.

**SOME HON. MEMBERS:** — Hear, Hear!

Section 19 agreed.

Sections 20 to 28 agreed.

#### **Section 29**

**MR. KATZMAN:** — Mr. Minister, how many prosecutions; or have you had any problems with this particular area?

**MR. SNYDER:** — I am not at all sure we can indicate the actual number of prosecutions; a large number of violations, and sometimes it is difficult to obtain a prosecution because of the problem of identifying the culprit involved in tampering with equipment and things of that nature. I wonder if the hon. member is asking particularly about the blocking of exits and things of that nature? It's a significant problem, particularly with renovations and construction taking place, but I'm not sure there's a precise record as far as the actual number is concerned.

**MR. KATZMAN:** — You know the best way to speed this up, Mr. Attorney General, is to have the Chairman put a muzzle on you for a little while, so the minister and I can look after the bill and you . . .

**MR. CHAIRMAN:** — Order, order, order please! If I could have a little less assistance to my right I think we could get along here.

**MR. KATZMAN:** — Mr. Minister, we all know some of the bad situations which have happened where exits were blocked and people were burned in fires. I am not sure if this is severe enough, or not, to force people to make sure they don't do things which could cost lives. It wouldn't be so bad if the exits were blocked on the inside; you could push the stuff out of the way and get out, but they sometimes block them from the other side and you can't push them open no matter what you do. It's one fine of \$500 but it could be bad if they blocked them from the outside rather than if you just have a little latch on it.

**MR. SNYDER:** — This represents a major upgrading of the penalty section. Previously there was not a fine attached to the offence. I suppose because the figure of \$500 on summary conviction is found rather commonly in other provincial statutes it was thought to be appropriate for the occasion. We can at least have a look at it to see what the net result is over a period of time and gain some experience. Obviously the legislation will be before the House on subsequent occasions and we can have a look at it at that time.

Section 29 agreed.

Section 30 agreed.

### Section 31

**MR. KATZMAN:** — Mr. Minister, what is an unapproved fire extinguisher?

**MR. SNYDER:** — I am told that an unapproved fire extinguisher is one which has not been approved by the Underwriters' Laboratory. It is the same as a great many other pieces of industrial equipment which are CSA (Canadian Standards Association) approved. In this particular case, the Underwriters' Laboratory is the agency responsible for approving all the fire extinguishers which are sold and approved by that agency.

**MR. KATZMAN:** — Let me go one step further. You will remember several years ago, when you walked into an apartment house there was a little pail in the corner full of

water. It had a hand pump and you held a little hose in your hand. Those aren't approved anymore, are they?

**MR. SNYDER:** — For certain purposes, pump tanks are approved.

Section 31 agreed.

Sections 32 and 33 agreed.

### **Section 34**

**MR. KATZMAN:** — Done in good faith, am I correct in saying those are key words in that clause?

**MR. SNYDER:** — The intent of the regulation is to follow statutes in other provinces where no cause or no action lies against the minister, the fire inspector by virtue of loss or damage suffered by anything done in good faith. That is to say, you're not exempt from prosecution for a willful act or things of that nature. I think that's quite specific and that certainly provides no escape hatch in the event that there is a wilful act by the inspector or the minister. But in the event of a legitimate oversight or things of that nature, there would not be action against the minister or fire inspector.

**MR. KATZMAN:** — Well in the next portion, and reasonable care, is the other key line. I'm assuming what you're saying is common sense prevails and these are the two clauses you're writing it in with.

Section 34 agreed.

Section 35 as amended agreed.

Sections 36 and 37 agreed.

### **Section 38**

**MR. KATZMAN:** — Thirty-eight, Mr. Minister, is this the present procedure for reporting?

**MR. SNYDER:** — I think I have it. The previous act provided that the previous month's records on a prescribed form had to be filed before the 7th day of the following month. This provides that on or before the 21st day of each month, every fire insurance company shall furnish the fire commissioner with a statement. It used to be before the 7th day of the month, now it says before the 21st day of the month. It provides for an extra two weeks operating time in order to provide inspection reports.

**MR. KATZMAN:** — The second portion of this particular vote says the fire commissioner still has seven days. That's as it was before then? Is seven days sufficient for that individual? If the fire happened the last day of the month, he is reporting a considerable amount of information that may be difficult to get at certain times.

**MR. SNYDER:** — Well what you are referring to, I understand, is in section 38, sub 2 — and in this particular set of circumstances, on or before the seventh day of each month, every fire insurance adjuster shall furnish . . . That's what you are saying; why the 21 days previously and the seven days here? This is an initial report which I understand is

required because in many instances the source or cause of the fire is still under investigation. Accordingly the initial report of the insurance adjuster is necessary to the appropriate workings of the fire commissioner's office. They tell me this is an appropriate mechanism and one that is very much needed in order to provide information in the event of continuing investigation taking place on the cause or effect of a certain fire.

**MR. KATZMAN:** — Mr. Minister, I agree with you that the fire companies may need more time than the fire commissioner, but the information in number 3 which he must have in his report could be difficult for him to get that fast. That is my concern. Is there a provision that if he is unable to get the information, he can put it in additional? For example, the value of a building and contents. He may have to contact several people to find out all the different values if it was a big apartment house. It may be physically impossible for him to have it by the seventh day.

**MR. SNYDER:** — On the initial report this may very well be an estimated figure, but I am told also this was a provision of the previous act and it has caused very little or no difficulty up until this time. The Department is flexible enough in the application of the act that it has caused no problem. The only thing we've done is provide some additional elbow room and some additional flexibility in 38(1), and 38(2) is not changed in any way. It provides for an early report that will probably be of help in a number of fire investigations; and it is not thought appropriate to lengthen that period of time beyond the seven days which has been in effect for a considerable period of time.

**MR. KATZMAN:** — The other portion of my comment is, it says the insuring company . . . Let's use a major apartment house for an example. One company may have the building and maybe 30 or 40 different companies are insuring the contents. Does that mean all those companies which are insuring contents have to report as well? Mr. Minister, just to add to that, people can now buy insurance on their contents in an apartment house and they may not buy it from the same insurer the owner of the building has insured with; that is why I'm asking.

**MR. SNYDER:** — In such circumstances, what would probably happen would be that the different insuring agencies would appoint one adjuster and he would be the agent for all of the agencies involved. So there would be no conflict there but they would likely share the cost and have one inspector or one adjuster do the job for all those involved, if there was more than one.

Section 38 agreed.

Sections 39 and 40 agreed.

### Section 41

**MR. KATZMAN:** — Mr. Chairman, this is more for my information than anything else. I assume the minister has a date that he is targeting for to proclaim this act; could you give us an idea what that date it?

**MR. SNYDER:** — Well, we see no particular reason or no particular regulations that must be drawn before the act comes into force and accordingly we would expect that probably proclamation will be about the same time as royal assent. We're expecting it will happen sometime very shortly. There's no particular reason that we see for holding back proclamation of the act.

**MR. KATZMAN:** — Well, Mr. Minister, the reason I ask is that it will be assented I assume within days and then I would suggest you need sufficient time to get it out. That's why I was wondering if you're looking at July 1 or something as the type of date, so that you give yourself 30 days lead time.

**MR. SNYDER:** — Well, my people tell me there are no wheels coming off and probably 30 days would be an appropriate time — perhaps July 1 or somewhere thereabouts. We're not going to be crippled if it doesn't come into effect immediately and probably we'll need a month's lead time or something of that order.

Section 41 agreed.

The committee agreed to report the bill as amended.

### **Bill No. 108 — An Act to amend The Construction Industry Labour Relations Act**

Section 1 agreed.

### **Section 2**

**MR. KATZMAN:** — Mr. Minister the other day when I spoke on this you indicated in your closing remarks that this would tighten up the problem you're having because one particular person or organization bargains for 17 different ones on the management side. We all received a letter of concern from that particular group. Have you spoken with them since that letter came? I believe it was Mr. Chase's group.

**MR. SNYDER:** — I don't have any letter of concern from a Mr. Chase. But before I introduced the amendment I had a letter from him written in blood that he would not oppose it. So I'm presuming that having that on file and because of the fact that the designation orders provided (and I'll read it to you) essentially:

A proviso that the final designation on collective bargaining issues in this trade division be made only by unionized employees in this trade division.

That was sort of common throughout the designations that took place and accordingly that finds its way into The Construction Industry Labour Relations Act amendment which says:

Only unionized employees in each trade division are entitled to make decisions with respect to negotiating and concluding collective bargaining agreements on behalf of the unionized employees in that trade division.

So it follows basically the same pattern and one which I believe has been generally agreed to in advance. I see no particular problem with it, Mr. Chairman.

The committee agreed to report the bill.

### **Bill No. 117 — An Act to amend The Pension Benefits Act**

#### **Item 1**

**MR. KATZMAN:** — Mr. Minister, how does this Pension Benefits Act affect the one Mr.



Robbins looks after — the 10-45 clause and so forth? He has a pension bill in as well, and I'm wondering how they cross over.

**MR. SNYDER:** — There is no conflict and no application of that bill with respect to the bill before you.

**MR. KATZMAN:** — You're using the same type of clauses he is using in his bill, where the total equals 45.

**MR. SNYDER:** — Which bill are you talking about?

**MR. KATZMAN:** — Mr. Robbins has a pension bill in as well.

**MR. SNYDER:** — What number?

**MR. KATZMAN:** — I don't know; I have to look it up. It's a pension bill from Mr. Robbins' department which seems to indicate some of the same changes.

**MR. SNYDER:** — Is that the one you're referring to — The Public Service Superannuation Act?

**MR. KATZMAN:** — Mr. Chairman, my concern is that the two of them seem to be equal; at least, 45 is entitled upon termination and so forth. That's the same clause he's using. I'm wondering, does his pension act affect this one, or does the old rule that handles in the province — 10 years of service or 45 years of age — mean your money's frozen?

I'm trying to figure out if you're going to rewrite that clause (what I call the 10-45 clause) in his department, and if that's what you're trying to bring this in line with, because otherwise yours is against the basic rules which have always existed.

**MR. SNYDER:** — I don't know how to talk the member out of attempting to deal with a piece of legislation other than the one which is before him. If he's talking about The Public Service Superannuation Act, that's separate and apart from the acts registered with the Superintendent of Pensions, Mr. Crozier, who is sitting on my left. He has a responsibility for those private pension plans which are registered with the Superintendent of Pensions. It does not include The Public Service Superannuation Act which is legislated and provided for by a separate act of this legislature, and there's no particular bearing one on the other. And you will know that in The Public Service Superannuation Act there is a provision for money accumulation, a host of other things — totally unrelated to The Pension Benefits Act that we're discussing at this time.

**MR. KATZMAN:** — O.K. The other day you mentioned when you moved from one employer to another you were allowed to get 25 per cent of your moneys out. And that's the case with this. What happens to the accrued interest if it's a cash plan, and the other 75 per cent — 50 per cent employers, 25 per cent — is that still held for you in trust to a later date?

**MR. SNYDER:** — The provision in this act is for the employee to be able to withdraw 50 per cent of his own contribution which will be 25 per cent of the total. Let's not confuse the 50 and the 25; 50 per cent of his own contribution means that he still has intact, then, 75 per cent of his entitlement to a pension at whatever age is specified in the legislation in question. But there is 25 per cent cash withdrawal with the appropriate interest accumulation.

**MR. KATZMAN:** — How does this affect a plan that is a formula plan? Cash plan I can understand. The amount of money at the end of the term is what buys your pension by an actuary working it out. But let's assume you are on a percentage plan where 35 years, two per cent of your best six or one of those. You remove 50 per cent of the employee's money. How do you handle that in the actuary later on?

**MR. SNYDER:** — I think it's just a mathematical calculation. If the employee withdraws 50 per cent of his contribution, the employer is still required to hold that other 50 per cent, if you like, or the entire employer contribution is held in order to pay him the deferred wage or pension benefit at retirement age. The employee's 50 per cent, or — 25 per cent is probably a better way of wording it — 25 per cent of the total, will then pay him a pension equivalent to 75 per cent of what he would have drawn had he left the entire amount in the fund. The employer's 50 per cent remains, the employee's 25 per cent remains. He may take the other 25 per cent in cash with interest applied, and draw at the time of maturity (at the time of drawing his pension) 75 per cent. That is what he would be in a position to be awarded at maturity.

**MR. KATZMAN:** — Mr. Minister, as I said earlier, people today are quitting jobs to get their money out which they have in the pension plan, because they don't want to tie it up when they get close to that magic number that ties up their funds. If they are without funds later on down the road, the community, the province or somebody will have to look after them. What you are trying to do is to make sure they are not desolate and have some income in their old age, because they didn't frivolously spend it in their earlier age. What happens if somebody leaves this country; they take a job in another country? That 75 per cent is still tied up. Do they get a pension the same as if they lived in the country?

**MR. SNYDER:** — There is no problem there at all. The appropriate amount of money is locked in and vested. When he becomes eligible for that pension he is entitled to it. It will be provided to him regardless of whether he lives in Canada or elsewhere.

**MR. KATZMAN:** — The problem, Mr. Minister, is with the mobility of the work force. You commented in your speech originally that a person could have two or three pension plans left behind in different spots, all calculated differently, then he would get a basic pension out of it. There has been some suggestion, and I don't know if I agree with it or not, that these pensions should be put in the hands of the supervisor of pensions, be locked in as a cash purchase plan, and all the moneys therefore transferred and supervised by him. That was a suggestion that came out of one of the unions several years ago. I am not sure that would solve the problem.

The lists of people on an employer's list that could qualify for a pension later on could get very extensive, yet they have no contact with them for 10 or 15 years, don't know how to contact them when their pension comes about, don't know if they have passed on or what has happened to them. If they are never contacted, these funds could end up sitting there with a legitimate claim against them, but nobody making the claim. What does the person holding that pension do if the person hits a pensionable age and he doesn't make a claim?

**MR. SNYDER:** — I think it unlikely, first of all, that a person who had contributed to a pension plan for a number of years, had left his own contribution behind, would be lax in keeping track when he reached retirement age. I can hardly believe that very many people would not be aware of their contribution and be concerned about drawing that

benefit when they reached the appropriate age.

Your suggestion of having a number of pension plans, which you are entitled to at retirement age, I think is probably not a difficult situation to consider. I think obviously one of the tragedies of our time is the fact people move from one employer to another, to another. In each case, they take their own contribution out, leave the employer's contribution behind, and move to another employer. Probably in the course of their working years they will work for half-a-dozen employers, end up with a very, very meagre pension at age 65 and end up on the doorstep of a welfare agency for care in their declining years.

It may very well be that if we had earlier locking in provisions . . . I am not at all sure the aggregate of 45, 35 and 10 or whatever, is the ultimate. I think probably what we will need is an earlier locking provision. We can feel our way, at least in this particular set of circumstances, and the aggregate of 45 years and service will provide a very useful vehicle for at least ensuring that a larger number of people will be entitled to a pension than is the case at the present time. Obviously, it is not the ultimate.

We have had some particular studies that have been taking place regarding the wisdom of putting into place a universal pension plan, a compulsory universal pension plan; I suppose to ensure that every person would take advantage of the possibilities and save more during their earning years in order that they can enjoy more security in their declining years. I think we have taken a first step. Obviously it doesn't go as far as we would have wished but there will be further improvements as the days go on.

**MR. KATZMAN:** — That's an interesting statement from you because I know you or people in your department have been looking at a suggested universal plan for all employees in the province of Saskatchewan. Are you still suggesting you are hung up on the idea that there should be a universal plan which everybody must be in? You won't have a plan with your employer that may be different here and different there? I mean we have heard that around the horn many different times.

**MR. SNYDER:** — There has been no final or definite conclusion as to the appropriate direction for us to go. Obviously that's one of the options open to us. And in order to provide that, all people during their working years have that opportunity to save and put away for their golden years, so-called; it is a very real possibility. I find the idea of a universal pension plan a very attractive one. I don't suppose for a minute it could be called upon to supersede a lot of existing pension plans. But obviously a good deal of integration would have to take place and consideration given to pension plans currently in existence if such an eventuality were to take place. That announcement certainly isn't in the process of being made at this time but it obviously an option open to us.

## WELCOME TO STUDENTS

**HON. E. KRAMER (Minister of Highways and Transportation):** — Mr. Chairman, I would like to take this moment or two to introduce a group of students from St. Andres School in North Battleford. They are accompanied by their teacher, Lawrence Happ, and have been visiting the various places that are being toured by students. I believe they drove down today and will be driving back tomorrow. I would like to welcome them here and would like to tell them that at present the House is in committee of the whole. Ordinarily, the Speaker would be sitting where the hat is in the large chair, but we are discussing

legislation now. You might be able to use some of that within your social studies when you get back. I will be meeting with you when you retire from the Chamber here and hope to see you all in my office in a short while.

**HON. MEMBERS:** — Hear, Hear!

## **COMMITTEE OF THE WHOLE**

### **Bill No. 117 (Continued)**

**MRS. J. H. DUNCAN (Maple Creek):** — No, I just wanted to mention one thing to the minister about section 16(1). I would say this is probably (as you said in your opening remarks) rather innovative legislation. I would like to compliment the government and particularly your department (I'm not going overboard) for introducing a pension that will go to a surviving spouse. It is a start; 50 per cent or more has to be guaranteed to the surviving spouse. I would just like to make one comment. A surviving spouse (say she is a wife with dependent children) can live no more cheaply than can the husband who receives the pension.

**MR. SNYDER:** — I always gratefully receive any kudos that come from the other side of the House in particular. We acknowledge that in a great many instances pension plans have not provided for surviving spouses and of course this in effect will provide that such persons will be entitled to 50 per cent of the original spouse's pension benefits. And additionally you will take note of the fact that the pension is now considered to be part of marital property and that probably is of interest too. That is a matter which brings into line The Matrimonial Property Act or The Pension Benefits Act which have formerly been in question. Judges have, in effect, awarded a division of the pension, in spite of the fact that The Pension Benefits Act seems to regard the pension as sacred and untouchable. But under these circumstances it does become part of matrimonial property also.

**MR. KATZMAN:** — Mr. Minister, I make a suggestion to you mainly because of my own concerns, plus some that you and the member for Saskatoon Nutana and others in the House mentioned during labour estimates and other estimates where we talked about pensions.

I think about the total review of all the different involved pensions that the government must supervise and look after. All the information should be put together by somebody, I'm not sure which body it would be, if it would be a special committee of the Legislative Assembly to work on that or what. So we should bring in a decisive pension benefit that would assist all, and somehow be a way of tying all the loose ends that developed because of people having pensions all over. There should be a system which will look after those and a system where, if it should happen that pensions fall in, there is a way to look after the found money to assist those in pension plans.

The other thing I have concern about is (I think the minister is correct) that the employer's portions are actually deferred wages in a pension plan. Because they chose not to take a wage today and take it later on down the road . . . (inaudible interjection) . . . You know, Mr. Attorney General, you're the only one who talks to the press. The rest of us are here to do a job. Now stay out of it!

**MR. CHAIRMAN:** — Order, order!

**MR. KATZMAN:** — Are you too young to worry about pensions? Mr. Minister, I am concerned about all the different types of pension plans around and your department supervises many of the private areas. I think we should have a hard look at it. You talk about universal pensions. I've heard you talk about universal sick benefits as well, insurance plans. I'm thinking it may be time for an in-depth study by members of this House or somebody so that all the information is available. This is an important field to those in their later years who have put money away today hoping it would look after them in the future. And we're finding right now in a lot of cases it doesn't look after them and it isn't sufficient.

I have no real arguments with the bill except that the problem down the road is not being solved totally with this and therefore we had better start looking. Because every year from now on, we're going to have bits and pieces coming at us to solve the problem. And we're not going to solve it. We should do one piece of legislation which brings everything else in line. I don't know who's the right party to do it.

Section 1 agreed.

Sections 2 to 5 agreed.

Section 6 as amended agreed.

Sections 7 to 11 agreed.

Section 12 as amended agreed.

Section 13 agreed.

#### **Section 14**

**MR. R. KATZMAN (Rosthern):** — Mr. Minister, plans where an actuary has said there are insufficient funds for one reason or another, will they be calculated into the 25 per cent of the drawable allowed? When someone leaves, a plan is short of funds; some employers don't put their funds in, they use the fall-in from another employee who left (that 50 per cent), or call it that portion. Will this be backdated or how do you handle it?

**MR. SNYDER:** — Mr. Chairman, I think the bill is clear on that, regardless of the fact that there may be at a particular point in time some unfunded liability. The employee who terminates is entitled to take from the fund 50 per cent of his contributions. That will be regardless of any unfunded liability. I trust that answers the question.

Section 14 agreed.

The committee agreed to report the bill as amended.

**HON. G. MacMURCHY (Minister of Agriculture):** — Mr. Chairman, I wonder if we might call The Coroners Act next. We have outside Dr. MacMillan, who is on contract. He has been here three times and he has patients to go to. I think perhaps we could wrap this one up for his benefit. Call The Coroners Act and then we'll go back to the regular list.

#### **Bill No. 98 — An Act to amend The Coroners Act**

Sections 1 to 4 agreed.

Section 5 as amended agreed.

Section 6 agreed.

The committee agreed to report the bill as amended.

**Bill No. 59 — An Act to amend The Public Libraries Act (No. 2)**

Sections 1 to 5 agreed.

The committee agreed to report the bill.

**Bill No. 80 — An Act respecting Saskatchewan Grain Car Corporation**

**Section 1**

**MR. E. A. BERNTSON (Leader of the Opposition):** — Mr. Chairman, during the course of debate in second reading we indicated that we will and do support the fact that we need some hopper cars in Saskatchewan to get the grain moving from Saskatchewan. We do have some concerns, however — if the Attorney General would quit interrupting I'll show him how we can get through these bills in an awful hurry.

My first concern, which was pointed out earlier, is why a Crown corporation? I think that's been answered. It's to avoid public scrutiny and to bolster your otherwise humble and feeble heritage fund.

Section 2, I have some concerns with section 3(2) which reads:

(2) The corporation is to consist of those persons who may be appointed by the Lieutenant-Governor in Council.

I'm sure the minister will answer this question when I sit down — how many? There's no mention of how many will be on the board. We go then to section 7(1). It says head office appropriation is to be situated any place in the province. I would ask the minister, where is it? The corporation may establish branch offices. I ask the minister, why? What are you getting into? Are you starting a new railroad business? Are you going to have stations along all the sidings that there were a few years back?

Then we get to the method of appointing directors. This is not unlike any other bill you've brought before this House, but it still doesn't make it right. Your directors appointed in this way, are nothing more nor less than an extension of the political arm of the New Democratic Party. They should be properly elected from the farm organization to the commodity groups which are affected by such a corporation. I know I'm beating away on deaf ears to suggest that, but it's a concern of ours.

Section 10 deals with employees of the corporation. A question to the minister, if the corporation . . . (inaudible interjection) . . . You should maybe look into that. You'll maybe have something — the PCBs around town need to be taken care of. How many employees are you looking at? You've indicated the purpose for the corporation is to manage \$55 million worth of railroad cars. You've indicated that you'll be contracting with the existing railroads for maintenance on those cars. So, how many employees will you be needing and what sort of payroll will we be looking at?

Then we get to the powers of the corporation. It says, to acquire by purchase, lease, or otherwise, railway rolling stock suitable for the transportation of grain and other products. Now this is quite a step from the old news release that came out last October, or whenever it was, when the government in its generosity announced that in the interests of enhancing transportation in Western Canada, particularly in Saskatchewan, and in order to get the grain moving, it was going to spend \$55 million on grain cars. Now, the way the legislation is written, it can rent, lease, buy, beg, borrow, steal, anything it wants to, to get anything moving. It could be hauling potash, uranium, scrap iron, whatever you like. It's called the Saskatchewan Grain Car Corporation. And everything charged against this corporation is going to be looked upon as a handout to the farmers. I think that's wrong. Perhaps the Minister will explain why all these extra powers are needed in the corporation.

Then we get to the greatest puzzlement of all — section 17. Borrowing power limited to \$200 million. You've already said it's a \$55 million cost to get these cars on stream. When we get to section 17 I'm going to move an amendment to change that to \$55 million, because we're talking about all of these dollars going in to help move grain, but you have provisions to move everything from scrap iron to uranium. The farmers are going to be charged with that subsidy, so to speak, anyway you look at it; and I think it's wrong.

When we get to section 17, I'll be moving that amendment and I'm sure the minister in his co-operation will pass it. With those few brief remarks, and a little explanation from the minister, I'm sure we'll get this bill through in a hurry.

**HON. G. MacMURCHY (Minister of Agriculture):** — I'll answer by saying there are presently four people on the board of directors: Mr. Cowley, Provincial Secretary; John Sadler of CIC; Marj Benson (who is here with me now), executive director of the transportation agency; and myself. We anticipate about seven directors. We anticipate going outside of government on representation on the grain car corporation board of directors once we are more operational. And they will be representative of farm organizations. I don't see a problem there — roughly seven members.

How many employees? I think that was the next question. We just can't answer that question at this point in time because we have not finalized in detail the agreement with CN and CP on administration of the cars. Those negotiations are going on at the present time. I've indicated to you and to the hon. members in the House that former Chief Justice Hall is heading up those negotiations. They are simply not complete at this point in time. We just don't know. The head office presently is the city of Regina. We have not made any firm decision on where the head office would be. I think that's subject to the number of employees. I think you would obviously look at head office located close to or in the vicinity of a railway centre, and one can turn to Moose Jaw or Melville as examples.

With respect to the use of the cars, I think we indicated initially that we saw possible use of the cars for the movement of potash on an exchange basis. The reason for the legislation going beyond that, as the hon. member points out, is that it may well be a decision will be made to make the cars available for the movement of rape seed, meal and oil. We've already had a request of that nature directed to us from the rape seed crushing industry, or the canola crushing industry as it's called now. We've not made any decision. But I point out to the hon. member that Government of Canada cars have

been leased to the canola industry and I think we should leave that option open. I think the hon. member will agree to that. Also, there's a growing pulse crop industry developing in the province — peas, lentils, faba beans — and it may well be that we will want to use those cars for that kind of movement as well. I think we should leave our options open to respond to such requests.

With respect to the \$200 million, I think if the hon. member will check the legislation setting up Crown corporations, this is a more or less standard provision, and it's in the majority of Crown corporation legislation. Really it's four times current borrowing needs, and four times is standard. I think with that perhaps we can debate it further when the hon. member moves his amendment.

**MR. BERNTSON:** — I accept most of what the minister has said as it relates to rape seed, meal and pulse crops. But if that were the reason this legislation was drafted the way it is, wouldn't it have been a lot easier to call it the Saskatchewan commodity car corporation instead of the Saskatchewan Grain Car Corporation? You would eliminate a lot of extra clauses and the grain farmers of Saskatchewan wouldn't be perceived to be the only benefactors of the \$55 million.

**MR. MacMURCHY:** — I think, Mr. Chairman, the name is in order because that's the purpose of the cars. We have indicated the cars would only be made available for the movement of potash in an off-peak period. That's the case with the other commodities. These cars are to move grain under the jurisdiction of the wheat board, and grain under the jurisdiction of the wheat board are the six grains — wheat, oats, barley, rye, flax and rape seed. So those are what the cars are for and I think that's standard in Crown corporations legislation.

**MR. R. L. COLLVER (Nipawin):** — Mr. Chairman, I would like to ask the minister if he has made any commitments to buy the cars at this moment in time?

**MR. MacMURCHY:** — Yes.

**MR. COLLVER:** — At this time, how much money has the minister committed the Government of Saskatchewan to?

**MR. MacMURCHY:** — I don't know whether I can give the hon. member the exact figure but I think I can provide for him (and I think I tabled in the House on a question from the Leader of the Opposition) all the material relating to the purchase. The purchase was confirmed in a letter to the Canadian Wheat Board, October 4, 1979. I think that information is available to the hon. member from the Assembly. I don't think I need to table it again.

In terms of a round figure, I would say \$55 million.

**MR. COLLVER:** — Mr. Minister, am I correct in saying that the hopper cars which you are committed to are similar to or larger than the hopper cars committed to or owned by the Government of Canada; and am I correct in assuming that these cars which you are committed to buying require a certain standard of track before they can be utilized by the railroad?

**MR. MacMURCHY:** — Mr. Chairman, the cars are the standard hopper cars. They will be the same approximately; there are some different specifications, but they are the same approximately as the Government of Canada cars and the Canadian Wheat Board cars.



I report to the hon. member that the engineering for the cars is a contract with the railways and the specifications are laid out by the two railways. They do the engineering and the supervision of the construction of the cars.

**MR. COLLVER:** — The reason, of course, that I ask the question about the cars and the amount committed by the Government of Saskatchewan is that the minister will be aware that the Canadian Pacific Railway has now withdrawn its commitment to upgrade its track through the interior of British Columbia. Without that upgrading and repair, the minister will be aware that some of these heavier cars will no longer be able to travel safely on that track. Now, what is the minister thinking of in terms of that particular problem, in committing \$55 million of the people of Saskatchewan's money? And in answer to a question I asked the minister in this Chamber some week or two ago about the move by the Canadian Pacific Railway to cease its reconstruction of track in central British Columbia, what is the minister doing by having these cars, if we don't bring pressure on the CPR to upgrade that track in central B.C.? These cars will not be very useful to the wheat board or to the Government of Canada or to the Government of Saskatchewan's new Crown corporation. So I ask the minister again, in light of this bill, what pressure do you intend to bring on the Canadian Pacific Railway to continue upgrading its track in central British Columbia?

**MR. MacMURCHY:** — Well, Mr. Chairman, I believe grain is moving in hopper cars, Government of Canada hopper cars, to the port of Vancouver over the Canadian Pacific main line at the present time. I would assume that our cars will move down the same track. With respect to the issue raised by the hon. member, I report to him that a meeting of the four western ministers responsible for transportation is taking place in Vancouver on June 3 with the federal Minister of Transport. The subject of CP's position will be addressed at that meeting, and will be addressed with the responsible government present, to indicate our concern about that and to ask him what position the federal government intends to take with respect to CP's position.

**MR. COLLVER:** — I hope that the Attorney General is not attempting, through his interjections, to suggest this isn't one of the most serious problems presently being faced by western Canadian farmers and by the governments of Manitoba, Saskatchewan, Alberta and British Columbia, and by the Government of Canada. I have listened to many speeches on the part of the Attorney General of this province stating that these corporations are irresponsible, and in the vast majority of occasions I have disagreed with him, but I can assure the Attorney General today that this is one occasion when the irresponsibility of the Canadian Pacific Railway has got to be upfront, in front of the legislatures and the governments of this land. So I hope his interjections are not attempting to prevent the people of this province and the rest of Canada from understanding that the CPR must not be allowed to get away with that. May I ask the minister . . . (inaudible interjection) . . . Well, one of the members interjects again, take them over, maybe. How about that? Perhaps if members of this government started to use their heads, they wouldn't have to do so much takeover and waste the people's money. They could perhaps use their heads to bring enough pressure on these corporations to make them act responsibly.

I ask the minister responsible, are the governments of Manitoba, Saskatchewan, Alberta and British Columbia reasonably — and I know you're not always ad idem with them — ad idem with reference to this issue?

**MR. MacMURCHY:** — Mr. Chairman, I have not had an opportunity to discuss the issue with the respective ministers since the announcement of CP, I think the hon. member

will know that, as well as the government and all members being busy here, they are busy in their respective legislatures as well. I will report . . . I'm sorry, Mr. Attorney General, they're wrapping up. In terms of procedure for the meeting, the plan is for the western ministers to sit down to discuss positions we'll be taking collectively prior to the meeting on the third. Such a meeting of the western ministers will be taking place in Victoria on June 2.

**MR. COLLVER:** — Will you give this Assembly and the people of Saskatchewan and more particularly the farmers of Saskatchewan your absolute assurance that you will take, in the strongest possible terms, the feelings of the people of this province and of this legislature that corporations must not be allowed to use their trust to blackmail the people into making decisions they wouldn't otherwise make? Will you take that in the strongest possible terms?

**MR. MacMURCHY:** — Mr. Speaker, I don't think there's any problem, so far as the government is concerned, in taking the position as strongly as we can with respect to the actions of both railways, in terms of not equipping the system. To use blackmail or to hold up the movement of grain and the income of western farmers (particularly Saskatchewan farmers, who are involved in 65 per cent of the export grain), is just a tragic kind of situation. I'm pleased to have the support of the hon. member for Nipawin in this position that CPR is blackmailing. I'm sure the hon. member for Souris-Cannington, the Leader of the Opposition, takes the same position.

Sections 1 to 12 agreed.

Section 13 as amended agreed.

Sections 14 to 16 agreed.

### **Section 17**

**MR. BERNTSON:** — Mr. Chairman, the minister, when he was responding to my initial comment on this particular section, said something to the effect that this is a standard procedure to set the borrowing power, the borrowing limit, at some place around four times the current borrowing needs. It may be standard, but it doesn't make it right. That's what this place is all about — grievance before supply — and I think it properly should come before this legislature before borrowing power is kicked up to four times current borrowing needs. In fact, last October when you set this corporation up, you did it by order in council, without coming before the legislature. The first \$55 million, as I understand it, was spent without the authority of this legislature. It may well be that you need \$200 million at some point down the road. But I think it's only proper that that need, when it does arise, is brought before this legislature to be voted on. I would therefore move, seconded by the member for Rosetown-Elrose (Mr. Swan):

That section 17(1) be amended by substituting \$55 million for \$200 million where it appears in the fifth line.

**MR. MacMURCHY:** — Mr. Chairman, I don't know what I can add to what I have already said in the opening remarks with respect to this. I think the amendment would be example impossible. There could conceivably be cost overruns which would prevent completion of the arrangements. I indicated to the hon. member for Nipawin \$55 million. I report also to the hon. member that in case of write-off cars, and we unfortunately do have derailments and the loss of cars, (in fact one of our worries is the

level of loss), the insurance as provided under existing railway arrangements does not provide for replacement at cost of car but at depreciated value. We would have to return to the Legislative Assembly in order to replace a car in that given situation.

I want to also indicate to the hon. members opposite that one of the items to be discussed on June 3 is, what is the policy of the federal government with respect to solving the grain handling and transportation problems facing western Canada? Is it to implement the Hall report which provides an operating vehicle as a solution? Or is to continue what has been started and that is a capital approach as a solution? The Attorney General points out that the former minister of transportation (Hon. Don Mazankowski at that time) took the capital approach contrary to the operating approach.

We were involved in an arrangement with the federal government of that day to purchase 1,000 cars. They were purchasing 2,000 cars. The Government of Alberta was purchasing 1,000 cars. So we embarked on a capital approach as the solution to grain handling and transportation problems. Now is that going to continue under the new federal government? I think that's one of the questions we will be addressing to the new Minister of Transport in Victoria on the 3rd. I therefore think we need some flexibility in the existing legislation, and ask hon. members to oppose the amendment.

Amendment negatived.

Sections 17 to 23 agreed.

The committee agreed to report the bill as amended.

**Bill No. 100 — An Act to provide for the Establishment of the Doukhobors of Canada C.C.U.B.  
Trust Fund**

**Section 1**

**MR. E. A. BERNTSON (Leader of the Opposition):** — We indicated during second reading that we would be supporting this bill, and of course we will in committee of the whole as well. But I just want to express and congratulate Mr. Ted Walters for his efforts in bringing a very difficult problem to resolution, and I think that he deserves the credit of all the House. That will be our only comment on this bill.

**SOME HON. MEMBERS:** — Hear, Hear!

Sections 1 to 11 agreed.

Section 12 as amended agreed.

Section 13 as amended agreed.

Section 14 to 18 agreed.

Section 19 as amended agreed.

Section 20 agreed.

The committee agreed to report the bill as amended.

**Bill No. 107 — An Act respecting the Assessment of the Impact on the Environment of New Developments**

Section 1 to 28 agreed.

The committee agreed to report the bill.

**Bill No. 106 — An Act to establish Ecological Reserves**

Section 1 agreed.

Section 2 as amended agreed.

Sections 3 to 11 agreed.

The committee agreed to report the bill as amended.

**Bill No. 78 — An Act to amend The Provincial Lands Act**

Sections 1 to 5 agreed.

The committee agreed to report the bill.

**Bill No. 114 — An Act to amend The Department of the Environment Act**

**Section 1**

**MR. G. S. MUIRHEAD (Arm River):** — Mr. Chairman, I want to congratulate the Minister of the Environment for this bill and the reason I want to congratulate him is because it is my bill. I'm going to read it to you out of Hansard one year ago. Now just listen very carefully and I thank you Mr. Minister for listening to the critic of environment.

Mr. Muirhead: — A new bill should be brought before the legislature to allow the Department of the Environment to take immediate action in the case of environmental hazards, be they on land, water or the air, without first having to consult the Attorney General's Department to figure out under which act he can intervene.

Well now, I just thank you very much. The only thing I've got to say is that you are one year too late.

Section 1 agreed.

Sections 2 to 5 agreed.

Section 6 as amended agreed.

Section 7 as amended agreed.

Sections 8 to 11 agreed.

The committee agreed to report the bill as amended.

## **Bill No. 99 — An Act to establish the Department of Rural Affairs Act**

### **Section 1**

**MR. R. H. PICKERING (Bengough-Milestone):** — Mr. Chairman, I just have a couple of short questions on this bill. I think the SARM (Saskatchewan Association of Rural Municipalities) throughout the province was kind of concerned if the staff you would place in your planning department would be rurally oriented. I would like to ask you if they really are, and if they came from the Department of Urban Affairs and were working in the rural affairs area at the time of the split?

**HON. E. E. KAEDING (Minister of Municipal Affairs (Rural)):** — Mr. Chairman, we are just in the process of assembling the staff for the planning division so we don't as yet have the staff fully mobilized. But we are making an attempt in our mobilization of the staff to get rurally oriented planning people as much as we can.

**MR. PICKERING:** — Well do you have an assessment, community planning branch and an accounting branch, etc., all set up now? I notice in the new government directory that you are listed. Are all employees in place?

**MR. KAEDING:** — Not in the planning division. We still have one or two placements to make there.

**MR. PICKERING:** — Within the two departments, now that you have split them, what size of an increase has there been for the two departments?

**MR. KAEDING:** — Mr. Chairman, I can't identify who is in urban affairs, but we have in the new division 10 new people so far as our department is concerned. Out of those seven have come to us from urban affairs. At least seven positions, not necessarily seven people. So there really are only three new positions in that planning division.

**MR. PICKERING:** — Mr. Chairman, since the split last July, about all I have to say further on this is, when the bill receives royal assent, I would congratulate the member for Saltcoats on becoming the new Minister of Rural Affairs.

**SOME HON. MEMBERS:** — Hear, Hear!

Sections 1 to 8 agreed.

Section 9 as amended agreed.

Sections 10 to 25 agreed.

The committee agreed to report the bill as amended.

## **Bill No. 115 — An Act to repeal The Local Improvement Districts Act**

Sections 1 to 3 agreed.

The committee agreed to report the bill.

**Bill No. 116 — An Act to repeal The Local Improvement Districts Relief Act**

Sections 1 to 3 agreed.

The committee agreed to report the bill.

**Bill No. 74 — An Act to amend The Election Act**

Section 1 agreed.

**Section 2**

**HON. R. J. ROMANOW (Attorney General):** — Mr. Chairman, on The Election Act there is an amendment. I would ask the learned Clerk to distribute a copy to the opposition. The amendment was requested by the opposition. It does two things.

One, it makes sure that an election is not called on a Saturday or a Sunday or a holiday. The second thing that the opposition wanted to do was to make sure on the advanced voting polls that there would be five consecutive days. The bill wasn't clear about that.

We have produced these amendments which we are advised should do the job in those two areas. Mr. Taylor, who made the criticism, said if we do that then we can let the good times roll on this bill.

Section 2 agreed.

Sections 3 and 4 as amended agreed.

Sections 5 to 7 agreed.

The committee agreed to report the bill as amended.

**Bill No. 19 - An Act to amend The Department of Northern Saskatchewan Act**

**Section 1**

**MR. L. W. BIRKBECK (Moosomin):** — Mr. Chairman, I want to ask the minister if he feels that it's appropriate for him as minister to have the authority to make grants as it sets out in the new Section 5.01 'to any person, agency, organization, association, institution or any other body.' I mean that covers a pretty broad scope of people. And you only have to go to the Lieutenant-Governor in Council to get permission to spend in excess of \$10,000.

I want to just put that question very simply to the minister. Do you feel that is democratic, that it's a proper route to take in a province esteemed by the whole nation, as a matter of fact, as being quite democratic and having one of the most superior parliamentary systems known in this country, maybe equal to those around the world? Certainly, Mr. Chairman and Mr. Minister, it seems those are awful dictatorial sweeping powers that have been placed under your responsibility, which is a questionable thing at this point in time. It is something that we may get cleared up later on in the session, but certainly, at this point in time, it is a very questionable thing. I'm just wondering if you support that type of legislation, if you're wholeheartedly behind that particular aspect of Bill No. 19?

**HON. J. A. HAMMERSMITH (Minister of Northern Saskatchewan):** — Yes, Mr. Chairman, I think it's appropriate. It's not inconsistent with similar legislation that exists in other departments, for example the Department of Social Services, the Department of Health, the Department of Municipal Affairs, the Department of Education, the Department of Continuing Education, all of which legislation the Minister of Northern Saskatchewan has responsibility for in the northern administration district. The authority gives the flexibility in terms of dispensing funds that are voted by the legislature under programs for which the funds are designated. It's not in any way dictatorial, nor in any way inconsistent with practices in other departments. It simply speeds up the process in terms of community organizations like day care societies, family service organizations, alcohol rehab centres, recreation boards, community health boards and the like.

**MR. BIRKBECK:** — Well, Mr. Chairman, what grants to date have you made under the provisions of legislation similar to this? This amendment is basically just increasing the amount of money that you can grant under these provisions. What grants have you made? Give me some of the major ones, organizations, groups and individuals, up to this date. Do you have any in mind, just off the top of your head?

**MR. HAMMERSMITH:** — I can't give the member a comprehensive or accurate list, but I would use as an example the La Ronge day care board, the Pinehouse day care board, the Ile-a-la-Crosse alcohol rehabilitation centre, the Sandy Bay alcohol rehabilitation centre, recreation boards in practically all communities in the North. Those are examples. I can't give the hon. member the specific amounts and dates. If he wishes that information, wishes a comprehensive list, I'd be pleased to supply it to him.

**MR. BIRKBECK:** — Just so that I may have some clarification on that, Mr. Chairman, I would ask the minister to give me a comprehensive list up to today or yesterday, within the last week. It would suffice that I have a list of the grants made up to the present date. I would just ask that he confirm that at this point.

**MR. HAMMERSMITH:** — We can't give you that list today, but I can supply you with a list for the preceding fiscal year if you like. The point being that at this stage all such grants, whether they're \$100 or \$15,000, must be processed through order in council. That sometimes causes a delay and significant inconvenience for community organizations and groups.

**MR. BIRKBECK:** — Year end? Commence the year end?

**MR. HAMMERSMITH:** — Just '80.

**MR. BIRKBECK:** — Can you give me any figures at all from March 31 to date?

**MR. HAMMERSMITH:** — To the best of my recollection there have been none. Certainly we'll try.

**MR. BIRKBECK:** — Basically you're saying, there haven't been any since March 31 to date. If there are any, then it's agreed that you're going to forward that particular information to me, notwithstanding those few which may be held up because of the regulations through order in council. I'm just getting that clarification, Mr. Attorney General; I want to be sure we have things straight here.

I'm concerned as well, Mr. Minister, with the regulations which are attached. If you'd hold that book down, Minister of the Environment, so I can see the Minister of Northern Saskatchewan, he's more attractive than you, and I would appreciate it. I ask that the minister respond to my particular concern as it relates to the regulations. Are the regulations quite different, or are there minor changes in the regulations as they relate to the specific grants which are given out — regardless of who it may be, groups or whatever the situation? Are the grants more or less the same, or are they quite different in some cases?

**MR. HAMMERSMITH:** — I think there wouldn't likely be any great differences; it's just a matter of being able to speed up the process.

**MR. BIRKBECK:** — Mr. Minister, I want to give you a scenario. I know it's difficult to answer hypothetical questions. But I think that certainly anyone making a request to you as minister, (not really to your department, but you as minister who has the almighty power to decide who gets the grant and who doesn't) if an individual, or a group of individuals, were to apply to you as minister for a grant to do research in northern Saskatchewan for the benefit of northern Saskatchewan residents, would that be a worthy request?

**MR. HAMMERSMITH:** — Mr. Chairman, I think that the request would have to be considered on its individual merit. If it fell within the policy program and regulation guidelines, and if all the other factors governing the eligibility for a grant of a specific type were met, then I suppose it would qualify and the grant could be given. As the member states, it's very difficult to say, yes or no, to a request like that. The department would consider each individual application on its merit in the context of the authority provided to the department.

**MR. BIRKBECK:** — Mr. Minister, notwithstanding the fact that it would be most appropriate in terms of alleviating the heavy costs that I will be incurring this summer as I tour northern Saskatchewan, certainly a grant from your department, or rather from you as minister, (so that I might better research northern Saskatchewan) might be quite a benefit to me. We understand, of course, that would be a conflict of interest. So I suppose I'll have to rely on the minister's generosity in letting me know when he's taking a flight from point A to point B in northern Saskatchewan. Possibly I could be so fortunate as to be in the right location and get a flight with him and get a briefing enroute, if I may put it that way, Mr. Chairman.

Well, they're going to find me, Mr. Attorney General. I'll wear a coat like the Minister of Telephones to be sure I'm well seen.

Mr. Minister, in another vein, would groups or individuals promoting local government and local autonomy in northern Saskatchewan for northern Saskatchewan residents be eligible for a grant through your office under this particular amendment to the bill?

**MR. HAMMERSMITH:** — Well, I say to the hon. member, it is very difficult to answer



without knowing what groups, what the project is, what the application is, for what purposes, does it fit, and all the rest of it. But I might say to the hon. member, in response to his earlier suggestion, that in the vast majority of cases one must qualify as a northerner as defined under The Northern Saskatchewan Economic Development Act and that is someone who has lived half his life or 15 years in the northern administration district. And although it would be interesting to entertain an application from the hon. member for Moosomin for the research he proposes, I think it wouldn't qualify under our existing legislation.

**MR. BIRKBECK:** — Mr. Chairman, I won't say anything further on that except as I said I may have to accept one or two of your offers in terms of a flight. I suppose, Mr. Chairman and Mr. Minister, the major concern I have and in fact the only concern I have with Bill No. 19 has been more or less answered through my line of questioning. I've given you some examples asking who would be eligible. In all cases I got the same reply that well, I don't know, each case is different. We would have to look at the application to review it and then we could decide who would qualify and who wouldn't. And that's basically my concern. You as one individual in this society, in this whole province of Saskatchewan, have the sole power to distribute funds under this act. You, in your own judgment, are going to decide who is qualifying and who isn't. I just say, and I won't belabour the point in this bill, that I feel definitely those are unnecessary powers for any one individual in our society or for that matter any government in society. I think surely a bill of this nature, where I'm sure the funds, generally speaking, are going for good purposes, could come before the legislature. Heaven only knows, we sit here long enough to approve the said expenditures.

You could have a committee that each year (and I throw this out as a suggestion, as an alternative that the Progressive Conservative Party as government would propose and would have in place) would take a look at the kinds of requirements and funding requirements that are necessary in northern Saskatchewan. They would make a recommendation to the minister of the Progressive Conservative government, who in turn would put that proposal before the legislature for debate, so that all regions of the province of Saskatchewan are fairly represented in approving the funds for a particular region, northern Saskatchewan as it is in this case. I think that would be a far more accepted way of doing things and I think it could be just as efficient.

We're having to approve this bill in the legislature today and I think the money would still arrive in northern Saskatchewan in the same kinds of places, wherever it's most needed. But it would at least give all members of the Assembly an ample opportunity to discuss whether or not it was a fair request, rather than leaving it in the hands of one person. That's basically my argument with regard to Bill No. 19 and with regard to the total bill. That's all I really have to say. Thank you, Mr. Chairman.

**MR. HAMMERSMITH:** — Mr. Chairman, I would just like to point out to the hon. member that several such committees exist. Predominant is the committee of finance, in which the funds for these purposes are voted, in which there is opportunity to question the proposed designation and uses of such funds. Another committee is the public accounts committee and in the public accounts book all grants are reported and recorded. There is again opportunity to ask those questions. I think it's not accurate to suggest this bill would put into the hands of the minister a pot of money which he would be out there distributing at will. I think that it is well accounted for through the various committees of this House.

Section 1 agreed.

Sections 2 to 5 agreed.

The committee agreed to report the bill as amended.

**MR. CHAIRMAN:** — We are in the House's hands now. Do we pack up for 5 o'clock? It now being 5 o'clock I leave the Chair until 7 o'clock this evening.

The committee recessed until 7 p.m.