

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Second Session — Nineteenth Legislature

Monday, June 16, 1980.

EVENING SESSION

COMMITTEE OF FINANCE – PUBLIC SERVICE SUPERANNUATION BOARD – VOTE 34
Item 1

MR. R. KATZMAN (Rosthern): — Mr. Minister, is this the group that supervises all the pensions for the public service and the private area or just the public service?

HON. W.A. ROBBINS (Minister of Revenue, Supply and Services) — Mr. Chairman, perhaps I should have introduced Mr. George Todd, who is the chairman of the public service superannuation board. This deals only with the public service superannuation board; that is public servants of the government.

MR. KATZMAN: — Do we know what our unfunded liability is?

MR. ROBBINS: — It is in excess of \$1 billion.

MR. KATZMAN: — Would you have a breakdown — how much for government; how much for teachers' pensions or are teachers' pensions not in this particular group? And all the other ones that you say — if we're \$1 billion short . . .

MR. ROBBINS: — We secured actuarial studies at different times. The figure I quoted is just for the public service superannuation board. The last one I saw on the teachers was in the range of \$800 million or more, but that was taken back a couple of years ago.

I maybe should just say a word, Mr. Chairman. Perhaps the members do fully understand it, but the unfunded liability, at any given time, really maybe doesn't mean that much. It depends on how many of those people remain in the service of the employer. If they leave and withdraw their equity, the unfunded liabilities disappear. It's rather staggering to see the growth with respect to the inflationary trends of the unfunded liabilities of defined contribution-type funds.

MR. KATZMAN: — Mr. Minister, after (I'm not sure of the date) 1978 or '79, the unfunded liability with all new employees will not develop because we're on a cash purchase system. Am I correct? That's right? Then I think it was 1978 or so, we passed a motion that all new employees were on a cash purchase system, so therefore there's no unfunded liability there.

MR. ROBBINS: — You're thinking of the public employees' pension fund, which is separate from the public service superannuation board. The first one, the public service superannuation board, is a defined benefit plan which pays employees 2 per cent times the best five earning years, times the years of service. We do not have every per cent. . . . (inaudible) . . . half of those people until they get to retirement in many instances, or not long before that, and that's why you build up the large unfunded liabilities.

The other fund, which is the matching locked-in invested-type deal, after three years, has some \$30 million in it at the present time.

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MR. KATZMAN: — On the other fund, the employers' portion, if they're not affected by the ten years or 45-year age clause or the new bill we passed, what happens with the money the government contributed to equal shares if somebody pulls out?

MR. ROBBINS: — The three-year lock-in clause is far and away ahead of The Pension Benefits Act proposed and therefore it takes precedence. Nothing happens if the individual has \$5,000 of his own and \$5,000 of government locked in; it's simply locked in for pension, until he selects to take it at age 55 or over.

MR. KATZMAN: — In the first two years, if he goes out, he gets his portion back and the employer normally gets back his portion. What do you do with that portion of funds?

MR. ROBBINS: — It stays in the fund.

MR. KATZMAN: — O.K., if that stays in this fund, which is a cash purchase fund, what is the purpose of it when each employee only gets a pension based on what he puts in and your matching portion plus the interest it gains? Shouldn't it go to the unfunded portion on the other plan?

MR. ROBBINS: — That's right; I'm wrong. In the first three years it's returned both to the employer and to the employee who leaves.

MR. KATZMAN: — So any employee who stays less than three years gets his portion back. You get your portion back; they get their portion back. In an unfunded pension, as on the other side, the money would stay to accrue to the benefit of those employees who will be getting benefits at the end so as to lessen the unfunded liability. Am I correct?

MR. ROBBINS: — Yes, I think it's fair to say that the defined benefit plan is more related to the theory that pension is a reward for long service. If an employee leaves withdrawing his own equity, any liability the employer had is either saved because he hasn't put in any money, or conversely, somewhere along the line the money can be used to pension the person who does get to pension in that pension fund. The real problem in defining the benefit-type pension plan is that the vast majority end up with no pensions at all. They leave, withdraw their equity, and the unfunded liability disappears.

MR. KATZMAN: — Mr. Minister, you and I, I suppose, could get into a debate on the philosophy of pension plans for a long time and probably spend the evening at it. We've done it many a time in the past in your own home, when I was with CUPE (Canadian Union of Public Employees) and was in their pension plan, and since. But do you have any knowledge of what the total unfunded liability of the province of Saskatchewan would be in all the pension plans we actually back — for example, the teachers, which is not shown here, Sask Power or any of those other ones?

MR. CHAIRMAN: — I'm sure that question is interesting and one you might ask during question period, but it doesn't have a heck of a lot to do with the public service superannuation board.

AN HON. MEMBER: — Yes, it does.

MR. ROBBINS: — Roughly \$2.5 billion.

MR. KATZMAN: — Mr. Minister, do you have any responsibility in your portfolio for the pension plans of MLAs and so forth? What's the unfunded liability there?

MR. ROBBINS: — No, I do not.

MR. KATZMAN: — Mr. Minister, you have no responsibility for pensions in areas other than government? Am I correct? For example, private pensions? Is your department responsible for supervising them at all or is that strictly under the Minister of Labour?

MR. ROBBINS: — The Pension Benefits Act comes under the Minister of Labour. I have responsibility for the public service superannuation fund, the public employees' pension fund, and something to do with The Supplementary Pension Provisions Act which deals with acts which cover power, telephone, workers' compensation, liquor board and public service.

MR. KATZMAN: — You're saying in that group we have approximately \$2.5 billion unfunded liability? I'm done Bob, go ahead.

Item 1 agreed.

Item 2 agreed.

Item 3

MR. KATZMAN: — Is this just a nominal fee in here, Mr. Minister, or is it an actual?

MR. ROBBINS: — It's for a cost of living bonus – amounts payable to widows to provide a minimum allowance of \$100 a month up to age 65, and this amount is decreasing as those widows die off.

Let's say for example that the actual pension of a widow of a public servant is \$60 per month. We've raised it to \$100 per month now.

MR. KATZMAN: — This is just an approximation from past history but you think it's what you're going to need.

MR. ROBBINS: — It's something that we've done in the past and we've carried it on. Eventually it's going to disappear entirely.

Item 3 agreed.

Item 4 agreed.

Item 5

MR. KATZMAN: — Mr. Chairman, \$3 million – how much of that is rebate which you are approximating?

MR. ROBBINS: — It's provision for refunds of contributions and interest to employees who resign. It's unfortunate in my view; we pay out about 2,050 employees a year – over the last three years, an average of 2,000 or more a year.

MR. KATZMAN: — Those are employees with less than three years service?

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MR. ROBBINS: — The three years is related to the public employees' pension fund but the public service superannuation board is locked in at 10 years? No, they get a deferred pension.

No, the public service superannuation board has no lock in at all. A person could have 22 years then leave. Some of them are in that category of course so they withdraw their equity. It's a sad commentary on things that happen.

Item 5 agreed.

Items 6 to 8 agreed.

Vote 34 agreed.

PROVINCIAL SECRETARY – ORDINARY EXPENDITURE – VOTE 30

HON. E.L. COWLEY (Provincial Secretary): — Mr. Chairman, I would like to introduce Mr. Leo Beaudry, the deputy minister; behind him is Mr. Earl Saunderson, the superintendent of insurance and behind me is Mr. Phil Flory, the director of the corporations branch.

Item 1

MR. R.H. PICKERING (Bengough-Milestone): — Mr. Provincial Secretary, I realize this department is under my responsibility but I do not have any particular line of questioning. I wonder if we couldn't have some order, Mr. Chairman?

MR. CHAIRMAN: — Order, order.

MR. PICKERING — Seeing that the Provincial Secretary has introduced his staff, I would like to introduce my staff, the minister of truth over here to my right, the member for Arm River.

SOME HON. MEMBERS: Hear, hear!

MR. G.S. MUIRHEAD (Arm River): — Mr. Chairman, I am sure the Provincial Secretary will be very disappointed if I don't talk a little bit about cemeteries. I have a few more questions other than questions concerning cemeteries, but we will start out with the things I have prepared. I have a few words which I have prepared first; I will read that. Then I will go to the questions, Mr. Provincial Secretary.

We have before us the estimated expenditures for the Provincial Secretary for the period March 31, 1981, which I feel requires special scrutiny in view of the way moneys have or have not been approved for spending by this department.

I would like to review the past procedures which I have been able to scrutinize and I am open to correction or explanation if what I interpret has not been the practice. I would refer you to the expenditures of moneys in regard to cemeteries which, in some cases, are shown as advanced under The Cemeteries Act or advances to cemeteries in default.

Now, this is hard for me to understand, of course, as I am not a qualified accountant or an experienced financier like the Hon. Mr. Smishek, the Hon. Mr. Tchorzewski or the

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master financial wizard Mr. Fines. In public accounts during the period 1967 to March 31, 1970, when the previous Liberal administration was in office, there were amounts advanced to specifically named cemetery companies which, in my view, told the financial position, as far as government funds were concerned, very clearly. Also, Mr. Chairman, the previous administration told the Assembly the way it really was and the way the situation is the same today as far as commercial cemeteries being in default or in trouble is concerned.

The previous administration also faced reality when they sold three of the cemeteries on the basis that the government would pay one-half of the deficiencies in the trust funds and the purchaser would pay the other one-half. The reason for these deficiencies was twofold: (1) lack of proper legislation, and (2) failure of authorities to enforce legislation which was available to the CCF-NDP. There is where a lot of the problem lies in commercial cemeteries. There was an act passed in 1955 and in 1965 and they were amended in 1967. Mr. Provincial Secretary, if these three acts and the amendment had been kept in force, we would not today have cemeteries in default.

The government knew there was then (and is now) no possible hope that the so-called loans or advances would ever be paid back. So prior to 1971, they wrote off as a bad debt \$154,300. I suggest to you, Mr. Chairman, that the loans or advances made by the present government won't be paid back either. Why not tell it the way it really is?

Now, let us take a look at the accounting of the Provincial Secretary's department in respect to this one item, commercial cemeteries, from the period ending March 31, 1970 to date. Now in the estimates for the period March 31, 1981, I do not see any estimate in respect to what the department expects to spend during that period of cemetery problems. Why, Mr. Provincial Secretary? I want you to answer that when you get up. Why, in nine years of government, has there never been once that you have asked for a dollar in estimates, but always had it in supplementary estimates? I do see this year . . . (inaudible interjection) . . . Yes, it is, Mr. Chairman.

It is a coverup; it has to be a coverup. I do see where you'll be asking this Assembly tonight, Mr. Provincial Secretary . . . Sit there and laugh, but you are going to have to tell me tonight what you're asking \$46,000 up to the period March 31, 1980 for. You're going to have to answer me tonight why you're not asking for the next year. You know you're going to have to have money for 1981. Why is it not in estimates? I feel sorry, Mr. Chairman, for the Provincial Secretary because we . . . (inaudible interjection) . . . Oh, I do. The deputy minister sitting beside him knows the whole story on cemetery fiascos, but he neglected to inform the minister. This was proven the other night when we were talking about Bill No. 65. But I'm quite sure of the answers we'll get tonight, since his deputy is sitting with him and has been sitting in that position for quite a few years. He was there when the cemetery fiasco started. He is there today and he will be retiring shortly. I'm sure he wants to see this cemetery fiasco cleaned up once and for all so we'll get the story. There are a lot of people who want the stories on cemetery fiascos. A lot of people in this province want to know, but it has been hidden.

AN HON. MEMBER: — Underground.

MR. MUIRHEAD: — Underground, exactly. In view of what I've stated — correct me if I'm wrong — am I to assume that the cemetery problems, as far as the government expenditures are concerned, have been resolved with the approving of the \$46,000 and that the Department of the Provincial Secretary will not require any further moneys to be allotted in the period ending March 31, 1981? Is it all over with, Mr. Provincial

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Secretary? Now instead of one, you have two cemeteries, which you admitted yourself in Hansard. And when we were talking about Bill No. 65, you said you had two on your hands now. There's eight more to go and they're coming – the keys are coming, Mr. Provincial Secretary.

Mr. Minister, if the department still requires money to operate certain cemetery companies in this province as of today, this very date, why are there no estimate amounts shown specifically under advances (loan or whatever) in the estimates we have before us for the period ending March 31, 1981 for cemeteries? Mr. Provincial Secretary, I'll tell you why I think there are no estimates before us. I'll tell you in simple, straight layman's language why. It's because you don't want us to know. You don't want the press up there to know. You don't want the public to know. It's proof positive of the continuing coverup of a nasty, immoral situation which was allowed to be approved in the beginning by the now Premier. This all started by the now Premier of the province, when he was a civil servant in the securities commission, and his long time associate, the deputy provincial secretary, Mr. Beaudry, who after all was the late John Burton Sr.'s campaign manager. This situation was, and still is being allowed to go on, even after he became Premier. It has reached the point where not even the party defender, the Attorney General, the provincial secretary in 1971, and successive provincial secretaries have seriously attempted to resolve the problem.

You show me where, in the estimates of the years 1971 to date, moneys were regularly asked to be approved by this Assembly in the amount of \$196,150 for the operation of commercial cemeteries in default. I hope you are putting these questions down, because I'll be going back over them. I'm going to get answers tonight, Mr. Minister.

If the figures I have stated are wrong, prove to this Assembly and the public where they are wrong. I will be very happy to make the statement inside or outside this House that the cemetery fiasco is not as bad as I think it is now, or is going to be in the future. But Mr. Minister, regardless, it is a dirty rotten mess, given birth by your government. The moral and social responsibility to clean up this situation is just as great now, if not more so, than it was in 1965. I say to you hon. minister, tell us now before we proceed further into these estimates.

MR. COWLEY: — Mr. Chairman, I won't take very long with this. First of all, with respect to the procedure in the estimates, it's the same as was used going back as far as I can recall, even back to 1972, when I was minister of finance. We are eternal optimists. The cemeteries are always for sale. One doesn't know what the expenditures may be during the year, in reference to it being a coverup. If the member looked at the supplementaries, Provincial Secretary, Ordinary Expenditure, Vote 30 - item 3 – to provide for a grant under The Cemeteries Act, and cemetery companies in default, \$46,400 – it couldn't be much more clear than that.

I always hesitate to grace the member's misinformation with any response at all, but he made a comment the other day suggesting (it was an innuendo, I think is the proper description of it) the deputy provincial secretary had taken, or had received some trips from cemetery companies into the United States. I asked the deputy provincial secretary. He says at no time was he ever a guest of a cemetery company, or I guess, a cemetery. I think this is the kind of tactic used by the member for Arm River that is particularly despicable.

You know he mentions that Mr. Beaudry was Joe Burton's campaign manager. Well you

see, the member has his facts mixed up again. He was the returning officer for the constituency in 1952. I wish, Mr. Chairman, the member would get out of the mud, where he usually is, and perhaps ask some reasonable and responsible questions, or stay in his seat, because that's where he does the best, when he has his mouth shut.

MR. MUIRHEAD: — I am glad, Mr. Chairman, the Provincial Secretary brought up the statement I made in discussing Bill No. 65, because he said to go and ask your legal advisor, who worked for the Provincial Secretary's department for quite a few years, and maybe he will table some information. Now I did, Mr. Minister, I asked him, and he said what you should do is to call an inquiry. He will come into this House. Bring some RCMP into this House, bring some more people, who work in the Provincial Secretary's department, have them subpoenaed into this House, and straighten this mess out once and for all. Now that's a challenge to you Mr. Minister. That is a challenge. Don't you tell me, Mr. Minister, that I'm talking in the mud. When I'm talking about cemeteries, fiascos, you're in the mud. And when you're talking about estimates, Mr. Minister, don't you try to fool the press and the public. This is the only department, in cemeteries, which shows supplementary estimates and not something paid back through the years and doesn't show something in estimates. This is the only one; our researcher searched it out and cemeteries is the only one, and it comes from your department, Mr. Minister. Don't get up and say, fine and dandy, because it's not fine and dandy. If it isn't a coverup, why didn't you ask for that \$46,000 last year in estimates so the people here could ask you why. Now don't think you're going to fool me, because you're not; you're not fooling the members on this side of the House. I have another few remarks, but we'll leave this to the end because this happened to be the farewell speech for the deputy minister.

Can you tell me, Mr. Minister, why there were no figures? Now just answer directly. You have a habit (you did it a year ago too) of just getting up and saying, I won't waste the House's time answering the member for Arm River; we'll just go whoof, whoof, whoof right through it. That's all you want to do. I'll tell you tonight, Mr. Minister, we're not going to go whoof, whoofing right through this cemetery business! Why were there no figures of projected costs of operations in estimates of some of the other years from 1971 to this date, when your department knew full well moneys would be required for this purpose. I want a direct answer, no fooling around this time; I want an answer because this is the only department in the whole government that didn't ask for an estimate. Now, answer that question; I'm not going to leave it until I get an answer.

MR. COWLEY: — I explained, Mr. Chairman, to the hon. member that the procedure used with respect to the commercial cemeteries is that we annually come before treasury board, near the end of the year, to give them what we've spent and it comes forward in a supplementary estimate. It has been done that way for 10 years and I propose, given the responsibility, to do it for another 10 years the same way.

MR. MUIRHEAD: — Well, I guess we're going to have to get into history because he doesn't want to give us any information. I'll have to give you some history myself. Let's start right out here. In 1965, there was an act, and you know very well that this act was brought in by the last government. And this act says 15 per cent from sale of plots was to be set aside in irrevocable trust for perpetual care; 35 per cent for sale of goods, services, opening and closing the grave, cornerstone, markers — in trust until required.

Now, this is where your sloppy government and your sloppy legislation failed. Why are cemeteries in default? Because you never saw to it that the act was kept. You know right well why Weyburn and Moosomin went belly up; it's because they were in default and

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default means they have not kept up what the law says . . . (inaudible interjection) . . . There's a bark from the Minister of the Environment. In 1973-74 your government put an amendment in; they changed this 15 per cent and 35 per cent to 50 per cent from sale of goods and services which must now be set aside. Now why did you not insist on that. Mr. Chairman, if the Minister of the Environment wants the floor – he seems to always be yapping away when anybody is talking on our side, he always seems to be yapping away.

Let's go back, Mr. Minister, to 1955, to the example of the cost of a marker, a vault, an opening and a closing of a grave, and you'll see why we have problems in Saskatchewan today. A marker cost \$150, a vault cost \$100, opening and closing cost \$50. This totals \$300. In 1980 what is it? The minimum cost of all this is approximately \$1,000. There is no sense contradicting me because I have phoned all the owners of the provincial commercial cemeteries. Now I might be out a little bit but it is approximately \$1,000 to supply what those people bought back in the '50s. This is why they are in default. Today the cemetery owners cannot supply those goods or services that were given and paid for.

I'll tell you some more of the problems you have. Legitimate operators having a difficult time, unable to supply required services were: W.A. Jones and Son, Moose Jaw; Sallows and McDonald Funeral Home, North Battleford. The above two firms purchased businesses by putting up 50 per cent of the funds in default, and the government put up the rest of advances to companies in default. Now the government prior to yours could see there was no way they could pay the money back. So they had to write it off. Why do you consistently give handouts to the hack down in Weyburn? Why do you do that? You said here the other day there was no money made, that the person who runs the cemetery in Weyburn doesn't get a dollar for himself.

Well, I'll tell you, you better phone or write the other nine commercial cemeteries (or eight now), because they are not very happy about the handout to the operator at Weyburn commercial cemeteries. One of them said, I'm going to throw in the key because I think I would like to get that \$5,000 or \$10,000. I read to him where it is \$46,000 this year, a total of one hundred and some dollars in the last three years since he's been there. There never was money before until this man, who is there now, took over. These people said, well, you just tell Mr. Cowley he's going to have eight more keys. Then you're going to see what kind of a problem you've got publicly in this province. You're getting them. They're coming all at once on top of you. But you say, oh, there's no problem.

Back in the early days, Mr. Minister, cemetery business was a good business to be in – 800 plots per acre, \$100 a plot. If 15 per cent of these sales had been set aside, it would have created a prepaid heritage here. The prospectus of each of these memorial gardens was approved by the securities commission. They were approved as commercial cemeteries where there would never be a large enough population to financially support them. And you were warned. I'm not blaming you, Mr. Minister, but your department was warned. They were warned in 1955 not to allow commercial cemeteries after Regina, Saskatoon and Prince Albert came in here. It was an Ontario firm. They made the statement to this department . . . (inaudible interjection) . . . Now, don't you laugh because they were from Ontario and the rest of them were from Winnipeg. If the deputy over there wants to laugh too much and make a joke of too much, we just happen to have here the British Columbia act and the Ontario act. I have all the status on the Ontario cemeteries and if you want to get into this whole bit here tonight, maybe we can.

Answer, Mr. Minister, those questions that I have put forth to you. I want answers. You haven't been answering me yet.

MR. COWLEY: — Sorry, I missed the question.

MR. MUIRHEAD: — Mr. Chairman, I would say that we'd better close this estimate down, get Hansard tomorrow, and let him read it so he can answer the questions, because I asked him about four or five questions there. If he thinks he's going to make a fool of me saying no questions . . . (inaudible interjections) . . . All right. We'll go right back and ask the first question again. I want an answer this time. Why were there no figures of projected cost of operation and estimates of some other years from 1971 to date, when your department knew full well moneys would be required for these purposes? You have never answered that, so now answer it and we'll move on.

MR. COWLEY: — The answer is the procedure used with agreement from the Department of Finance is that we come forward every year for a supplementary. That's the procedure that has been used for 10 years. It's the procedure that is going to be used in the future.

MR. MUIRHEAD: — Please tell us why you did it. Just because it's been your procedure for 10 years doesn't make it right.

MR. COWLEY: — It was also done under the Liberal administration.

MR. MUIRHEAD: — I'll just have you know it wasn't done under the Liberal administration. I'm going to send you over a copy of what goes on here, and we'll go through this all together. It looks like we'll have to go like we do in school. We're going to have to have it right in front of the ministers and we'll go through it together. Now we'll go through this together, Mr. Minister. Look very carefully at this.

Summary of the provincial government's financial commitment to cemeteries: 1969-70, Thatcher's Liberal government realized that the accumulated debt of cemeteries default had to be written off as a bad debt. There was a total of \$154,300 written off; against Resthaven Memorial Gardens, \$77,350; Sunset Memorial Gardens, \$42,550; Woodlawn Memorial Gardens, \$34,400. A \$50,000 advance is asked for in estimates. You say it is the same procedure as before. But it's right here, and I'm repeating it. I'll repeat it until it gets into your heads.

Can you see that, Mr. Minister? There was a \$50,000 advance asked for in estimates that same year under the Provincial Secretary's department for cemetery companies in default. And then you said it's the same procedure. You're the ones who changed it for 10 years and try to tell me oh, it's the same procedure. But it's wrong. Will you now acknowledge that you are right or you are wrong?

MR. COWLEY: — Mr. Chairman, I am advised by my officials that all those amounts are in supplementary estimates.

MR. MUIRHEAD: — Are you telling me that this \$154,000 and that \$50,000 were supplementary estimates, Mr. Minister?

MR. COWLEY: — That's correct. That is what I am advised by my officials.

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MR. MUIRHEAD: — All right. Now, I would ask someone to get a book and take a look because I'll prove to you that I am right. No sir, we'll get the book. We'll show it to you. And we'll keep on going. You follow me along here because you're going to have to follow along so you will understand this, Mr. Minister. The \$38,000 advanced under The Cemeteries Act, Provincial Secretary, is also shown in schedule E of the balance sheet entitled other loan investments advances and then \$83,000 advance also shown under non-budgetary payments, other loans, advances, etc. These funds are recorded for the following under details of loans: Green Acres Memorial Gardens, \$17,000; Resthaven, \$44,000; Sunset, \$12,000; Woodlawn, \$10,000.

All right. Now we're going to move to 1970-71. The \$38,000 advance remains on the books under schedule D of the balance sheet entitled other loans, investments and advances. Nothing appears in either estimates or supplementary estimates this year. Nothing in either one — it doesn't show. The \$38,000 advance remains the same again; nothing appears in estimates or supplementary estimates — nothing again.

Now you are going to get up and say that '70-'71 were Liberal years. You're absolutely right. But in '71-'72, \$38,000 remains . . . (inaudible interjection) . . . You don't show anything anywhere. In '72-'73 the \$38,000 advance remains the same. Nothing again appears in estimates or supplementary estimates.

You were trying to tell me a little while ago the procedure has been the same for ten years. It hasn't been the same, because when the Liberals were through in 1971, nothing happened. There were no advances until 1973-74 and that's when you thought, I guess we'd better not let the people of Saskatchewan know; we had better not mention in this House about asking for estimates for cemeteries in default, because everyone thought that the cemeteries were all sold. But they didn't know that Weyburn was hanging fire down here, a cemetery in default. So that is the reason you had to bring it back in as supplementary estimates — so there would be no questions asked.

Don't try to fool us; don't try to fool the public, because it is a coverup. There is no other way, because I will prove it to you if you don't want to believe these figures which came right out of the provincial auditor's books, not from me.

Supplementary estimates start in your department in 1973-74; a \$9,000 advance now appears on supplementary estimates. It also appears as an advance under schedule of loans and advances, net of repayment and in details of loans, earmarked for Green Acres Memorial Gardens. That's a total of \$47,000, a total advance that now shows in the schedule for the balance sheet under other loans and advances.

Turn the page, Mr. Minister. You'll see in 1974-75, another \$12,000. This was all going to Weyburn — no other cemetery. A \$12,000 advance now appears in supplementary estimates and again in schedule of loans and advances, as well as in details of loans earmarked for Green Acres; \$59,000 is now the total advance. In 1975-76, a \$13,000 advance again appears in supplementary estimates; \$72,000 total advance is shown now. In 1976-77 a \$10,000 advance appears in supplementary estimates, again the same as above; that's a total of \$82,000. In 1977-78 the figure started to jump, because this is when we got the new operator in Weyburn. This is when the big figure jumped (when the hack moved into Weyburn) — a \$33,500 advance, again under supplementary estimates, the same as above, making a total advance of \$115,500.

What should happen next year? It's up to \$34,000 again, a \$250 advance under

supplementary estimates, making a total of \$149,000. The minister had the audacity to stand here the other day and say there's not a dollar paid to the caretaker, that he doesn't get anything out of it. That money all goes down there for the people who purchased these plots. It's right in Hansard and you said it. You're always saying something you don't say you said. . . . (inaudible interjection) . . . I guess I can do that; I think I've got Hansard right here.

Well, Mr. Chairman, it's time for the Provincial Secretary to come clean and it's time for the deputy minister to admit it to this House. I will just send this over to him to have a look at and then he can send it right back to me. I feel sorry for you, Mr. Minister, because you are getting poor advice. He is getting poor advice because the statement didn't come from him; the statement was (he said) from his deputy. He said there was nothing in those years of the Liberal regime either. It says right there that \$50,000 was asked for in supplementary. Just show it to the minister and then I want it back. Here are the estimates for 1970. If you want to have a look at the whole set-up, look at it. But don't get up and say I am wrong when I am right.

Are you going to admit to this House that I am right or wrong on the supplementary in the estimates?

MR. COWLEY: — The member is correct. This is in the 1970 estimates. It is not an estimate. It is under loans, advances and investments. It doesn't come under the expenditures of the Department of the Provincial Secretary. It is an advance out of it. The member is correct. They were (as near as I can gather from this, in any event) in the 1970-71 estimates.

MR. MUIRHEAD: — Well, Mr. Minister, perhaps you will learn that when it comes to cemeteries, I have done my homework and you are not to argue with me because I will be right and your officials will be wrong.

AN HON. MEMBER: — Ask him to resign.

MR. MUIRHEAD: — I wouldn't do that because it is not his fault, Gordon. Why has the government never recovered any of this money? Why have you not recovered some of the money you have given out over the last years to cemeteries which have defaulted? Why haven't you recovered it?

MR. COWLEY: — Well, I think in the case of the cemetery at Weyburn, for example, we are the administrators of the cemetery. In effect we own it and have the right to sell it. The question would be from whom would you recover it? Certainly we can't take it out of the trust funds because obviously the people who put their money there are expecting their services or whatever in the future, and there's no one to recover it from. The only way the money could be recovered is if we could find a purchaser for the cemetery who was prepared to pay a price which would recover the money that has been put into it. Otherwise the money is gone in effect, as long as we operate the cemetery. We're simply putting more money into it to keep it running.

MR. MUIRHEAD: — Why did the other nine commercial cemeteries, or we'll say eight now because we do know that another one in Moosomin since this estimate book has been made . . . We know there are eight. Why aren't they having the same problem?

MR. COWLEY: — Presumably because they are more successful. They either sell more

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plots or they have more economical operations or whatever. It's the same as in any other kind of endeavor. If you looked at any other 10 companies in the province there would probably be a couple of them in trouble, three or four of them on the margin, and three or four of them doing reasonably well. Obviously the others are operating more successfully.

MR. MUIRHEAD: — Well, Mr. Minister, as long as you're going to feed the monkeys they are going to keep on taking it. Because this is what's going on. What do the other people who own the other cemeteries think when they see the handouts? They just get a handout and the others have been struggling along. Since 1955 until 1980 they have saved you, the government, quite a few hundreds of thousands of dollars.

Do you think Weyburn is any bigger than Swift Current or North Battleford or Yorkton or Prince Albert? Why? Because Weyburn started this mess. It's the only one that didn't get sold. When you defeated the government why didn't you keep on? Sell one more and you wouldn't be in this mess.

But Mr. Chairman, I have found this little remark of his in Hansard. I think we'd better read back so maybe he won't be contradicting me all the time. I asked you this question, Mr. Minister. We were talking about the municipal cemeteries at Moose Jaw.

... I am interested in this request from the municipal cemetery at Moose Jaw; that is what I want tabled. Has the Provincial Secretary's department received any request or proposal from any commercial cemetery companies for assistance similar to that which has been given to the cemetery located in Weyburn?

And you get up and say:

Well, I don't believe we assist the cemetery in Weyburn. We own and operate it.

You changed that remark so many times and made so many slips. You always say we assist it. The next time you correct yourself and say we own it. For goodness sake if you own the cemetery do something with it. Sell it to somebody or operate it as you operate everything else, right? Operate it so it's not in default. But anyway you go on to say, Mr. Minister:

There's no individual in the case of Weyburn, for example, who is getting any benefit from it, except the people who have plots or whatever in the cemetery, who are being looked after in accordance with the contract which they signed.

Now why would you say that just a few days ago, then get up and say you didn't say it? Answer me, why would you say something like that?

MR. COWLEY: — What I said was that the individual in Weyburn today doesn't own that cemetery. We do. The cemetery is not in default because the trust funds have been brought up to the levels they are supposed to be by the government. We have a contract with an individual who operates the cemetery for us. If the cemetery made a profit, the profit would be ours presumably. If it takes a loss the loss is ours. So we have a contractual arrangement. We could have it with the member for Arm River, for all that matter, to operate the cemetery. If the member for Arm River wants to buy the cemetery,

I'd be more than pleased to sell it to him.

MR. MUIRHEAD: — Well, I'm not going to go further on this Mr. Chairman, but he just took the same words I read out of Hansard and twisted them around to suit himself. I read to you out of Hansard and you said that this cemetery is not in default. You just finished saying that. Then why are you asking tonight for \$46,000 for cemeteries in default? Now answer me that.

MR. COWLEY: — Well, because it was in default when we took it over and it's still technically in default. That's why we take it over. But the trust funds are there is what I am saying.

MR. MUIRHEAD: — Mr. Minister, is it or is it not in default? Just answer the question directly. Is it or is it not in default?

MR. COWLEY: — It was in default; that's why we took it over. We brought the trust funds up. It's still operated by us. It's operated by us and the grant is made because it was in default.

MR. MUIRHEAD: — You still haven't answered the question. Is it in default today?

MR. COWLEY: — I'm told it's not in default today in the sense that there's no shortage of trust funds or any of those sorts of things.

MR. MUIRHEAD: — Then, Mr. Minister, tell me why in supplementary estimates tonight you have it right there? Read it yourself. You have to ask for approval of \$46,000 and some for cemeteries in default. It says it. Don't mislead us. Take the default out of there and put in there what it is.

MR. COWLEY: — Well, the Minister of Finance says we'll change the wording for it next year to make it more pleasant for you. But the reason why the cemetery is ours is because it was in default and there continue to be operating losses there and we continue to pay them through supplementary estimates.

MR. MUIRHEAD: — All right, let's go back now, Mr. Minister. Thank you for changing those words. You don't have to change them; they're already there. It says, cemetery in default. You don't have to change anything to make me happy. The facts are there. But now let's go back to the act that the NDP passed in 1955 and the act that the next government passed in 1965, the amendment in 1967 and your amendment in 1973. Why is it in default is what I'm trying to get at? If you had made them obey the law and put that money aside, it would never be in default. This is what the crux of the whole thing is. Why is it in default? Mr. Minister, it is because your department fumbled this whole mess up. Now tell me, why?

MR. COWLEY: — I think what happened in the cases of the ones that went into default here was that the operators obviously . . . The money that they had put in trust, because of inflation was not adequate to meet the operating expenses as time went on. And in the case of at least one cemetery the operator was unable to keep the trust funds up because he was required to open graves, provide markers and all of these other things. There weren't enough funds there so they ran short of money. In effect that's what happened.

MR. MUIRHEAD: — You're starting to learn! You're going to learn this game about

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cemeteries yet! But why are we in this problem? I have to take you back to 1955, when our Premier was not just a member of the securities commission, he was chairman of the securities commission. He held two jobs; he was also hooked up in finance.

I went down, Mr. Minister, to the securities commission and asked who the chairman was of the securities commission and who the members were. They got out every file they could for me. It was all there, right down to 1954, when the chairman was Angus MacPherson, I believe. He died in 1954 or 1955. I might be out on the exact year here. But, Mr. Minister, I said that's what I want to know. Who replaced him? This was just about a month or two ago. I can give you the date. They said no one replaced this man.

This is a coverup you people are trying. You're even trying to keep the Premier out of it. So, I said, I want to know who has taken his place. They said no one had taken it yet. There are three members of the securities commission and a fourth is going to be added in 1980.

When I was in your deputy's office not too long ago, while talking to him, he slipped a little information to me, because the words were starting to travel. We better be careful here. The Premier has been asked in question period about the securities commission. He told me he was a member of the securities commission.

AN HON. MEMBER: — Who was?

MR. MUIRHEAD: — The Premier was a member. It came from your deputy. He is right. I also have a document in my hand which shows that the Premier was appointed within days after the death of Angus MacPherson, as chairman of the securities commission. Why mislead me? Why do people have to mislead? Don't they know what the truth is in this government?

This document says:

Order in council, Regina, Tuesday, March 8, 1955: The Executive Council has, under the considered report from the Provincial Secretary dated March 7, 1955 stated: that by order in council no. 1871, 1954 dated August 23, 1954, Angus W. MacPherson was appointed chairman and deputy registrar of the Saskatchewan Securities Commission. The minister further stated that owing to the death of Angus W. MacPherson, it is deemed expedient to appoint a chairman and deputy registrar of the Saskatchewan Securities Commission. Upon consideration of the foregoing report and on the recommendation of the Provincial Secretary, the Executive Council advises that to sections 3 and 4 of The Securities Act (1954) that Allan Emrys Blakeney be appointed as chairman of the Saskatchewan Securities Commission.

Now, that makes him the chairman of the securities commission. He is the man who is chairman. The Premier and the deputy minister, Mr. Beaudry are the two men who signed most of the prospectus for these salesmen who sold all these plots in the first place, the fly-by-night guys who came in and bled the province of Saskatchewan for several hundreds of thousands of dollars. It was also in the same time the Executive Council further advised that Mr. Blakeney's time be divided equally between matters pertaining to the securities commission and his duties as legal advisor to the Government Finance Office at a salary of \$6,900 per annum to be charged equally between the Saskatchewan Securities Commission and the Government Finance

Office.

Now, why, when I go down to the securities commission to ask, would they pull this and not let me see it? Why does it have to be something that I have to produce? Order in council, why was it pulled? I'll tell you. I'm going to get to the bottom of this. Why? I'll tell you who it was signed by. It was signed by another hack back in those days you wouldn't remember, a guy by the name of Telford. He was really one if there ever was one. There are hacks right from one day to the next here. No matter who I mention, they're hacks.

This last year the press has been wondering why I'm pushing this business of old stuff back in the '50s. You people laugh at me when I'm talking about the old stuff back in the '50s. Well, I'll tell you that the people in my constituency who own the plots in Saskatoon – mostly from Girvin, Bladworth, Kenaston, the small towns where the cemeteries were run in the '50s – really jumped at these fly-by-night salesmen and bought plots in Saskatoon memorial gardens.

Since they've heard the member for Arm River talking cemeteries, some have said, hey, my parents own lots up there; maybe they still belong to me. They've been wondering what it's all about. So I'll tell you. I've put that remark in a lot of papers in this province and I've been getting calls from all over the province from people wondering where they stand with their plots.

I can give you the names, Mr. Minister, of people in the city of Regina who have passed away in the last year. They've passed away in the last year and have been buried in the memorial gardens in Regina. And since my remarks have become public, people have looked back in their deceased parents' belongings and found they had already owned a plot. They paid double.

When I made this statement before in the House that the Premier and the deputy minister are responsible for fleecing the dead, I wasn't kidding. Now, I think before I sit down it's time we had just another little . . .

AN HON. MEMBER: — Question or two?

MR. MUIRHEAD: — No, I think we better have a few more remarks here. I have a bit of very interesting history, you might say, about the cemetery fiasco. I feel I should take a bit of time to relate these details for the sake of the younger members and the press.

It's interesting to note that the present deputy provincial secretary, Mr. Leo Beaudry, has been deputy provincial secretary since his appointment to the position back in the days when the late John Burton, Sr. was the Provincial Secretary. Now that isn't surprising after all because he was the hon. member's right-hand man out in his constituency when he was municipal secretary at Spalding, Saskatchewan. But, Mr. Chairman, what is very interesting, and I don't believe just coincidental, is the fact that he was Allan Blakeney's immediate superior when he was first employed in the Department of the Provincial Secretary, when I understand the securities commission was under the department. Also, it is interesting to note that Mr. Beaudry, along with Allan Blakeney, was a member of the securities commission when the commercial cemeteries prospectus was approved and this fiasco was given birth.

I'm going to stop for one moment and add this. This is the time when Regina, Saskatoon and Prince Albert first set up their commercial cemeteries. You were warned and told that (this is why you're having problems in Weyburn today) commercial cemeteries will not operate properly unless you have a population of 300,000 or more. Now, Allan E.

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Blakeney and the deputy went blindly ahead and signed the prospectus for people to sell these plots all over the country and fleece the people and take off with the money. Now, where did the money go? The press may wonder and you may wonder why we bother asking these questions. But I'll tell you, you people think you're smart over there when you start bringing back old stuff and winning elections on medicare. You've won three elections on medicare. Maybe it's time . . . (inaudible interjection) . . . Yes, the member for Estevan is absolutely right. It was a straight lie and I would say that to the Premier if he were sitting there. I would say to his face that he told a lie in the last election when the Conservative Party . . .

AN HON. MEMBER: — Order . . .

MR. MUIRHEAD: — There is no order about it. It was a lie when he said . . .

MR. CHAIRMAN: — I think it is generally considered inappropriate to refer to other hon. members as telling lies.

MR. MUIRHEAD: — Yes, we'll withdraw the word lie and say that it was absolutely misleading the whole province of Saskatchewan to say the Conservative Party was going to do away with medicare.

Now it is very interesting that this same Mr. Beaudry, from the beginning until this very date, has been responsible for the administration of The Cemeteries Act. I am sure the records, if they are still available, will show that he approved the sale of certain commercial cemeteries from time to time, as well as other deals which you might say got them into more problems than it got them out of. Also, it is interesting to note that when money of the act, administered by the Provincial Secretary's department, were put into what we now know as the Department of Consumer Affairs, The Cemetery Act did not go into that department. I can readily understand why the act remained under the Provincial Secretary, because the CCF-NDP over the years has been thoroughly convinced by the deputy provincial secretary that the cemetery problem better be kept under wraps. He was best qualified to handle it.

I agree he must have been, because for some strange reason Mr. Beaudry is the only deputy minister who has served in the same department and now has the distinction of being the senior deputy minister. Well you don't have to be a Houdini to figure out why he is still there. You know, Mr. Chairman, I wouldn't be surprised if in the not too distant future he retires and takes the total blame for all the commercial cemetery problems and lets his old buddy right off the hook.

There was only one period of the senior deputy's long career that was really an uneasy, unhappy time, and that was during the period from January 14, 1972, to August 4, 1974. This was a very unhappy time for the deputy minister, when a chap by the name of Nicol(?) was in the Department of the Provincial Secretary. Now this guy Nicol was a nosy type. He looked into a lot of problems in the department, like certain investment contract companies. Remember, Mr. Beaudry, the Commonwealth affair, Farmers' and Merchants' Trust, Trust Investors, Associated Investors, etc., etc. How would you all like this stuff to come to light again?

But snoopy Nicol's main push for clean-up was commercial cemeteries in default of The Cemeteries Act, because he was convinced after holding public meetings in North Battleford and Moose Jaw that things were in a rotten mess. I understand his feelings in this regard were put very clearly and concisely. I quote:

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It is one thing to hit people in the pocketbook but it is simply immoral to hit them in the pocketbook and the heart at the same time.

Well, the record will indicate that, despite Mr. Beaudry's roadblocks, Nicol was able to clean up some of the problems and guarantee at least some of the contract holders of certain cemeteries in default that the contracts would be honoured regardless of the financial conditions the CCF and NDP, under the guidance of Mr. Beaudry and his associates, had got those companies into.

Well Nicol was sincerely dedicated to cleaning up this mess. Mr. Beaudry could breathe a sigh of relief after the last election.

But, Mr. Chairman, did the deputy minister get down to really cleaning up the cemetery problem, along with the Provincial Secretary (or I should say, three provincial secretaries) after 1971? No sir, he just continued to come up with delaying tactics: amendments to The Cemeteries Act, changes in management in Weyburn, etc. You have had so many changes down there you can't count them. Why didn't you get it in other default? He says tonight it's not in default. Why didn't he do something about it, instead of just hanging on? The other eight were taken care of. I should add here, in the case of Nicol . . .

Time's going on here. I'll ask you this question. What are your plans now to clean up the cemetery problem in Saskatchewan? We've exposed it all. I've told you the facts. What is your plan to do something about it? The Attorney General says something has to be done to clean up this mess. He said Bill No. 65 was going to do it. Then after, he realized that Bill No. 65 had nothing to do with cleaning up the mess. But he says we have to do it. Now answer what the Attorney General wants to know. What are you going to do about cleaning up the cemetery fiasco in Saskatchewan?

MR. COWLEY: — Well, first of all, Mr. Chairman, to the best of my knowledge there has never been a contract that hasn't been honored, of anyone who bought a contract with a commercial cemetery. So I don't know what the fiasco or what the mess is. There have obviously been a couple of problems with various cemeteries from time to time. What we propose to do is to continue to operate in a good manner the cemetery at Weyburn and I guess now the cemetery at Moosomin. We intend to continue to watch over the other commercial cemeteries and see that they carry out their contracts, etc. If one of them happens to get into difficulty, I guess we'll deal with that when it comes up. But we don't propose, I want to tell the member for Arm River, to nationalize all the cemeteries. We do not have any contemplation with respect to that at this point in time. I don't know what the member would suggest we do with the cemetery at Weyburn other than to operate it and run it in the best fashion possible and keep it in good condition. That's exactly what we intend to do. The member for Souris-Cannington asked for a price tag; it is \$1.00.

MR. MUIRHEAD: — Mr. Minister, you said that as far as Weyburn is concerned, there was no problem there; you were just going to keep on the way you are. What are you going to do if you get requests from the others? We'll say there are five; we won't worry right now about Regina, Saskatoon and Prince Albert. We'll take Yorkton, Swift Current, North Battleford, Estevan. I believe that's five. If not, then I'm missing one. What are you going to do if they come along now with the keys and say, here you are? What are you going to do with them? Also answer at the same time, have you had any requests from

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any of them suggesting problems of this nature?

MR. COWLEY: — Well, if someone walked in and left the keys on the desk, we would run the cemetery as we do the one in Weyburn and make sure that all the contracts were honored.

MR. MUIRHEAD: — Well, that's really very interesting because these people who own the other five commercial cemeteries say that we have subsidized the government since 1955 or in those years until 1980 by being good-working, free-enterprise people and keeping our cemeteries from going in default and now we're going to be forced to put the keys over to you. What about the dollars and cents tag you're going to pay them?

MR. COWLEY: — Why do we pay them anything for a company that's not worth anything? How have they been subsidizing the government? To the best of my knowledge, the government hasn't bought any contract. The government hasn't buried anybody in there. If they've been subsidizing anybody, it's the people who bought the contracts. They are a company like any other company. Our interest is to see that the contracts they have with the public are honored, not to see that they make money. That's their concern. So if they don't make money, they're not subsidizing the government. The only people they might, you could argue, be subsidizing would be a place like the city of Regina, for example, which has its own municipal cemetery. Last year, I believe if you'll check, it cost the city of Regina, over and above what they received from the people who are buried there, \$160,000. Presumably if there were no memorial gardens in Regina, their subsidy would be larger. Perhaps it would be less, I don't know, if they only had one cemetery. But with respect to subsidizing the government, I don't see how they've been subsidizing the government at all. They don't do business with the government.

MR. MUIRHEAD: — Well, I used the term there, Mr. Minister, when I said they have subsidized you because they sure saved you a lot of money by keeping their cemeteries going while the other two haven't. They've just let it go.

We'll go back to where the Attorney General made a statement to me at Weyburn. He said the reason for the trouble at Weyburn, why it was in trouble in the very, very beginning was because of Mr. Stavely from Weyburn. I tell you I checked into his little story because I happen to know a lot of people in the Weyburn community, and that happens to be wrong. Mr. Stavely had nothing whatever to do with the Weyburn cemetery. It was Barry Nesbit who owned Weyburn and Moosomin but Stavely loaned him the money, \$75,000, which he lost because the man just blew it and that's why those two cemeteries are in default today. Don't go blaming publicly Mr. Stavely when he only loaned the money to a Barry Nesbit, another one of your hacks.

MR. COWLEY: — I don't recall ever having said anything about Mr. Stavely.

MR. MUIRHEAD: — No, I know you didn't, but the Attorney General did, and I wanted to get that answer out.

Now, you're saying you are not going to do anything about it. You are saying everything is fine. Then, we have to get back to what are you going to be asking for in estimates for next year. Why did you not put in estimates the money that you have to have when you know full well you are going to need it to operate Weyburn and Moosomin next year? Why is it not in the estimates? You know you have to have it. Every person in this House knows that supplementary estimates are overexpenditures of the estimates. This is no

overexpenditure. You know full well it's going to be there; you've never answered that to me yet tonight. Why is it not in estimates? You are going to take at least \$75,000 to \$100,000 for those two. Now, why isn't it there?

MR. COWLEY: — Well, Mr. Chairman, I can't explain why it isn't there except that it's the procedure we've used as long as I've been Provincial Secretary. Presumably it's the one we are going to continue to use. We take forward to the Department of Finance every year our anticipated expenditures, etc. The estimates come out of that. It's always been dealt with by treasury board and others by saying we'll deal with that with a supplementary estimate when you know what the cost will be at the end of the year, presumably, I imagine, because it's a relatively small amount of money. I don't know what the rationale of the director of the budget bureau or whoever makes these sorts of decisions is, but that's the procedure which is used. I would expect that our expenditures, in the event we continue operating the Weyburn cemetery until the end of the year, will be in the order of what it is in this year's supplementary, escalated by inflation.

MR. MUIRHEAD: — Well, Mr. Minister, it looks like there is no way I know that I can change your mind on the operation of commercial cemeteries, but I will give you . . . (inaudible interjection) . . . I'm not letting it go until I'm ready.

Now, here's a proposed bill from British Columbia. Now, you stood in this House . . . (inaudible interjection) . . . Don't make me go back because we'll lose more time looking through Hansard again; when I say you made a statement, you made it. You said, let's go by good old Conservative Alberta and good old Conservative Ontario. You said that, on second reading or first reading of that bill. Now, here is a suggestion for you and I'm not going to ask any more questions on it. I've made my point clear so if you're not going to do anything about it, well don't get too happy, because I have some more questions about something else.

The member for Wilkie has been writing down some questions. Now here is a suggestion on what you can do. You brought a bill into this House which was just two sheets of paper. Here is what British Columbia has done to clear up their mess in commercial cemeteries, municipal cemeteries and urban cemeteries, because I have talked to almost every provincial secretary in the West and some in the East. I know where the problems are. Now if you would take your job seriously, Mr. Minister, and get in touch with other provinces instead of just telling me that you are going to buy good old Ontario, we would be able to get this cleared up once and for all. And the first thing you could do is this. They sent a letter to the owner of every commercial cemetery in British Columbia, the secretary of every municipal cemetery, and the municipal and urban councils, asking them to put their comments (I won't take time to read the letter, but I'll show it to you afterward) . . . (inaudible interjection) . . . There's the Minister of the Environment blabbing about water again. He wants to get back into that; we'll open that up if you like.

AN HON. MEMBER: — Get along with it.

MR. MUIRHEAD: — I don't have to get along with it. Are you interested, Mr. Minister, in putting an act in place in the province of Saskatchewan that would clear up all problems with cemeteries? Are you interested in such a thing? Not for one minute are you fooling me that some little old lady in Moose Jaw came to you with a request. These are the exact words you used: as long as I get that bill through for her, that's all I'm interested in. Well, I'll tell you, Mr. Minister, there happen to be a few municipal

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cemeteries in my constituency that have an opposite request. Will you put in a bill for them? No way can you make me believe that this government is so kind-hearted that one telephone call, one request, produces a bill.

Anyway, we have another problem, Mr. Minister, that's been sneaking up on us in this province, and it's in your department. I'm going to ask you to explain, Mr. Minister, what a time-sharing contract is in respect to accommodation.

MR. COWLEY: — Well, I'm not sure I'm the best legal one, but as I understand a time-sharing contract, an example would be the usual kind of condominium in Hawaii, where you would pay a certain amount and you would get the right to that for two weeks out of the year. Some of them I've seen advertised have condominiums in Hawaii, maybe some in Mexico, and one in Greece and so on. The theory is you get two weeks of the year in one of these and they may be in 10 different places. Presumably in 10 years you can get to 10 different countries and you have a place to stay for two weeks. I am told there are none licensed or authorized in Saskatchewan.

MR. MUIRHEAD: — Would you now explain what protection your department, or any other department, has to protect the public in respect to time-sharing contracts purchased in Saskatchewan, because they are being purchased in Saskatchewan.

MR. COWLEY: — None, because we haven't licensed any. So obviously if we don't license them, we can't protect you from them. If you want to buy a time-sharing arrangement from a company in Hawaii, it's very difficult for us to protect you in Hawaii. You ought to depend on the jurisdiction you are buying into. It is similar with the purchase of foreign land. If you were buying land in, let's say, Arizona, we're not in much of a position to protect you there from getting all cactus and sand and no palm trees. But if we had a company which asked to be licensed under, I guess it's The Direct Sellers Act, or The Real Estate Act, then we would have some protection. We could check it out. But if they are not licensed here, if they advertise in Maclean's magazine and you send your cheque in and get one, there's no way we can protect you.

MR. MUIRHEAD: — That's exactly the answer that I wanted to hear. That's exactly what happened in 1955 with commercial cemeteries; you didn't have anything to protect the people; absolutely nothing. This is exactly the same thing — time-sharing contracts with no act in place to protect the people. The real estate people in this province had little notes attached to some documents sent to them, stating that before they sell any time-sharing contracts, they're to get in touch with the Provincial Secretary's department. Who put that note in there?

MR. COWLEY: — I'm told we are very well protected, because real estate people can't legally sell time-sharing contracts in Saskatchewan — Saskatchewan real estate people.

MR. MUIRHEAD: — Well I understand, Mr. Minister, that right now if they post a \$100,000 bond, they can. Is this correct or is it not?

MR. COWLEY: — It's not that simple. They would have to prepare a prospectus, which would have to be approved by the department. They would have to post bonds; they would have to be licensed, before they could sell time-sharing contracts in the province. In that way we could assure that the individuals were protected by the size of the bonds that were posted.

MR. MUIRHEAD: — That's exactly what we're getting back to; we'd have to sign a prospectus. So what act are you going to put in place or are you intending to put one in place to protect these people? Anybody who puts up a bond, for say \$100,000 or \$200,000, can sell somebody the property; there's a lot of money involved here now when you lease some property in Hawaii or Acapulco or Jamaica. I'll tell you there's some money involved. It doesn't mean any more to the people today than did maybe a \$100 plot back in the '50s, and you're making the same mistake. What act are you going to put in place to protect these people, because whoever puts up the \$100,000 or \$200,000 bond could be gone in two or three or four years, like the fly-by-night people who sold these cemetery plots. Who is going to protect the people at that time? They may be safe for two or three or four years, but who is going to protect them down the road in eight or ten years?

You finally had to admit — you had to put a bill in in 1955, The Cemeteries Act in '65 and so on. Are you going to put a bill in place to protect the people buying time-sharing contracts in this province, before we get into another mess?

MR. COWLEY: — We already have the legislation. The legislation is already in place, and the reason they aren't being licensed is because there is no way of adequately protecting people. Passing a bill won't protect them. There's no bill this legislature can pass that will protect you if you own property in Hawaii. There is no conceivable bill that we could pass that would protect you. It's just impossible if the Hawaiian jurisdiction doesn't protect you. We could protect you in terms of how it's sold to you. But once you own it in Hawaii and the fellow you have the arrangement with is in Hawaii, the province has no way of getting to Hawaii to protect you — no legal way of doing that.

And so that's the problem with these kinds of arrangements. It's the same problem that was faced in the past with people selling land outside of the province, in the province. We don't have a law that prevents you from buying land outside the province or from buying time-sharing arrangements. The member for Arm River or the member for Biggar can buy one. All we can do is police how it's sold in the province. There's nothing that we can do to protect you if you hop in your airplane or I hop on Air Canada and fly to Hawaii and buy a time-sharing arrangement there. Then the laws of Hawaii or wherever you buy it, are the ones that have to protect you. There's no way we can pass legislation here; it's just impossible.

That's the reason why we have been hesitant and have not licensed the sale in Saskatchewan of these time-sharing arrangements. Now that's not to say you can't buy one. You can drop down to wherever they sell them in Arizona or wherever it is and buy all you want. But then it is up to you to protect yourself.

MR. MUIRHEAD: — Well, now, you just said that you can't put an act in place. You had to put an act in place to protect the people who bought the plots. We are only saying that they own these condominiums in Hawaii. It could be someone buying one for a holiday in Saskatchewan. Did you ever think of that? You have to have something to protect them. We are only using Hawaii and Acapulco as an example.

I think you had better not get the province into trouble like you did with cemeteries because I think you are a smart enough man to look at what goes on around you. Go check in Florida. See what they do in some of the other states and provinces. Go check in Ontario right now and see what they have for an act in time-sharing programs or contracts before you do get into trouble here. Because what you are doing here is just heading the same way. You are going to wait

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until it is too late; you are going to wait until someone is in trouble before you protect the people.

MR. J.W.A. GARNER (Wilkie): — Mr. Chairman, I have a few observations on this. I think, first of all, it should be called, instead of the estimates, the case of the disappearing file. Someone definitely has to be hurting on that side of the House. I don't know where the file went or who took it, but it just seems very strange that when this government is in trouble, things start to happen in the House.

Mr. Chairman, pertaining to Bill No. 65, I would like to point something out to the members of the Assembly and I am going to read part of it. It has to do with how this government handles a problem. They bring in a bill and the stroke of a pen cleans everything up. But who gets hurt in the process? Who gets hurt? The people who at one time purchased a plot bought markers and made all the arrangements. Now the government brings a bill before the Assembly. I will read part of this bill for you:

13.1 – (1) The owner of a cemetery may apply to the registrar for an order rescinding the sale of a lot by the owner to a purchaser.

(2) Upon receipt of an application under subsection (1), the registrar may, by order, rescind the sale of the lot by the owner and revest the lot in the owner if the registrar is satisfied upon evidence verified by affidavit or otherwise that:

... (c) reasonable efforts have been made to locate the purchaser of the lot, or his personal representative, and have failed.

To me, Mr. Chairman, this is just opening the door. The one little phrase in there, reasonable efforts, shows how much this government cares. Basically, I am talking about our senior citizens. This is the care the government takes. It goes back to the Premier and the day he was put on this. The Premier wasn't concerned whether it was 1955, 1970 or 1980; he wasn't concerned about the people of Saskatchewan. Let somebody come in here from out of province with a fast line, take the money and go. And who else is hung out to dry, Mr. Chairman, but the people of Saskatchewan. They are left hung out to dry and now this government wants to leave them hung out to dry more. And this is wrong, very wrong.

Mr. Chairman, a man who is the Premier of this province, who is supposed to be helping the people of Saskatchewan, is not. His concern is for the individual coming in to make a fast buck and to fleece the people of Saskatchewan, which has happened. And now that that has happened, to try to cover it up. Mr. Chairman, with a stroke of a pen we pass another law – an amendment to The Cemeteries Act. And once again the people of Saskatchewan are left out. My colleague has done a very admirable job of bringing this forward to the Chamber. Many of the members opposite are laughing. It's a big joke when we're talking about people. My own parents are of that age; they have bought a plot so that when they pass away all the arrangements are made. Now, this government and the Premier were aware of this.

Now we change it. The guys who made the fast bucks — they're gone. The government is left with the problem. So, how do you solve the problem? Take the plots away from the people who purchased them, and the key line there is 'after reasonable efforts'. Well, Mr. Chairman, the reasonable efforts I have seen brought forth by this tired, weak government are no good, and the people of Saskatchewan are going to suffer. And I have nothing more to add.

MR. COWLEY: — First of all, I would like to read to the member for Wilkie section 18 out of an act, recovery of unused grave sites.

Where a plot has been sold by the owner of a cemetery for a burial site, the securities commission, on the application of the owner of the cemetery, may by order cancel any conveyance of the plot and reinvest the plot in the owner of the cemetery when the commission is satisfied upon evidence verified by affidavit or otherwise that:

- (a) The plot is not in use as a burial site;
- (b) The owner of the cemetery has not heard from the purchaser of the plot or his personal representative for a period of 20 years;
- (c) Reasonable efforts have been made to locate the purchaser of the plot or his personal representative and have failed.

That comes from the Cemeteries Act in Alberta. The member talks about all the people in Saskatchewan who have been done in by commercial cemeteries and I repeat, to the best of my knowledge there's not a single person who had a contract with a commercial cemetery who hasn't had that contract honored.

I think we're on estimates and I think the member thought we were on Bill No. 65, but in any event I want to send over to the member for Arm River a copy of a letter I received from Mr. Snyder, which is a letter to him from the city commissioner in Moose Jaw, which he might be interested in.

The individual's name is on the letter and so I'd appreciate it if the member would keep that confidential. I'm sure the rest of the letter is fine.

MR. MUIRHEAD: — Your remarks, Mr. Minister, sound as though there's no way in the world that anyone is ever going to suffer or not be taken care of who owns a plot. But if this Bill No. 65 does proceed (I hope it doesn't) . . . We're getting off the subject here but, if I may, Mr. Chairman, I hope you will take the suggestion of my amendment that we exclude commercial cemeteries operated for gain, because you would be really robbing them then. It says right there, if they haven't either died or claimed their plot they would automatically lose it. Now, I asked you the other night when we were finishing off discussing the bill — you'd be wondering why I asked if you have to get a receipt in commercial cemeteries as you do in municipal cemeteries. Well, this is what they get. They get a deed when they buy a lot in a commercial cemetery, as you do if you buy a quarter section of land. It's a deed. They own it. And there's no way in the world that you're ever going to find the person whose name is on this deed. It could be impossible and I'll give you the name. Edith Weimer and her son Donald paid \$118; \$18 went into the perpetual care fund so I'd like to know where that \$18 has been all these years since 1959. That should have made a lot of money and that money was paying in advance to take care of her burial. Now that son, I know, has moved away from this area. The street is right here, — Don Weimer, 2443 Lindsay Street, Regina — and that's the only document you are going to have to trace this person. But I'll tell you, that son has moved away. The man died; he's buried out there; there are still two empty plots. She has remarried and left the country, goodness only knows where. You tell me how you're going to find her. But when she dies, it could be in her will that she wants to be buried beside her first husband.

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AN HON. MEMBER: — There will be no plot left.

MR. MUIRHEAD: — This has happened. There'll be no plot left. Are you going to tell me that you're taking care of the people? I shouldn't say I'm warning you; I won't use those words. I plead with you, for the sake of the people who own commercial cemeteries, that you will exclude that, through your amendment or my amendment (I don't care which) to Bill No. 65, because you will never find hundreds and hundreds of people like this. You'll never find them and when they come back to be buried, it's gone. Just to add to that, in Bill No. 65 you never contacted the owners of the commercial cemeteries to see if they wanted it. You never contacted them; I did. They said it would break them, absolutely break them, because they're having a hard time now making a go of it. I'll tell you why they said it would break them. It's because Swift Current has the least amount of property left which is 3,000 plots empty. Even Weyburn has nearly 10 acres they haven't used. As far as your municipal cemeteries in some of these cities are concerned, fine, they can be getting crowded but not in these cases.

So what happens? If this bill passes, there are going to be a lot of people coming forward and claiming their plots which they didn't know they had. I could name you 27 people that I've counted in the town of Girvin who didn't know, until I made it known, that their parents owned plots in Saskatoon. They're going to claim those if this bill goes through. So what happens? These people are going to want to sell these plots and the owners of the cemeteries aren't going to be able to sell theirs. There's the reason they are going to go broke. Because if that bill goes through, there's nothing to stop me or anybody else from going in and buying every cemetery plot that goes back to these people for \$20 a piece. People are already coming right now to the owners of the commercial cemeteries saying, would you please sell my plot for me? Would you sell this deed for me? I paid \$100 but get \$50 if you can. They take it from them and put their name on a list. They tell the people, well, we'll try, but they said if they sold these for the people, we'd go broke at \$50 when we have to sell the new property. And that's why the deal will go broke. So I plead with you, Mr. Minister, to either put an amendment in on Bill No. 65 or take my amendment as discussed. I plead with you.

I have one more question I want to ask here, Mr. Minister. I asked to put this on the blues as an order for return, an order in council, for all departments and it was refused by the Attorney General. Now I'm asking you, Mr. Provincial Secretary, for the names of every order in council employee of your department and their salaries. I want every one of them.

MR. CHAIRMAN: — That question would be properly asked here after I read this item off on supplementary estimates which is on page 5, item 1 – administration, \$240,000.

MR. COWLEY: — I'm not sure of the member's question; would he like a list of all the people and their salaries in the department? The order in council ones? Well, in our department it is relatively easy; I will provide you with it later because we want to check on it. I believe the three individuals sitting here are order in council appointments and the others are my staff. There would be four people there, so that would be a total of seven, I believe. We will check it and I'll give those to you, no problem.

Item 1 agreed.

Item 2

MR. KATZMAN (Rosthern): — Is the protocol office with you? I understood the Attorney General is looking after it now.

MR. COWLEY: — Last year it was with the Provincial Secretary. It is now in intergovernmental affairs.

MR. KATZMAN: — Well then I can ask you some questions about last year, because that's where my concerns are. The protocol office, I understand, is involved with giving out the grants for communities that have special functions, Canadian-wide functions and so forth. I believe the grant is up to \$3,000. Is that correct?

MR. COWLEY: — Mr. Chairman, if the member wanted to ask a question, he should have asked it in the Attorney General's estimates when the officials were here. I don't know what the procedures are there. I'm sure if he gave the protocol officer a call he would explain it to him, O.K? I don't know what they are.

MR. KATZMAN: — Mr. Minister, my complaint is very simple. These are funds allotted last year for these types of banquets I assume. Because you never know how many there are going to be ahead of time, you budget for so many and bring the rest in under supplementary. I am very annoyed with your government and the practice of suggesting that if they have a cabinet minister or a senior official of any department at a function, you will give them a grant, but you will not allow the grant except in those cases. You seem to be able to send backbenchers from the government side to the functions and give out the grants, but you will not allow a member of the opposition who lives in that constituency to give out the grants. . . . (inaudible interjection) . . . It's unfortunate that a person of your capacity has to represent me too. For the Minister of the Environment who likes to chirp from his chair — get the facts straight. If the rules say that for this grant we are talking about, the \$3,000 (and we've asked for a supplementary here) suggests that it must be a cabinet minister or senior official, and it cannot be a local official; that's fine. But then how do you send backbench government MLAs out to give out the money? In the federal system they allow the opposition members to present the cheques. Mr. Benjamin presents them and Father Ogle presented some that I've seen, so you guys have got two sets of rules here. It's interesting to note that the member responsible for health gets a little snarly about this . . .

AN HON. MEMBER: — I'll tell you how paranoid you fellows are. You're going to take every advantage; you're afraid somebody's going to beat you. You're so darn paranoid. Why don't you remember we're all elected? We all represent everybody. You're so paranoid. That's what is going to defeat you too, paranoia.

MR. CHAIRMAN: — Order, order please. Let's get back to the item at hand.

MR. COWLEY: — Mr. Chairman, all I can suggest for the member for Rosthern is that he take it up with the Attorney General, whom he knows and who is now in charge of that department. I'm not aware of there being any guidelines with respect to the protocol office. I guess there may be, but I'm not aware of them and I don't ever recall personally having been at a banquet presenting a cheque.

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Item 2 agreed.

Item 3

MR. MUIRHEAD: — What is this cemetery for, Mr. Minister? Which cemetery?

MR. COWLEY: — There is \$28,000 for Weyburn and \$18,400 for Moosomin.

MR. MUIRHEAD: — Mr. Minister, this is what we've been arguing about all night for nearly a half hour – to provide for a grant under The Cemeteries Act to cemetery companies in default. It's printed right there, in default; but you tried to tell me it wasn't in default, that the government's running it. Are you, Mr. Minister, next year going to do the same old thing? Are you going to hide it in the supplementaries or are you going to act like a responsible government and put it in the estimates where it belongs? Are you or are you not? The government before you did; I proved that to you tonight. From 1974 to 1980, you have hidden it in supplementaries as proven here tonight.

The only reason you were caught up on this little scheme of yours (because it never was mentioned) was that someone just happened to pick it up a year ago and say, there are cemeteries in default. We all thought they all belonged to the individual. No one knew, and your little scheme finally got out. You didn't tell anybody; you didn't want anybody to know. Just slip it in there and no one would ever ask you, because we've checked back in Hansard and it has never been asked since 1973 until now; what is that there for? Next year are you going to put it where it belongs?

As I said before, and it's factual, that is the only department in the whole government where you sneak it into the supplementary estimates where you figure no one is going to see it instead of putting it where you know it has to be next year. You have admitted you have to have money for Moosomin and Weyburn next year. You know just about how much because they say here how much it increases each year, just about the same as inflation. I can tell you what you are going to need; you're going to need about \$75,000 for the two of them next year because you only had Moosomin in for part of the year. Now, are you going to put it in estimates next year or are you going to try to hide it?

MR. COWLEY: — If I had wanted to hide it, I would have put it in administration. I don't know what way it will be done next year, but I want to assure the member I will ask my officials to remind me. Next year before estimates we will issue a press release on how much it's going to cost. I don't know where it will be then, but we'll make sure that everybody knows. I'm going to ask Mr. Beaudry and Mr. Flory and Mr. Saunderson to diarize that and we'll put out a press release.

MR. MUIRHEAD: — Another thing I want you to promise is that we don't see in the provincial auditor's statement money which has not gone through and been approved at all, such as is there this year. The provincial auditor picked it up. It was there in 1973, \$2,800 which was never passed by this House. You've done it this year. It's going to come up in next year's business because the provincial auditor has already picked it up, for cemeteries in default.

In 1973, \$2,800 was picked up by the provincial auditor when you didn't ask for one penny. It was picked up because the managing director of the cemeteries in those days wouldn't pass something done for a man in Moose Jaw in 1970, because it wasn't done. Services were never given. So he wouldn't pass it. But three years later it came

back in when some hacks got working and he got his \$2,800. I can prove it to the press. I can prove it to you. I can prove it to anybody. And it has happened again in 1980. Will you promise me that there will be no more of this fiddling around with the figures? Put a press release out on that one next year, Mr. Minister.

MR. COWLEY: — Mr. Chairman, all I can say is that we won't fiddle with the figures.

MR. MUIRHEAD: — Thank you.

Item 3 agreed.

Supplementaries – Vote 30 agreed.

**SASKATCHEWAN MINING DEVELOPMENT CORPORATION — SASKATCHEWAN
HERITAGE FUND – VOTE 16**

Item 1

MR. R.A. LARTER (Estevan): — Mr. Minister, is this the amount of money committed by SMDC for the development of uranium in this coming year?

MR. COWLEY: — This is primarily exploration.

MR. J.G. LANE (Qu'Appelle): — Well, primarily and what else?

MR. COWLEY: — It's exploration and development of exploration properties, the next stage of them, but it's not Key Lake.

MR. LARTER: — Mr. Minister, do you estimate this \$50 million will all be spent this year?

MR. COWLEY: — Yes.

MR. LANE: — I just wonder if the minister could tell us whether any contracts have been signed for the order from Key Lake?

MR. COWLEY: — No, I don't believe so. We have some letters of intent, but I think contract implies something firmer than that. I do not believe there are any contracts per se.

MR. LANE: — Can you tell us who the letters of intent are from?

MR. COWLEY: — No, I don't think, because they're letters of intent, I particularly want to publicize them before their contracts. But the fact that somebody is out there looking for X amount of uranium and his letter of intent is filed with us – other people are also attempting to sell uranium and I don't think it would be particularly advantageous to the corporation to make it public.

MR. LARTER: — Mr. Minister, do you have any guarantees, even in the letters of intent, that this uranium that is going to be produced at Key Lake will not end up in countries that have not signed the proliferation agreement with Canada?

MR. COWLEY: — Well, all I can say is that the Government of Canada is the one that

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approves the export of uranium. They won't approve it unless it meets the rules and regulations that they have laid down, particularly with respect to non-proliferation treaties, etc. The Government of Canada is the enforcing agency as far as we're concerned, which is reasonable, I think the member would agree.

MR. LANE: — If the Government of Saskatchewan is so insistent on controlling its resources, is it the intention of the Government of Saskatchewan to make representations to the Government of Canada to take responsibility and control of the sale and marketing of uranium?

MR. COWLEY: — Well, I think the Government of Canada already has that, unless you're talking about them setting up a marketing board.

MR. LANE: — I said, are you prepared to take over the responsibility?

MR. COWLEY: — Well, I think if the Government of Canada wanted us to market all of Canada's uranium we would take a look at it but I think . . .

MR. LANE: — It is Saskatchewan's uranium that you're concerned about.

MR. COWLEY: — Certainly we're prepared to market our uranium. I think that it doesn't make any sense for the Government of Saskatchewan to enforce the non-proliferation treaties. We've got a Canadian government with, I don't know, 100 embassies around the world, etc. I think the members opposite would agree that it wouldn't make much sense for us to duplicate all of the facilities which the Government of Canada has in these countries, its contacts with the United Nations, its contracts with international regulatory agencies and so forth. It's an appropriate function for the Government of Canada to see that in the terms of sale, with respect to something like uranium, the non-proliferation treaty is lived up to and I think that's the appropriate place. It would cost us a tremendous amount of money to duplicate that.

MR. LARTER: — Mr. Minister, do you not feel that with Saskatchewan being so heavily involved in uranium that the Government of Saskatchewan should be taking a more active role as to where this uranium ends up? In other words, do you not feel that even though the Government of Canada does handle the sale of uranium ore, the Government of Saskatchewan should be making overtures to have someone from our government representing Saskatchewan as a member of this board to ensure that this uranium is going exactly where they say it's going? And don't you feel that because we are the major suppliers of uranium, or will be, that we should play a more active role in this?

MR. COWLEY: — Well, I think the federal government is quite capable of choosing its board and so on. Certainly, from my perspective, I would have no objection to someone from Saskatchewan serving on the board. Certainly, I think we've suggested, as a government, to the federal government that we are in support of the policy they are following with respect to non-proliferation treaties etc. So I wouldn't see any problem with us participating on the boards, etc., but I don't feel there is any particular necessity for it. I think the Government of Canada is quite capable of carrying that out adequately.

MR. LARTER: — Mr. Minister, are you satisfied with some of the news releases we've seen lately, that uranium ore can really come in the back door, for instance, to a country like France? Are you satisfied that they are doing a good enough job of screening where uranium ore is going to end up?

MR. COWLEY: — Well, I'm reasonably satisfied. I suppose there is no system that couldn't be improved upon. I think people who talk about proliferation and so on, you know, there is uranium almost everywhere in the world. It is just a matter of how much it costs you to get it. You can get it out of sea water at a very high cost. So if some country wished to acquire uranium and were prepared to pay the price, they could get it whether there was Canadian uranium around or not. This is not to argue that we should store it everywhere and let everybody grab it. I think the federal authorities are doing a reasonably good job in terms of the arrangements they have with respect to the export of uranium. This is not to say it couldn't be improved upon.

MR. LANE: — Would the minister mind detailing those countries wherein there are letters of intent for the marketing of the ore from Key Lake? The question is obvious because the markets right now have gone as low as they have been in recent years. The last figure we had was approximately \$32 a pound; that's down over \$15 a pound since January.

You stand up today and announce something you have been hiding from the public, that in fact Key Lake has no letters of intent which I think you have admitted don't mean that much and are not contracts. The investment of the province of Saskatchewan is even shakier than we suspected; the Saskatchewan uranium markets are very poor; you are into a major investment without any assured sales. Many people in the province have had the suspicion that you are into this thing over your heads. You are using both public funds and your government's political abilities to try to sell a pig in a poke.

MR. COWLEY: — Mr. Chairman, I heard the exact same member make the exact same speech with respect to potash. I guess the record there will speak for itself. When Bills No. 1 and No. 2 were before this House in the potash debate there was not a pound of potash sold. I can remember the members saying there never would be any; it was a pig in a poke, and so on. I guess time will tell.

The member is right, the uranium markets are soft and the prices are lower. I agree with that; it's a fact; anyone can see that. Assuming the hearings approve construction of the line, I am confident that if Key Lake comes on stream at the time we are looking at, 1983-84, there will be markets for the ore from Key Lake.

With respect to contracts and letters of intent, I indicated to the member with respect to letters of intent that I wasn't going to make them public; nor am I. The member asks what country it is. The member knows full well that is the same as identifying who the letter of intent is with because in virtually all cases you are dealing with a national government. There is one utility to sell to in the country so naming the country is the same as naming the client. I am not prepared to do that. But they have signed a non-proliferation treaty.

MR. LANE: — Why does the government not follow the policy of selling its equity position, taking the cash and taxing to the same level you thought you were going to get for profit? Get rid of the rest and get your money back out of it. Then we would not see the obvious and actual conflict of interest situations like the draining of Key Lake.

MR. COWLEY: — Well, I want to say to the member, that I would be hard-pressed to find an investor who would take all the risks and let us tax all the profit. If you can find the fellow, bring him along. If we can tax it so we get all the profit and he takes all the risk,

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then we'll certainly sell him SMDC. There is no question about that.

MR. LANE: — I don't think you're quite listening and I suggest deliberately. You should be able, if you have any indication of sales, to estimate what your return on investment may be and what your share of the profits may be. You should be able to determine that amount. It's not going to be 100 per cent. Now you could get that same amount of revenue by taxation. You would end up getting the money out and again you wouldn't have the charade of the Mitchell inquiry, which I don't think anyone, except the government opposite, takes seriously. You don't have the charade of the Department of Mineral Resources draining lakes with the Minister of the Environment turning a blind eye. Now surely, if there's ever been proof that you can't be the player and the referee, it was that action. We're suggesting to you, your uranium markets will probably get lower and you've invested hundreds of millions of dollars of taxpayers' money. All you have are letters of intent which may have no validity. You've destroyed the credibility of the Department of the Environment. The people of Saskatchewan may, in addition, lose literally millions of dollars.

MR. COWLEY: — Obviously, I don't agree with the member opposite. First of all, I don't agree with his basic premise that there is some conflict of interest. I suggest to the member that there's no more of a conflict of interest when a government has a Crown corporation operating in a mineral area than when it's a tax collector. It's interested in the money in both cases. If the member is arguing that because the government has a financial interest in a particular mineral deposit, it cannot effectively regulate, then we have two choices. We can either not regulate at all, or we cannot collect taxes. Because if the government has, as it has in the uranium industry or in the potash industry, a financial interest, because it is a tax or a royalty collector, the member's argument is that it cannot regulate because it has a conflict of interest. I suggest there's no difference between being a Crown corporation and having an interest in it, than there is in being a tax collector, if that's the basic premise of the member's argument.

MR. LANE: — I hope the minister takes that convoluted logic to the people of Saskatchewan. For the minister opposite to put uranium in the same category as other Crown corporations or other minerals is, of course, not recognizing the facts. It is different and has to be treated differently. You admit it's different by saying you're prepared to leave the jurisdiction in the hands of the federal government. You're admitting it's a different commodity, and that it's treated differently. So, if it's to be treated differently, then surely it is fair to argue that you can't be the developer, the profit taker and the protector of the environment. You've already failed in the latter category, I suggest to you. I think the minister opposite is deliberately covering up what may be a major financial and environmental boondoggle for the people of Saskatchewan.

MR. LARTER: — Mr. Minister, you've admitted there is a soft market at the present time for uranium. I would like to ask the minister, if the Government of Saskatchewan, with the risk it's taking and the money that's involved, is prepared to take the same attitude to the federal government in the interference into our non-renewable resources in oil and gas, should they decide all of a sudden they want a bigger share of uranium, are you already prepared for that?

MR. COWLEY: — Well, I guess we have the same arguments for oil or for potash or for natural gas or whatever. So we're prepared to that extent. I don't know what the member means by being prepared. We haven't contemplated shutting down our uranium production or anything like that, if that's what the member means. But obviously we feel

our arguments with respect to the ownership of resources, the financial returns the province should receive with respect to oil, potash and uranium, are similar.

MR. LANE: — Is any of the \$50 million going into equity positions in any ventures this year?

MR. COWLEY: — I don't know what the member means by equity positions. Most of this goes into joint ventures with other companies in northern Saskatchewan. In that sense it's an equity position eh?

MR. LANE: — We know that your definition of an equity position is a pretty strange one. But you talk about joint ventures, participation for development and your occasional use of equity position, meaning an ownership share in the corporation; that's what you've used it for and touted it elsewhere. If you're now defining equity position to mean joint ventures, let me tell you, that puts even more of your SEDCO and Crown Investment Corporation's investments in jeopardy. But I ask you, is any of the \$50 million going into an ownership position with any of the companies doing development or exploration work?

MR. COWLEY: — I just want it to be clear to the member that it's going into joint ventures; we own ours severally (or whatever the right word is), our one-third or 50 per cent or whatever that joint venture . . . We're not buying shares in other companies with this money, none.

MR. LANE: — Do you have the list of companies which you're in joint venture with?

MR. COWLEY: — It's in the annual report, December 31, 1979. It's the most recent . . . (inaudible interjection) . . . The only information I have with me is to December 31, 1979. That's five and one-half months ago and I doubt if it would have changed very much. There might be two or three or four new companies in there, but I think it would be basically the same list as is in the annual report.

MR. LANE: — Would you supply the list from December 31, 1979 to date?

MR. COWLEY: — Certainly that is no problem at all. You could get it from the Department of Mineral Resources, but I'll provide it you.

MR. P. PREBBLE (Saskatoon-Sutherland): — I have a few brief questions. The first one is, I wonder if the minister could just clarify exactly how much has been invested, since SMDC was set up, in uranium exploration by the Government of Saskatchewan in northern Saskatchewan and what the total government investment in uranium development in northern Saskatchewan is right now, apart from the money that's being spent on exploration. I would like those two figures — the total amount that's being spent on exploration and the amount invested in uranium development, other than that figure.

MR. COWLEY: — The amount of money that has been spent to December 31, 1979, on joint ventures by SMDC is \$263,873,000 (if I can read the financial statement). With respect to other companies and what they've spent, you should ask that in the Department of Mineral Resources.

MR. PREBBLE: — I also wanted to ask if any consideration is being given right now to buying into either the mid-west venture or the McLean Lake venture?

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MR. COWLEY: — Well, I suppose we're always giving consideration to those sorts of things. To the best of my knowledge there's no active discussions under way.

MR. PREBBLE: — Could I ask the minister whether any further consideration has been given by SMDC to making a contribution to a research fund that would work toward solving the two waste disposal problems that are particularly serious in the industry? One problem is the disposal of tailings at the mine and mill site, which is basically unresolved, and the other one is the disposal of high level radioactive waste?

MR. COWLEY: — With respect to the latter, I am not aware of anything that SMDC itself is doing in this regard or any projects it's involved in. With respect to the former, we believe in terms of the Key Lake property that we have a satisfactory disposal method for the tailings. I guess we'll know how satisfactory when we see the results of the Mitchell inquiry.

MR. PREBBLE: — Well, with respect to the sale of uranium from Key Lake and Cluff Lake, in terms of the investments that we have there, with the exception of France which has already been designated as a possible customer under the Cluff Lake investment, could you give us assurance that uranium won't be sold to a country that hasn't signed an arms proliferation treaty? Could you specifically give assurance that uranium won't be sold to South Korea, which is one of the countries that hasn't signed the non-proliferation treaty, and which is probably in the market for uranium since its opportunity to buy from British Columbia has now been blocked off.

MR. COWLEY: — Well, again I think the policy of the government is that the export of uranium must meet the conditions laid down by the Canadian government. That's the policy SMDC is following. So, those countries that are eligible to purchase uranium from Canada would be eligible to purchase uranium from SMDC.

MR. PREBBLE: — That of course includes South Korea, so that would mean that South Korea would be eligible to purchase uranium from SMDC.

MR. COWLEY: — That's correct.

MR. PREBBLE: — As everyone knows I'm opposed to uranium development and I don't want to take this line of questioning any further, but I do wish that the government would reconsider at least to go as far as tying uranium sales to countries which haven't signed the non-proliferation treaty. There are plenty of countries interested in buying uranium that are signatories of the treaty. It seems to me there's no need to go to the extent of agreeing to sell to countries which are willing to enter into bilateral agreements with Canada. Canada has no possible way of assuring that a bilateral agreement, signed with a country like Argentina or South Korea, can possibly be lived up to. We have no way of enforcing that. So I want to urge the minister once again to look at whether it would at least be possible to go so far as to limit sales of uranium to countries that sign the non-proliferation treaty, to refuse to sell to countries that don't, and to enforce this by simply making it a condition of the mineral lease which any private uranium mining company or SMDC is given. Certainly in the case of companies where we have a part ownership and where SMDC is involved, we have a direct opportunity to decide to whom we are going to sell and to whom we aren't going to sell. Therefore it seems to me this is not a difficult objective to achieve. So will you reconsider this?

MR. COWLEY: — Well, I guess we are always open to reconsideration. It is not actively under reconsideration by SMDC at this point in time, but I will keep the member's comments in mind.

MR. KATZMAN (Rosthern): — Mr. Chairman, I have a couple of questions. Earlier you made comments about selling the product. Is it your intention that all of the product you sell has to be refined in Canada?

MR. COWLEY: — No.

MR. KATZMAN: — In other words, Mr. Minister, you have no hesitation about being involved in what they call black boxing. That is where you send your ore, say, behind the Iron Curtain for processing. They are required to send both the wastes and the finished product to the customer. Am I correct?

MR. COWLEY: — Well, what I meant is we don't have any Saskatchewan restrictions because we don't have any refining operations here. I believe the Canadian government has a policy with respect to this and they encourage it. I think encourage is the best word. I am not sure whether they require uranium to be refined in Canada before it is exported.

Different processes require different refining and so some of it isn't practical for Canada. But presumably, if there were adequate safeguards which followed the rules and regulations laid down by the Canadian government, we would export the uranium provided they would sign the appropriate agreements, etc.

MR. KATZMAN: — Mr. Minister, my question was not within Saskatchewan; it was within Canada, to correct your mistake there. Secondly, black boxing does not require the signing of a proliferation agreement. It can be sent into countries which have not signed the agreement for refining. I used the example of Soviet countries. Then the product plus the waste are supposed to come out to the company and the country which bought the product and signed the proliferation agreement.

I am suggesting to you that it is a dangerous problem because there is no guarantee on how much waste there is and how much finished product there will be when there is a large volume. Therefore, you will be automatically leaving potentially hazardous material for warfare in the Soviet countries. That is the reason I am suggesting that one of the things you should be looking at is not allowing black boxing of Saskatchewan ore you consider selling. Therefore, it can't go into atomic weapons.

MR. COWLEY: — Well, I may be mistaken here, but I think that is primarily done, if not solely, by the Soviet Union. They certainly don't have any shortage of uranium. I don't know why they would want Saskatchewan to drain off a little uranium. Even if it were a British customer or whatever, the Soviet Union is not short of uranium to the best of my knowledge. I think it is just the Soviet Union we are talking about here. But I will take a look at this and respond to the member. Frankly, I am not terribly familiar with the procedure.

MR. KATZMAN: — I have one other question then, Mr. Minister, with regard to your last comment. You realize there is a suggestion (I think I have mentioned it before) in the world that possibly the spent uranium will have to come back to the country where it was originally mined. I hope you are taking this into consideration and realizing we could be the massive dumping ground for spent uranium for the world if we are not

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careful and develop this too far.

MR. COWLEY: — Well, I think, obviously, that would be part of an arrangement you would make with someone when you sold them uranium. So when you did it, at that time, you'd be fully aware of it. There's no one who can send it back to you. I mean, the British, unless there's an arrangement with the Canadian government, can't send it back. So the discussion, as I understand it, would be a contractual arrangement of international law, but whenever you did it, you would know when you were making the sale that it would happen. It's not contemplated, I believe, to be retroactive, such that you would be into a sale and the recipient of something you hadn't thought you were going to receive. I think, in my own personal view, it is highly unlikely that it's going to come to pass in any event.

MR. KATZMAN: — My understanding is, Mr. Minister, it may become international law very shortly, and that's why my concern.

MR. LARTER: — Mr. Minister, just one final question. Would you not think that the federal government could treat uranium, because it is a source of energy, in the same way as they're treating oil and gas, so they could influence control and pricing and their share of uranium ore in the future?

MR. COWLEY: — Yes, I agree with the member. Indeed, they've got a lot more power now with respect to uranium than they have with respect to oil and gas. So obviously they could do that. They have already declared uranium a work for the good and benefit section, whatever it is, of the constitution. So they have a great deal of . . . (inaudible interjection) . . . Yes, it's strategic material and they declared it . . . I forget what it is. I'd have to dig out my old history text and look through the constitution so that I could satisfy the lawyer from Qu'Appelle. But the federal government has a lot more authority or power or whatever you want to call it, with respect to uranium than they do with respect to oil at this point in time because of that. . . . (inaudible interjection) . . . Well, I'm afraid I'll have a lot of gray hairs before I see the new constitution, but that's a personal view.

MR. PREBBLE: — A couple of other questions. One of the concerns with respect to uranium exploration, which was voiced in the Bates inquiry in British Columbia, was with respect to the problem of radon gas emissions during exploration activities and the actual undertaking of exploration activities themselves, and the concern that exploration could lead to the contamination of water supplies in some areas. I'd like to know whether SMDC has looked at the problems that came to the forefront in British Columbia and if it's taking some precautions in this regard in northern Saskatchewan.

MR. COWLEY: — I'm advised that the corporation doesn't feel there are any particular problems with respect to radon gas in exploration in northern Saskatchewan. If the member would like to check with me afterward, I can get him a more full response to that.

MR. PREBBLE: — I'd also just like to be clear, now that the new environmental impact assessment guidelines are in place, on whether exploration activities will be subject to those guidelines or whether they will only be subject to them in so far as unique and fragile lands are concerned, as was previously the case.

MR. COWLEY: — I think that would be more appropriately directed toward the Minister

of the Environment. I can't answer it off the top of my head.

Item 1 agreed.

Vote 16 agreed.

**CROWN INVESTMENTS CORPORATION OF SASKATCHEWAN – CONSOLIDATED FUND
– VOTE 65**

Item 1

MR. COWLEY: — . . . (inaudible) . . . to CIC and I hope it will be advanced through CIC to some of the other corporations, the bus company for example. When they buy buses we provide them with their capital which is usually half a million dollars a year, that sort of thing, for buses. Some of the smaller Crown corporations get their advances this way. O.K.?

MR. LANE: — What does the member want with this \$5,800,000 more?

MR. COWLEY: — Yes, well, I'm prepared to give the member a list of what it's for. I don't have it with me.

MR. LANE: — This summer?

MR. COWLEY: — I think I might be able to get it to you by early summer. I'll try to get it for you later this week.

Item 1 agreed.

Vote 65 agreed.

**SASKATCHEWAN MINING DEVELOPMENT CORPORATION – CONSOLIDATED FUND –
VOTE 66**

Item 1 agreed.

Vote 66 agreed.

The committee reported progress.

COMMITTEE OF THE WHOLE

Bill No. 42 – An Act respecting Security Interests in Personal Property

Section 1

MR. J.G. LANE (Qu'Appelle): — I would like to ask the minister if he would supply a list of organizations which departmental officials have briefed, or brought the bill to their attention and how it affects them. I'm not asking for this tonight. My main concern, as I have indicated to the Attorney General, is that it is an extremely complex piece of legislation, and unless there is a fair degree of precision in filing the security documents there is a great risk of severe financial loss. We found that in Ontario when its legislation was first introduced. My overriding concern with the legislation is

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twofold: (1) that those affected by the legislation be fully informed as to what the requirements are, and (2) that some system be developed so that the potential risk of economic loss through a technical error of registration is minimized. It's going to take everybody concerned some time to get used to this act and, as I say, the risk of technical error can be very great when we're dealing with debentures of \$2 million or \$3 million or \$10 million or other corporation securities. And I suggest, as I say, that's my concern, that the people who are affected get ample opportunity to understand what their responsibilities and obligations are, and secondly that the system that's developed for registration doesn't get us caught up in technical areas which will cause economic loss.

HON. E.B. SHILLINGTON (Minister of Culture and Youth): — Perhaps, Mr. Chairman, I could take this opportunity to introduce the official who is with me, Georgina Jackson, from the Attorney General's department.

Let me say with respect to the request posed by the member, that so far as records have been kept, we will undertake to provide to the member opposite a list of all the groups that were given an opportunity to make input into the bill. I think it's fair to say to the hon. member for Qu'Appelle that all reasonable efforts have been made to educate those who will be dealing with the legislation. To this end copies of the bill have been provided to every major user of the central registration office, to almost every lawyer in Saskatchewan, to many more interested individuals and groups. In conjunction with the continuing legal education branch of the law society, several major seminars have been held and as a result of this exposure, several lengthy submissions were received from such organizations as the Association of Canadian Financial Corporations, the Canadian Bankers' Association, the Canadian Life Insurance Corporation, etc.

The submissions, although largely complementary, point out some changes which could lead to a tighter product and which will be introduced in amendments throughout the bill. But I can say to the member that I think those involved have made every reasonable effort to educate the professional people and the individuals and the organizations which will be dealing with the bill.

With respect to technical defects, might I just point out to the hon. member section 66, which says that any error or omission of a technical nature and not substantially misleading will not affect the ability of the document, and no doubt will go some distance toward mitigating any of the problems you make mention of.

MR. LANE: — I always like reading a supposedly succinct synopsis such as the proposed act under the July '77 proposals of the law reform commission. I gather from other counsel, who also spent some time attempting to learn the act, that it took a great deal of study just to understand the ramifications of the synopsis that was given.

What is the proposed date of implementation?

MR. SHILLINGTON: — The proposed date for proclaiming the bill is October 1 of this year, 1980, if the central registration office is fully computerized by that time, and I gather they expect to be. If, however, it should happen that the central registration office is not fully computerized, then the bill will be proclaimed at such time as the central registration office is fully computerized. So they expect it to be October, but it may be delayed if for some unexpected reason the central registration office is not fully computerized.

MR. LANE: — I would like to know what indications the government has from the province of Alberta that it is intending to implement similar legislation, because I suggest that the bulk of our commercial trade in commercial paper is with the province of Alberta. If they are not going on the same system, we are causing, I suggest, a heavy financial cost and a confusing situation. I am wondering if you have any indication as to Alberta's plans.

MR. SHILLINGTON: — Well, I can tell the hon. member that the Government of Alberta indicates they are fully committed to proceed with a similar personal property registration system. A bill similar to this is currently before their legislative review committee and they expect it to be introduced sometime in the not too distant future. But we are informed that the Government of Alberta is fully committed to it and is taking steps to implement and pass such a bill.

MR. LANE: — Are you expecting it this session?

MR. SHILLINGTON: — I gather it's difficult for the Government of Alberta to know that. It will depend to some extent on the speed at which they are able to computerize their equivalent of a central registration office. Theirs, I'm told, is much more complex and elaborate than ours and will take much longer to computerize. So they don't know themselves. Their timetable is the first available opportunity and they're not sure if that will be this session owing to the uncertainty about when the system will be computerized.

MR. LANE: — I understand it may be a little more complex than that because they may not have the capability of 'computerizing' the system. The system may be conceptually the same but the registration requirements are totally different.

MR. SHILLINGTON: — The problem in Alberta is that they have not had a central registration office as such. They've had a gaggle of offices in Calgary and Edmonton. Their intention is to create a single equivalent to the central registration office and that complication is why it's taking them so much longer to computerize it. But their intention is to proceed with a bill similar to what we're passing.

MR. LANE: — But again have you no indication as to time? Would the government consider, before it sets the October 1 date, getting an indication from the Government of Alberta as to whether they have a firm time at that point? Perhaps we should delay the implementation in the interests of uniformity between the two provinces?

MR. SHILLINGTON: — It's like the old Chinese dragon; when you cut off the head two more grow back in its place. While a delay in order to synchronize with Alberta might solve one problem, it would create others far worse. I gather it's felt by the Attorney General's department that it would simply not be possible. There are quite a number of businesses and lawyers and so on in Saskatchewan who are delaying registration of projects waiting for this to be implemented. They want it implemented just as soon as possible because the passage of this bill apparently is being awaited by various organizations in Saskatchewan.

MR. LANE: — I have been informed of the same and have met with the Attorney General on it. As I had indicated to the Attorney General, it is our intention, with leave to the House, to approve the bill page by page as opposed to clause by clause. The House amendments can be interjected as we go along.

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MR. SHILLINGTON: — That would certainly be satisfactory to us, I am sure.

Section 1 agreed.

Section 2

MR. LANE: — A copy of the House amendments was given to me tonight. Are they different from the other two sets of House amendments I was given, or are they a consolidation? . . . (inaudible interjection) . . . They're a consolidation? O.K., thank you.

Section 2 as amended agreed.

Section 3 agreed.

Section 4 as amended agreed.

Section 5 agreed.

Section 6

MR. LANE: — Just to expedite matters, I'm wondering if we could just proceed, Mr. Chairman, and you can go to the House amendments and refer to section 6 without reading the full House amendment. Some of them are going to get a little lengthy. If I have a question, I will ask it. Is that all right?

MR. CHAIRMAN: — It's fine with me if it's agreeable to the rest of the members. Is that agreed? O.K.

Section 6 as amended agreed.

Section 7

MR. SHILLINGTON: — Mr. Chairman, I wonder if we could approve this page by page and not section by section?

MR. CHAIRMAN: — Well, the problem is that one page is section 7 and the next page is section 8. The page after that is sections 9 and 10. I think it's just as quick. It's kind of a problem.

MR. LANE: — I think if we just take a look at where there are House amendments, you're obviously going to have to stop there. But pages that don't have them, we can do by page.

MR. CHAIRMAN: — O.K. I'll just do the sections 8 and 9, etc., until we come up to one. The problem is, they lap over pages.

Section 7 agreed.

Sections 8 and 9 agreed.

Section 10

MR. LANE: — I'm just wondering if the minister would explain the House amendment of section 10.

MR. SHILLINGTON: — Section 10, as the members will see, requires the secured party to have in his possession a description of the collateral taken under the agreement. The amendment provides that a security interest in proceeds need not be included within the description because the collateral mortgagor may not be aware of what the item will be turned into. The member will know the proceeds. If you take a security on a truck . . . O.K.

Section 10 as amended agreed.

Sections 11 and 12 agreed.

Section 13 as amended agreed.

Sections 14 to 17 agreed.

Section 18 as amended agreed.

Section 19 agreed.

Section 20 as amended agreed.

Section 21

MR. LANE: — I was just going to ask a question. What was the reason for the reduction in the time required for reply? It was 15 days in the original act and it was reduced to 10.

MR. SHILLINGTON: — The request for this came largely from members of the legal profession. They felt that 15 days would simply slow up commercial transactions too much and 10 days would speed them up. Therefore, they felt that 10 days was better than 15 days.

Section 21 as amended agreed.

Sections 22 to 27 agreed.

Section 28 as amended agreed.

Section 29 agreed.

Section 30 as amended agreed.

Section 31 as amended agreed.

Sections 32 and 33 agreed.

Section 34 as amended agreed.

Section 35 as amended agreed.

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Sections 36 to 41 agreed.

Section 42 as amended agreed.

Section 43 as amended agreed.

Section 44 as amended agreed.

Sections 45 to 47 agreed.

Section 48 as amended agreed.

Section 49 as amended agreed.

Section 50 as amended agreed.

Section 51 agreed.

Section 52 as amended agreed.

Section 53 agreed.

Section 54 as amended agreed.

Section 55 agreed.

Section 56 as amended agreed.

Sections 57 and 58 agreed.

Section 59 as amended agreed.

Sections 60 to 62 agreed.

Section 63

MR. LANE: — What was the reason for the House amendment and who made the representations on that particular amendment? That's the application to the judge.

MR. SHILLINGTON: — I would tell the member for Qu'Appelle it was the desire to make the procedure under section 63 consistent with the procedure under section 56. The member will note that under 56 there is a provision for an application to a judge as well. We wanted to make the procedure the same in both to simplify matters for those dealing with the applications.

Section 63 as amended agreed.

Section 64 as amended agreed.

Section 65 as amended agreed.

Sections 66 and 67 agreed.

Section 68 as amended agreed.

Sections 69 to 72 agreed.

Section 73 as amended agreed.

Section 74 agreed.

Section 75

MR. LANE: — Can the minister advise me when the forms will be ready? Will they be distributed to interested parties in advance of proclamation?

MR. SHILLINGTON: — Yes, I gather the department intends to do that and more. They intend to have an extensive education program. The forms, search guides and other guides will be distributed to interested members of the legal profession and others, at least six weeks in advance of proclamation of the bill.

Section 75 agreed.

The committee agreed to report the bill as amended.

Bill No. 128 – An Act to Amend The Garage Keepers Act (No. 2)

Sections 1 to 10 agreed.

Section 11

MR. LANE: — I would like to make a suggestion on **The Garage Keepers Act** generally, if the minister would pass it on to the department, and that is that many of the small garage keepers have to go through an involved procedure when a vehicle may be worth \$300, \$400 or \$500 and they have a claim against it for just about that amount. It can get a little costly and time-consuming for them. I would suggest that if the vehicle is worth less than \$1,000 and the claim is \$1,000, that he may sell it direct, just an ad in the paper or whatever, without going through the Gazette, or something of that nature. I've had complaints that they are getting caught up in the cost and can't take the action. They're sitting there with vehicles and have an involved procedure that the cost doesn't justify.

MR. SHILLINGTON: — Yes, your comments have been noted. They will be considered by the department and brought to the attention of the Attorney General.

Section 11 agreed.

The committee agreed to report the bill.

Bill No. 129 – An Act to Amend The Warehousemen's Lien Act

Sections 1 to 5 agreed.

The committee agreed to report the bill.

Bill No. 79 – An Act to Amend The Provincial Court Act

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MR. SHILLINGTON: — I'm sorry. I misunderstood the situation when I made that comment. This is not consequential to **The Personal Property Security Act**. It's simply one that Ms. Jackson has been working on and therefore she's here for it. It is in the hands of the House, if the House wants to deal with this. I think it's fairly straightforward and we can. However, if you'd rather call it a night and pick up on this tomorrow, I'm sure Ms. Jackson would be available tomorrow as well.

MR. CHAIRMAN: — Do you want to come back?

MR. SHILLINGTON: — I move we deal with it now and then she won't have to come back.

Sections 1 and 2 agreed.

Section 3

MR. LANE: — Well, section 3 in my view raises a possible problem of jurisdiction. Who is going to decide at the end of the 30-day period whether matters are completed or whatnot? I can see some counsel challenging the matter and stating that the judge no longer has jurisdiction because the 30-day period is up. Are they completed? Are they substantially completed? I can see that happening, and I'm wondering if counsel has given any thought to challenges of that nature, because of the definition 'completed any matters.' There is ample historical background to define whether or not a matter is completed, and it has been well argued.

MR. SHILLINGTON: — I gather the answer to the member for Qu'Appelle is that it has been considered by the department, although not extensively. I gather it has been extensively considered by Chief Justice Ernie Boychuk, who feels this is administratively workable and will work in practice. I think we are relying as much upon his judgment as on anything else in passing this section.

MR. LANE: — All I'm suggesting is that perhaps a broader definition of what is completed is needed. As I say, it would not surprise me to see jurisdiction challenged. I don't know whether anyone has directed his mind to that aspect. I understand as well, that if a challenge is made we will be back here on it, but . . .

MR. SHILLINGTON: — I think we're prepared to admit that a potential problem may exist. At the same time, I think we feel that while this may be used for challenges we have to trust the good sense of the judges to some extent in determining this. Hopefully, the judges will take a large and liberal interpretation of this section and won't create any undue problems for us.

Section 3 agreed.

Section 4 agreed.

Section 5

MR. LANE: — I'm sorry. Would you just explain section 5, the amendment?

MR. SHILLINGTON: — Section 27 establishes a fund out of which is paid not just the present pensions, which should be fully funded, but the old pensions for the magistrates which were non-funded. The Minister of Finance wants the power to be

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able to pay into the fund any deficiencies which might be created by reason of the claims on it by these older style pensions which were non-funded.

MR. LANE: — I have some difficulty as a general matter with the phrase, which may be anticipated. I can see the need in this case of where there is an actual deficiency and I'm not going to belabor the point. But if we're dealing with actual deficiencies, the phraseology should be a little different.

Section 5 agreed.

Sections 6 to 9 agreed.

The committee agreed to report the bill.

The committee reported progress.

The Assembly adjourned at 10:23 p.m.