

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**May 8, 1981**

The Assembly met at 10 a.m.

Prayers

**ROUTINE PROCEEDINGS**

**QUESTIONS**

**Increase in Interest Rates**

**MR. ROUSSEAU:** — Thank you, Mr. Speaker. In the absence of the Minister of Finance, I would direct my question to the Premier this morning. Mr. Premier, it has now been predicted that the interest rates of the Bank of Canada could go another 2 or 3 per cent higher. I might add that the economists agreed with this prediction. Mr. Premier, this situation will no doubt create a 25 per cent interest cost to consumers and to Saskatchewan. Would you not agree that it is time, regardless of federal or other responsibilities, that your government takes some action to alleviate these costs to the taxpayers of Saskatchewan.

**MR. BLAKENEY:** — Mr. Speaker, with respect to future rates of interest, I am encouraged by the fact that the member pointed out that economists predicted that interest rates would increase. I am encouraged in the belief that the economists are predicting it because their predictions have been almost uniformly wrong, and therefore there may well be some prospect of interest rates going down.

With respect to current interest rates, I have to acknowledge that they are very high and that hardships are being created for a good number of citizens. With respect to actions to be taken, I can only repeat the matters already laid before this House by the Minister of Finance when he outlined the many measures taken by our government to lower taxes by way of income tax cuts, by way of mortgage interest deductions, by way of rent rebate taxes and a good number of steps taken by our government to ease the high cost of living caused in part by high interest rates.

**MR. ROUSSEAU:** — Mr. Speaker, I'm sure the people of Saskatchewan will be happy to hear that the Premier is closing his eyes to the situation with the announcement, again, of the programs that you have in place and that you had in place for so many years. It should be obvious to you (it's certainly obvious to us and the people of Saskatchewan) that these programs have had no effect. They do not work. They have not given any assistance to anyone. I realize and we acknowledge that the high interest rates are not controlled by provincial government but by the Bank of Canada.

Mr. Premier, would you not agree if we had in this province or in this country energy self-sufficiency, and if you assisted and supported the western provinces in that direction, that situation would make Canada a much stronger and more economically independent country? It would give us control over our own economy and that would give us control over interest rates. Mr. Premier, would you not also agree that even at that point we could peg our interest rates?

**HON. MR. BLAKENEY:** — Mr. Speaker, I do not agree with the hon. member that the mortgage interest deduction program has not assisted anyone, or that the rental

rebate program has not assisted anyone, or that the capital gains tax rebate program has not assisted anyone. I can only assume, from the comments by the financial critic of the opposition, that he believes these programs have not assisted anyone and, accordingly, that they would be removed if a Progressive Conservative government came to power. It may be the policy of the Conservative Party that these have done nothing for anybody and accordingly, are useless programs and would be removed; those are not our policies. They may outline their policies for removal of, let us say, the mortgage interest deduction program; that is not our policy.

We believe with him that energy self-sufficiency would be a good idea for Canada, and no government in Canada has spoken more forcefully or put forward more sensible programs for achieving self-sufficiency than has this government.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. ROUSSEAU:** — You've got nowhere with it. Mr. Speaker, this is not the time to outline Conservative policies, but I would ask the government . . . (inaudible interjection) . . . I would love to. I would absolutely love to. I'm sure I would be allowed by Mr. Speaker, as well. In light of the fact that I cannot announce any Conservative policies, I reiterate the fact that your programs have not worked. My question to you now is, will you not only take some action, but improve on the programs that you have in place today? For example, rent rebate for senior citizens, for which Alberta has \$1,000 versus your \$150 or \$200. What we are asking, Mr. Premier, is for you to put in place programs that will be of benefit to the people of Saskatchewan.

**HON. MR. BLAKENEY:** — We certainly hope that we are doing that. I know, and all hon. members know, that this province is not nearly as wealthy as the province of Alberta in terms of current cash. Accordingly, we will not be able to offer to our citizens the same level of cash rebates as the province of Alberta offers. We do, in any case, have somewhat different priorities from the province of Alberta. I noted that in their budget they raised no taxes — not the tax on tobacco or not the tax on liquor. They just settled on one tax; they raised the medicare premium. I think we are well aware of the priorities and wealth of that government.

We believe that the programs we have offered are of some assistance to the citizens of Saskatchewan, and we believe that if there were effective programs in Ottawa to restrain inflation and particularly soaring interest rates, our program would be of even greater assistance, because citizens would not have to face the additional burdens placed upon them by ineffective federal fiscal and monetary policies introduced and maintained by both Liberal and Conservative governments.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. LANE:** — A question to the Premier. The policies that you have announced and restated are all appropriate to another place and time. At the time your policies were implemented, the interest rates were down around 13 per cent. If you're not prepared to make significant modifications in your program, will you at least be prepared to commit to the people of Saskatchewan that your existing program will have a cost of living indicator or index to the programs to take into account interest rates that are probably 50 per cent higher than when your inflation fighting program was brought into existence?

**HON. MR. BLAKENEY:** — Mr. Speaker, I don't know what the hon. member is suggesting

by way of an index. All I can say is that our programs have been announced and will be pursued. With respect to income tax cuts they are, of course, indexed. Our income tax cuts grow each year by reason of the fact that the exemptions, to which person are entitled under the Saskatchewan provincial income tax law grow as the cost of living increases.

**MR. LANE:** — Mr. Premier, we have asked for a significant number of steps to be taken by the government opposite. It is our view (and obviously not yours) that the provincial government has a role to play in helping the people of Saskatchewan fight inflation. We are asking you, as Premier of this province, if you're not going to take the steps we suggest, would you at least bring your existing programs into line with today's high interest rates? As I said to you, your programs were brought in when the interest rates were down. I think the peak at that time was around 13 per cent, they were averaging around 10 per cent. They are now up to close to 20 per cent, and your programs have fallen way behind. If you're not going to take the positive suggestions of the Conservatives, will you at least bring your own programs in line with the reality of today?

**HON. MR. BLAKENEY:** — Mr. Speaker, we believe the provincial government has a role to play (contrary to the view expressed by the member for Qu'Appelle) and we believe we are playing that role. We have, I would suspect, a greater range of tax relief for our citizens than any province in Canada, with the possible exception of Alberta. We offer particular relief with our mortgage interest rebate plan. It may not be what hon. members would wish, but it is higher than any other province in Canada; particularly, it is higher than any other province with a Conservative government. We have a renters rebate; we have a capital gains rebate. We have announced reductions in income tax this year from 53 to 51, which is approximately 4 per cent, and that is a move in the right direction. We think that, generally speaking, citizens are pleased with what your government has done. They naturally would like more protection from the ravages of inflation but they recognize, as does everyone but the members opposite, that the fiscal and monetary policies of Canada are the ones which must be changed if we are to grapple with inflation.

### **Farm Fuel Rebate Program**

**MR. TAYLOR:** — A question to the Premier. Mr. Premier, you have just mentioned that you do feel some provincial responsibility in this field, although you are very reluctant to do anything about interest rates. The problem is inflation, which is made up mainly by interest rates and high energy costs. You can do something about the energy costs, and you have been. I'm looking at the farmers out there in Saskatchewan who are having to borrow money to buy sprays, fertilizers, and so on. There is no help for them; they have to pay high interest.

Mr. Premier, when your Minister of Agriculture announces that there is a drought and that you have put in a drought program, why will you not reinstate the farm fuel rebate program? It was \$300; my suggestion to you is that that should be doubled, or raised to \$500 or \$600. That would help cut the inflationary factors which are causing some farmers to face bankruptcy. The federal Minister of Agriculture announced this morning that things may have to be done at the federal level. Will you, as Premier of this province, give serious consideration to reinstating the farm fuel rebate program to help the farmers of Saskatchewan, who are in dire need at this point in time?

**HON. MR. BLAKENEY:** — Mr. Speaker, I think I have nothing to add to the comments

already made by the Minister of Agriculture. He has indicated that in his judgment farmers are much more concerned about security of supply of fuels for the future. They are much more concerned about the very issue of energy self-sufficiency, as raised by hon. members opposite, than they are about any short-term relief from the rising costs of fuel. Accordingly, we have decided, as a government, to concentrate efforts on assuring that there will be a supply of petroleum products to operate our farms in the years ahead, and we believe that the steps being taken will assist in providing energy security for farms. I think that's key for the safety and security of agriculture in the future in this province.

**SOME HON. MEMBERS:** — Hear, hear!

### **Energy Self-Sufficiency**

**MR. ANDREW:** — A question to the Premier. You indicate that what you are doing, Mr. Premier, is addressing the question of energy self-sufficiency. Can the Premier tell me what you are doing in that field, other than sitting on your hands and waiting to see what the outcome of negotiations between Alberta and Ottawa is going to be?

**HON. MR. BLAKENEY:** — Mr. Speaker, I think that this was outlined in some detail in the speech of my colleague, the Minister of Finance, when he presented his budget. I will not now attempt to outline it all. We are certainly investing a good deal of money in SaskOil in an effort to do our part in developing the heavy oil resources of this province. We have discussed with members of a consortium the possibility of a heavy oil upgrader in this province, and that has been the subject of a good number of questions by members opposite. We are considering the launching of an experimental ethanol program to see whether or not this particular source of fuel offers any potential for energy security for our farmers. We are, in fact, pursuing a good number of avenues which we believe will assist in establishing some measure of energy security for Saskatchewan agriculture.

### **Dispute at Correctional Institutes**

**MR. HARDY:** — A question to the minister responsible for the correctional workers, the Minister of Social Services. Mr. Minister, the apprenticeship standards branch has completed a preliminary assessment of the overtime owed to the employees by your department. I understand that a Mr. Needham, director of apprenticeship, assumed that there was approximately \$800,000 owing to these employees. It appears also that it has been common knowledge that correctional workers at the Prince Albert Correctional Institute and at the one here in Regina have been working almost unlimited overtime themselves over the last three years. In fact, some of them have worked as many as 19 overtime shifts in one month. Could you tell me or tell this Assembly why your department is so hesitant about paying the other workers in the institutes?

**HON. MR. LINGENFELTER:** — Mr. Speaker, I would like to inform the member for Kelsey-Tisdale that we don't have the final report in our hands at this time. I suppose this would be better addressed to the Minister of Finance, who is in charge of the public service commission, but I will say that if and when it is determined that overtime is owing, as I have indicated to him a hundred times, the department will pay it. But to come out here today and accept a number that he pulls out of the air would be premature and would work against the department's best interests and also the

workers' interests.

**MR. HARDY:** — Thank you. Supplementary. Mr. Minister, it has been drawn to my attention that while these employees have been negotiating, or off the job, or on strike, or whatever you want to call it, there have been quite a few things happening. The camps have been closed. They've been given letters of transfer, changes of status in their working hours, changes of pay. Does your department realize that this does come under unfair labor practice in The Trade Union Act? I believe it's section 11(i) and (j). These employees right now are contemplating laying charges of unfair labor practice against your department next week. In doing so, what is your department prepared to do about it?

**HON. MR. LINGENFELTER:** — I suppose it would be just as easy, Mr. Speaker, to get up and say that all the staff in the correctional centres is going to be suspended. I don't know where he is getting his information, but if it's as accurate as what he has given in the House before, I think we should take it with a grain of salt.

I would like to say as well, that we do not intend to suspend or dismiss anyone, as he has indicated in the past. All the workers' jobs, at this time, are secure and in place. Because we are going to a 5-5-4 work week, we have to retrain and recruit new staff, which will take a couple of months. With that in mind, we are having to close a couple of camps until new workers are brought into the system.

### **Contract Bid in Northern Saskatchewan**

**MR. SWAN:** — A question to the Minister of Northern Saskatchewan. Yesterday, you met with a construction group from the province of Saskatchewan. They represent a very large group of some 850 contractors. My question to you is this: after hearing the concerns expressed by the construction group, are you prepared to set down guidelines which would make it possible for contractors throughout Saskatchewan to be considered when bids are forthcoming for projects in northern Saskatchewan?

**HON. MR. HAMMERSMITH:** — Mr. Speaker, I am not aware of the information or the assumptions upon which the hon. member bases his analysis. He somehow assumes that contractors throughout Saskatchewan are not eligible for work in the North. I would point out two areas in particular. First of all, there is the construction of the Amok mine at Cluff Lake where, in the \$82 million overall package of contracts for goods and services, \$71 million in contracts went to contractors and suppliers outside the North. Only \$10 million (12 per cent) of that work went to northern contractors. The Department of Northern Saskatchewan, since its inception, has let approximately \$77 million in total contracts for the supply of goods and services. Over \$56 million of that has gone to contractors and suppliers in southern Saskatchewan. So, the assumption upon which the hon. member bases his question is an inaccurate assumption.

**MR. SWAN:** — Mr. Minister, supplementary question. The Department of Northern Saskatchewan has not been treating fairly bidders who bid for contracts in the North. I have a number of letters coming to my desk stating that they put in bids and that your department does not consider them unless they live in the North. They give a northern contractor first preference. I think perhaps that is all right, as long as you are not giving them first preference at extremely high bids which are far in excess of what the southern contractors are putting in. Are you prepared to set some kind of a differential which will give the Department of Northern Saskatchewan leeway and will also give the people in the South an opportunity so that when they bid, it is worth bidding for? At this

point in time, many of them tell me that they don't consider it is worth their effort to prepare a bid.

**HON. MR. HAMMERSMITH:** — Mr. Speaker, again, the information supplied by the hon. member is at variance with the facts. In the case of any projects in which there is a tender call — a call for bids — the tender is awarded to the lowest bidder as a matter of course. Many of those contracts are not let by the Department of Northern Saskatchewan, but the tenders are called and the contract is let by the Department of Revenue, Supply and Services and the purchasing agency.

Now, perhaps in the view of the hon. member, \$56 million or over 70 per cent of a total of a \$77 million of contracts in eight years is insignificant. Perhaps in his view that means that people don't have an opportunity. But I repeat to him, in any situation where tenders are called, the tenders have gone to the lowest bidder. Now, if he has specific complaints and specific examples, I would request that he bring those to my attention. But the information supplied so far is information that is not accurate, Mr. Speaker.

**MR. SWAN:** — Mr. Minister, you just made a statement that the tender always goes to the lowest bidder, regardless of where he lives. Would you put that on the record? Is it your statement that the lowest bidder will get the contract, regardless of where he lives?

**HON. MR. HAMMERSMITH:** — Mr. Speaker, the normal practice is that when there is a call for tenders the contract goes to the lowest bidder. There is not, in that case, a question of where the person lives. There are some categories of work, some categories of contract (whether work is supplied by northern contractors or others) that are done on another basis. If we are, for example, doing an environmental study of a well at Cumberland House, in that situation we call for proposals on the basis of specs from a number of consulting firms, none of which are in the North. On the basis of performance and ability and cost, we make a selection of which will be the consulting firm to do that environmental study. That's not an unusual practice.

There are situations for a particular kind of job (it might be short term; it might be location specific) where the tenders are only called for in the North. Again, in that case if it's tendered it goes to the lowest bidder.

**MR. SWAN:** — Mr. Minister, you were a bit elusive in your answer to say the very least. My question to you again is this: when the contractors bid on any given job that you have tendered (you're telling me some you don't tender and that may be fair ball, but I doubt it) can any contractor in the province bid and, if he comes in as low bidder, get the job? Can you give me a very straightforward answer on that, please?

**A MEMBER:** — Yes or no.

**HON. MR. HAMMERSMITH:** — There may be tenders called where the specs in the tender and in the job ask for northern contractors only. So not all are called province-wide. If they're called province-wide, yes. You stated when you began, that the rest of the people were shut out. Over 70 per cent, in my view, is not being shut out. I think that's a significant portion of the work over a period of eight years. That may not be significant in your view; it is significant in my view.

**MR. SWAN:** — Supplementary question to the minister. What portion of the contracts that you are giving out from northern Saskatchewan are open for the complete

province to bid?

**HON. MR. HAMMERSMITH:** — Well over 75 per cent.

### **Home Care Program in Saskatchewan**

**MR. BERNTSON:** — Mr. Speaker, a question to the Minister of Social Services. The Saskatchewan Registered Nurses' Association, in the most recent and authentic and precise and accurate press issued in Regina, states: "The present state of the home care program in Saskatchewan is causing concern and confusion among home care providers and the general population." I wonder if the minister could indicate to the House (since he was the one who fired the well-qualified and well-respected director of the home care program in Saskatchewan) just what the new director has done to date to alleviate some of this concern and confusion among home care providers and the general population.

**HON. MR. LINGENFELTER:** — Well, Mr. Speaker, I don't have that news release here in front of me, so whether it's taken out of context or not I'm not sure. But the member for Souris-Cannington, having stated that there is a great deal of concern and consternation (or whatever term he used) in the home care program, is not accurate. I think it is another attempt by the opposition to discredit the home care program here in Saskatchewan. I think that the home care program, the enthusiasm . . . The member for Rosetown and the member for Indian Head-Wolseley, who've gone out and opened home care boards, will realize that the amount of work and determination that is out in the country at the present time in the home care area will show and will prove that the program will work well. I suppose in setting up a new program, there is a possibility that from time to time there will be a difference of opinion on what should be done in different areas. I don't think that is unexpected. But to attack a program of such major importance as the home care program is a bad mistake both politically and from a humanistic point of view.

**MR. SPEAKER:** — Order, order! I would dearly love to have the Leader of the Opposition ask more questions but the rules do not permit it.

### **INTRODUCTION OF BILLS**

#### **Bill No. 103 — An Act to amend the Meewasin Valley Authority Act**

**HON. MR. ROMANOW:** — Mr. Speaker, I move that a bill to amend The Meewasin Valley Authority Act be now introduced and read a first time.

Motion agreed to and by leave of the Assembly ordered to be read a second time later this day.

### **ORDERS OF THE DAY**

### **GOVERNMENT ORDERS**

### **SECOND READINGS**

#### **Bill No. 103 — An Act to amend The Meewasin Valley Authority Act.**

**HON. MR. ROMANOW:** — Mr. Speaker, I want to thank the members of the House for

giving me permission to deliver the second reading speech even though the bill has not yet appeared on their desks. I hope that it will in a few minutes. I understand that in all likelihood the opposition will adjourn the debate after my remarks. We can resume the debate some time next week.

Mr. Speaker, in a few minutes, I will be introducing amendments to The Meewasin Valley Authority Act. I don't intend to speak at any length with respect to these amendments, but I want to indicate to the House that we are introducing these important changes that will, among other things, remove the rural municipality of Corman Park as a partner from the Meewasin Valley project. In addition, the amendments will exclude privately owned land that is within the boundaries of the rural municipality. These amendments, Mr. Speaker, are being made as a direct response and consequence of the concerns expressed by some of the ratepayers of the rural municipality of Corman Park. I am certain, Mr. Speaker, that some hon. members have been keeping a watch on the developments of this tremendous project, the Meewasin Valley idea.

On November 26, 1980, the ratepayers of the R.M. of Corman Park voted in a non-binding referendum to discontinue their participation in the project. As a result of the non-binding referendum, Mr. Speaker, the council of Corman Park itself, then passed a resolution requesting that The Meewasin Valley Authority Act be amended so as to remove the R.M. as a participant from the project. In response to the wishes of the duly elected council, the R.M. of Corman Park and the ratepayers of Corman Park, Mr. Speaker, that is being done today.

I would like to spend a little time, before I take my place, to review again for the members the background of the MVA, and perhaps some of the significance of Corman Park's request to withdraw. Although, I don't want to rehash old ground or plough over old ground, I do think it is important to remind ourselves that the Meewasin Valley Authority project, Mr. Speaker, has had a short, somewhat turbulent and somewhat successful history to date.

This project is, first and foremost, a conservation project. It is a community-based project established just a short time ago, nearly 18 months ago, in response to local interest groups and councils who proposed long-range protection and appropriate development of the natural environment associated with the South Saskatchewan River in the Saskatoon and Corman Park area. It was established, Mr. Speaker, (and I want to emphasize this point) by common agreement, and was approved by official resolution of the city of Saskatoon, the University of Saskatchewan, the province of Saskatchewan, and the R.M. of Corman Park, at that time. In fact, the votes, I think, in all instances were unanimous.

Let there be no mistake about it, Mr. Speaker, there was a very clear, precise, and explicit agreement on the part of all of those duly elected or appointed bodies to participate in the MVA at the time. I have those agreements here with me. They have been the subject of some discussion in the past. The agreements refer to not only the legislation, but also the approval of the conceptual plan (my friends opposite and some members of the press will know it better as the "master plan"), of the proposed legislation, of the composition of the authority, and the cost-sharing formula.

Mr. Speaker, I think it is also clear, the record will show, that copies of letters of support from numerous community groups and individuals came (and still come) for the goals of the MVA. These groups include the Saskatoon City Council, the Saskatoon



Environmental Society, the Saskatoon Community Health Services Association, the natural history society and others, which I could go on to list. This is not to mention, of course, the unanimous support in this House twice, for this legislation, both for the original legislation and for the amendments which were introduced in 1979.

I think it can be said, Mr. Speaker, that no project has received that level of support by elected and appointed bodies from the legislature down or legislature up (however one wants to describe it) on behalf of the people of a particular region.

The goals of the MVA are straightforward enough. Goodness knows, they have been advertised enough. The goals are simply as they have always been: to protect environmentally fragile or sensitive areas in the river area in the area concerned, sensitive areas such as the natural vegetation and the important geological features; to provide or develop recreational and leisure activities to make the river and river valley more accessible and useful to the public; to provide educational opportunities such as to increase understanding of our heritage in the geology and the background of that region; to protect agricultural land from urban sprawl; to protect a very special provincial resource, namely the South Saskatchewan River, from pollution and other aspects of attack.

These other attacks on this very fragile environment and other concerns are well-documented and well—publicized. Mr. Speaker, one of these goals — the question of protection from urban sprawl — deals with the matter of Saskatoon's growing in a very rapid fashion, and threatening by land speculation and uncontrolled development to destroy this beautiful and historically rich area of Saskatoon and the R.M. of Corman Park.

I'd also like to say, in introducing the amendments, that the MVA's record of accomplishments in all of these areas is a good one and is one of public record. In 18 short months, the MVA has initiated activities for the benefit of the public in and around the Saskatoon and Corman Park area. It has lived up to its end of the bargain admirably, especially in view of the fact that the original legislation was far from perfect, and despite the fact that it had a continual drumbeat attack on it by the press, primarily in Saskatoon, and by the River Edge Heritage Association, which had marked the MVA as a target for attack.

Mr. Speaker, members of this House will know that concessions, compromises and amendments were made over and over again in response to the people's concerns about the MVA, and also because of the fact that the original legislation was (as I recognized that at all times) faulty in some respects. I don't want to outline for the members of the House some of those concessions in any detail, but I think it is important to note that we made amendments in December 1979 removing the certificates of title stamp from the titles, which simply alerted people to the fact that the MVA was in the area. We did so basically because of confusion and misunderstanding on the part of many, and at the request of a variety of groups including the R.M. of Corman Park. We made amendments with respect to the so-called buffer zone, allowing that only improvements costing more than \$150,000 be required to be noticed to the authority. In the so-called control area, only those over \$50,000 would require noticing to the authority.

Mr. Speaker, the most major concession and change was that of the MVA boundary reduction itself. In the fall of 1980, without legislation, the MVA held public meetings in response to the concerns that MVA's original boundaries were too large, although

many groups and individuals sought the retention of the original boundaries and, I want to stress, still do. The MVA, again in a spirit of compromise, decided to reduce them by a significant amount. Indeed, approximately 75 per cent of the original boundaries of the MVA were removed voluntarily by the authority. The bulk of that 75 per cent was removed from the R.M. of Corman Park.

These kinds of compromises and changes were never explained fully in the Saskatoon press. The boundary draft was sent to all of the MVA partners, the university, the city of Saskatoon, the province and the R.M. of Corman Park. All of them approved in principle those kinds of changes. You can see the pattern that is being established: a demand followed by a concession, followed by another demand, followed by a concession, followed by another more unreasonable demand, followed by more concessions, throughout the piece. Now we come to this legislature where the new boundaries are being proposed resulting in the ultimate concession — the total withdrawal of the Meewasin Valley Authority from the R.M. of Corman Park.

Mr. Speaker, the Meewasin Valley Authority and this government have bent over backward (or perhaps bent over forward as somebody described it) trying to resolve the difficulties in a reasonable and honest fashion with respect to some aspects of the original legislation and the legitimate concerns of some of the interested parties. This House spent considerable time debating amendments which were twice unanimously approved. As I've indicated, they were endorsed by all of us in the legislature.

I don't want to get into the details of the debate, but the hon. member for Kindersley, back on December 20, 1979, said:

I want to make it very clear, with regard to the Meewasin Valley Authority, that no one disagrees with the central concept of Meewasin Valley. The right to protect the river is like motherhood and apple pie.

The hon. member for Rosthern, in his more romantic days about the MVA before the river edge got hold of him and twisted him a little bit, said, "The MVA will be a betterment for the people of that area and the community."

Indeed, Mr. Speaker, I say in sorrow more than I do in anger that those words are indeed still accurate. MVA is and will be a community betterment project and has always tried to act like one, holding public meetings, information sessions, producing numerous pamphlets and going to an open-door policy with consultation with any people who might be concerned about this. It even met with the River Edge Heritage Association (its prime antagonist), which, in some quarters one would mildly say, purposely misinterpreted or misrepresented, in many ways, what the bill does as a part of a scare campaign to try to influence the media — apparently successfully so in the Saskatoon area — and some others about this project.

Yes, Mr. Speaker, the MVA and the government have gone the extra mile time and time again in an effort to resolve the difficulties and extend the olive branch. We've tried through a form of co-operation to get on with the job of developing, protecting and enhancing this beautiful lush area in Saskatoon and outside the area of Saskatoon to make it, in fact, the jewel that it's described potentially to be for western Canada or Canada. And yet, Mr. Speaker, seemingly we've not done the job.

We've heard statements such as these primarily by the River Edge Heritage Association, a very small, very vocal group of people who primarily reside in Saskatoon and happen to own some land in the R.M. of Corman Park. "We know that MVA is a form of regional government without real responsibility to its subjects." "For the next hundred years, according to the MVA master plan and the MVA Act, there are nothing but controls, regulations, and repressions ahead for the Corman Park residents." "Is it a benefit for a farmer to have an appointed body telling him how he must farm, how he must build, how he must utilize or dispose of his land?" All are big headlines (by a self-appointed body, even to this day) in the Saskatoon *Star-Phoenix*, over and over again.

I don't know how we counter that or how any responsible group can counter charges which simply are untrue, allegations which are untrue. I say that categorically without any kind of qualification at all.

Mr. Speaker, that's raking old coals and I don't intend to do that at any length, although I'm sorely tempted to do it. We are here today, Mr. Speaker, making one more attempt to get on with the job of building this great conservation piece for the province of Saskatchewan and the people of Saskatoon: the Corman Park area.

By these amendments, Mr. Speaker, we are stripping the MVA of a majority of its physical jurisdiction. We're removing a fourth partner that it voluntarily wanted in and now, voluntarily, wants out. This government, as much as some may personally feel otherwise, likes to respect the wishes of the elected local authorities (including the majority of the voting ratepayers in the R.M. of Corman Park and the council). Therefore that bill, presented as it is being done to you today, seeks to follow that respect for local government and democratic procedures. But it hurts a lot of us, I want to tell you, Mr. Speaker.

These amendments will remove the R.M. of Corman Park as a participating partner in the Meewasin Valley Authority. They will also remove all privately owned land within the present boundaries of the rural municipality. The river edge group, so-called, has been calling for only public lands to be included in the area of protection — in the Saskatoon *Star-Phoenix*, October 4, 1980.

Mr. Speaker, this amendment limits the MVA, as far as the R.M. of Corman Park is concerned, to the river, to the shoreline, to all public land which is owned there and any public land which may be acquired by voluntary purchase agreement. Expropriation provisions do not apply. The MVA is minus now the good counsel and the wise words of the elected people of the R.M. of Corman Park. We are minus their representations as a result of this bill and, of course, concurrently and naturally, we are minus any financial contribution from them. In short, they are free.

We have provisions in the bill which require consultation before the MVA can enact any kind of by-law as far as the R.M. of Corman Park is concerned. This goes without saying; we have been doing it, but it's now in the statute. We are obligated to pay taxes if the land is publicly owned by the MVA but is not being used for MVA purposes. It will be done by grants in lieu of taxes once the land is converted into an MVA use. That also is a significant accommodation. The purchase of land to the Meewasin Valley Authority, such that may take place, is necessarily limited only to the immediate area of Saskatoon and the R.M. of Corman Park.

I think any fair-minded person, who would want to tell the MVA side of the story for a change, would acknowledge that all of these amendments accomplish the goals of the

rural municipality of Corman Park.

Section 23 of the act, Mr. Speaker, is being repealed and substituted with a new appeal mechanism (I think it's a good one), which is identical to the Moose Jaw Wakamow Valley Authority appeal mechanism. Members opposite will recall that the House not too long ago passed (there too unanimously) The Wakamow Valley Authority Act based on the same kinds of principles and legislative goals that the Meewasin Valley Authority has.

Also, upon the request of the R.M. of Corman Park, amendments provide for revised funding and the representation formula, as I have indicated, is a consequence of these changes.

Mr. Speaker, we are amending boundaries of MVA by removing privately owned land. Therefore, the MVA's boundaries will include only land that is publicly owned by the province, the University of Saskatchewan, the city of Saskatoon and the MVA. We amend the act to leave the river and the river edge in the boundaries; however, that is done on the basis of the public policy that the river must be a provincial resource and does not belong exclusively to anybody.

Mr. Speaker, a number of housekeeping amendments are included in this bill, on which I would be pleased to answer the members once the bill gets to committee of the whole, including removal of the exemption from liability of the authority. They are now liable at law and it's a positive change to the taxation responsibilities vis-a-vis Corman Park. I have already alluded to that.

Mr. Speaker, I close now by saying that these amendments before us today have accomplished the desired goals of the vote to the R.M. of Corman Park. We have even added, as I say, the questions related to consultation. Mr. Speaker, this government tries to listen to local government and people's wishes. I close by saying that the MVA is a sensitive and responsible agency that is doing a superb job and wishes to continue to really do the job.

I would trust that all members opposite, once they have had a chance to peruse this bill, will see that the legislation does achieve the goals that I have articulated and that this House can be responsive to the desires of the community partners in this project. Mr. Speaker, I move second reading of Bill No. 103, An Act to amend The Meewasin Valley Authority Act.

**SOME HON. MEMBERS:** — Hear, hear!

**MR. ANDREW:** — I have just a few short comments before I adjourn the debate on the matter to peruse the proposed amendments. I would comment on two statements made by the Attorney General.

During the original debate at the fall session of 1979 (I believe), it was the Attorney General who stood when the member for Rosthern (I believe) moved an amendment to pull back the boundary and to pull off private land. He felt that to do anything like that was tantamount to destroying the entire MVA; it would be all over if they did that, and that was the only option.

The other thing I see in the bill is the reference to appeal, which was again a suggestion that it would be simply stupid to propose an appeal mechanism. But be that as it may, I

would like to see the bill and study it further. Another fundamental question which I don't think the Attorney General addressed, and what we are really dealing with here, is the question of the city growth, city people, and the people around in the rural areas. This is not a problem which is peculiar to Saskatoon; it also exists in any other growth centre, I suppose, anywhere in this country.

No one has studied the entire package or taken the concept from an ecological point of view. I think, quite frankly, when the majority of people of Saskatoon are seeing with the Meewasin Valley Authority is that the province of Saskatchewan is making a grant of one-third, two-thirds, or whatever it's going to be (just as they are in Moose Jaw), there is some provincial money rolling into the city to be used to beautify a park area and to create a recreational area. No city is going to be against that. No community is going to be against that.

I know that in my own community, if the province were to provide a fair amount of money to develop a park, surely everybody in the community is going to be in favor of that. The reason is that people are in favor of additional parks and facilities to beautify their city or town. So it's not really very surprising that you have an endorsement by the Saskatoon City Council and by the people of Saskatoon. They see a positive step with something new developed. I think that is really where it sits when you boil it down to the way the people of Saskatoon are thinking.

But what of the people of Corman Park? The people of Corman Park see this plan of development, for both the immediate future and for the next hundred years, as embodied in the question, what are they basically doing for us? They are creating a recreation facility for the citizens of Saskatoon but what are they doing for the people of Corman Park? The first thing they are doing is taking a lot of private property. Now you can cut that any way you want. Some of the people of Corman Park were saying, and I think with some degree of accuracy, that this was expropriation without full compensation. In other words, a person owned land privately, and the government was coming in saying, "Okay, we're going to restrict this property; we are effectively restricting the value of your property for the benefit of the people in the city." That's really what they were saying. The people responded, "Hey, that to us doesn't seem fair that the people of the city are the ones who are gaining, and we are the people who are really losing or having to put up the cost of this." Now, whether that's right or wrong, that really was the debate that took place over the last 18 months.

So what happened is the people of Corman Park felt that they were getting the short end of the stick, if you like. I don't think anybody in this Assembly will disagree with that. So what happens is that some of the members of Corman Park start a lobby to get a change (and nobody is against a lobby, especially not when the group is in the minority). Clearly, they were in a minority. They had no control of the board. They had one out of 10 members. That's hardly going to control anything. The other nine members are basically city-oriented people looking to develop the city, who have less concern about the impact that that spread has on rural people surrounding the city. As I say, it's not an uncommon problem anywhere, the impact of urban sprawl, of urban growth, and what that effect has on the rural area surrounding it. So they're forced to put up a lobby and quite frankly, in terms of lobby, there are very few groups that have done a more effective job as a lobby than the people of Corman Park.

The Attorney General can sit and criticize the *Star-Phoenix* or the news media for saying "Well, we're giving them headlines." I'm sure nobody is going to get into a question of

whether or not we are going to tell the press what to say. Obviously each of us in his own way has objections to what the press writes. There's no question about that. But the press is obviously free in this country, and I don't think it's really fitting that . . . (inaudible interjection) . . . Oh, the press is not free? . . . (inaudible interjection) . . . So we're down to the point where we have no free press.

Anyway, the government countered the lobby, and I say they were an effective lobby. I think anybody would agree in fairness that they were an effective lobby. They have effected changes; they have brought in amendments to the act because they were able to effect a good lobby. That's really what has happened. How has the government challenged that lobby? How have they worked against the government? The Attorney General will tend to say, 'Well, the people of Corman park are greedy, that's why they're against MVA. They have the greed, they want to somehow develop their own property and get some money into their pockets.' They attempt to play the city against the rural area; I think it's dangerous at any time to try to play the residents of the city against the residents of a rural area.

As a result, what happened? I think this becomes a very serious thing. What happens is that you end up with a real serious question of trust between the members of the MVA and the members of Corman Park. I think anybody would agree with that. Obviously, that distrust is there. Whether well-founded or not, that distrust is there. Obviously, that has to be addressed.

So, finally they reverted, through their lobby tactic I suppose, to the final tool they had available to them as any locally elected government does. They put their position to the citizens of their jurisdiction. So they conducted a vote; I believe it was last fall. Whether you agree with it or disagree with it, the result of that vote was overwhelmingly against the MVA. That's what the people said. Eighty-five per cent said, "No, we do not like what is there." The Attorney General says perhaps they are all wrong. But you still have to respect the democratic process of that. I think that vote to a large degree was a vote of distrust of what MVA was doing. I think the people, in fairness, see the MVA as being controlled by a bureaucracy that is less trustful, let's say, than the government or the city council, which is controlled by the Attorney General. So as I say, and I will say no more with regard to the point, I would like to see how the amendments stack up against the wishes or the statements of the Attorney General and see the reaction.

I take it the communications have been back and forth as the Attorney General has indicated. We have bent over backward to facilitate Corman Park. I take it that negotiation with Corman Park has been an ongoing thing over the last two or three months. The reaction of the council, the duly elected people of Corman Park, would be what the Attorney General would indicate as a capitulation on the part of the government as regards MVA. The MVA, for all intents and purposes, is shut off at the city limits. That's really what we're down to. MVA is now a city program, and not a city and country program other than perhaps for a few small hooks here and there.

So with that, Mr. Speaker, I would simply beg leave to adjourn debate on this bill. I am sure we will be back in the early part of next week, probably with the reaction from the R.M. of Corman Park.

Debate adjourned.

**Bill No. 101 — An Act to amend The Personal Property Security Act**

**HON. MR. ROMANOW:** — Mr. Speaker, it is my privilege to rise to move second reading of An Act to amend The Personal Property Security Act. The amendment of The Personal Property Security Act is a technical amendment insuring that our intention is clear. The definition of 'prior security interest' determines those interests which are deemed to be registered under The Personal Property Security Act. It is our intention to insure continuity of registration for all security interests arising under security agreements or other transactions validly entered into prior to the proclamation of the new act. This amendment will accomplish our objective. I move second reading of An Act to amend The Personal Property Security Act.

Motion agreed to, bill read a second time and referred to a committee of the whole at the next sitting.

**Bill No. 102 — An Act to amend The Saskatchewan Human Rights Code (No. 4)**

**HON. MR. ROMANOW:** — Mr. Speaker, under The Saskatchewan Human Rights Code, any person who has reasonable grounds for believing that someone has contravened the act may file a complaint with the human rights commission. Additionally, the commission itself, where it believes someone has contravened the code, may initiate a complaint. In interpreting the provisions of section 27(1) with the provisions of section 27(3), the courts have determined that only the commission has the authority to initiate a complaint with regard to a class of persons, a class action complaint. It appears that section 27(1), as it is presently worded, is not broad enough to allow an individual to launch or initiate a class action complaint of discrimination under the code. The government feels that it is desirable that the members of a class be afforded the opportunity of initiating complaints of discrimination where they perceive such discrimination to exist with regard to their class of person.

Although the human rights commission, by virtue of section 27 of the present code, can initiate such class action complaints, surely the persons most directly affected by perceived discrimination against class, the members of that class, should be able to bring such complaints to light as well. The present bill does not substantially change what was believed to be the present policy under the code. It merely clarifies the protection afforded to individuals under the code by allowing those individuals to bring a complaint where discrimination is perceived against the class of persons. The proposed amendment demonstrates the commitment of the government to protect the rights of individuals. Mr. Speaker, I move second reading of Bill No. 102 — The Saskatchewan Human Rights Code Act (No. 4).

**MR. LANE:** — I am going to take leave to adjourn debate, Mr. Speaker. I do have some very strong concerns about this extension. I think the Attorney General would admit that it certainly can lead to abuse of the provisions of the human rights code. It certainly can easily allow people to take advantage of, or unfairly color or cloud other individuals in a class action. It has some dangers which concern me, and I would like to hear from the human rights commission what they see as the effect of the legislation. I would like to know, as well, who is asking for the legislation.

If the only organization asking for the legislation is the human rights commission, then I would hope that before the bill is brought forward again the public have some input into the legislation. Again, it can be very unfair and contradictory to the intent of the legislation if we are now going to allow class actions to color everybody. To paint everybody in a class with the same brush, although they may be innocent people, I think is very dangerous and contrary to the intent of the act. I beg leave to adjourn debate.

Debate adjourned.

**Bill No. 97 — An Act to amend The Queen's Bench Act.**

**HON. MR. ROMANOW:** — Mr. Speaker, I rise to move second reading of The Queen's Bench Act, 1981. For some time the rules revision committee of the judges of the Court of Queen's Bench has been working toward simplification of the procedures involved in civil litigation in this province. Amendments to the rules of court have now been gazetted and will be effective July 1, 1981. Most of the provisions of this bill accommodate the simplified procedure. Other provisions of the bill are what I would describe as housekeeping only.

The judges of the Court of Queen's Bench have by the rules and amendments eliminated the use of the writ of summons. Presently, a writ of summons is attached to the statement of claims. Both are served on the defendant. Since the writ has served little practical purpose, it is now proposed to be eliminated.

As well, it will no longer be necessary for a defendant to file an entry of appearance prior to filing his statement of defence. He will simply file the statement of defence. The proposed amendments in sections 3, 5, and 9, therefore, delete reference in The Queen's Bench Act to the writ of summons and entry of appearance. Section 10 is a transitional provision to ensure that any reference in any act to a writ of summons in the future be read as the appropriate documents commencing an action or application.

The amendments contained in section 4 and section 8 of the bill will clarify the use of the court seal. Many court appeals are now commenced without the seal being affixed by the court officers, and these amendments will permit this practice to be extended. The use of the seal will be set only by the rules of court.

Presently, section 53 of The Queen's Bench Act requires that an action be commenced and maintained at a certain judicial centre, according to the requirements set in section 53, even if all of the parties and witnesses are not located at that judicial centre. The present section gives a judge the power to transfer the hearing of the action, but the court file must remain at the original judicial centre.

The amendments contained in section 7 of this bill allow a judge to transfer the entire action when that is appropriate. Thus, litigants and witnesses will not be unduly inconvenienced in such cases, and saving in costs could be substantial.

The proposed amendments to subsection 3(ii), and subsection 3(iii), section 6, are merely of a housekeeping nature, repealing obsolete provisions and correcting an error in reference made in revision of the statutes.

Mr. Speaker, I move second reading of The Queen's Bench Act (1981).

**MR. LANE:** — I want to advise the Attorney General that we will be supporting the bill. I think it is long overdue in getting rid of the practice of using writs of summons. I don't know what the printing companies are going to do with several hundred thousand copies of the preprinted forms, but it is . . . (inaudible interjection) . . . Yes. Don't pay for them; don't pay storage.



I particularly welcome the proposals that take away the defendant's automatic right to transfer an action. That has been a stalling tactic in most cases and in my view, it has been abused, and I commend the Attorney General for making those changes. I think they will make the bringing of an action a little more fair and will take away, as I say, a previous right which existed, that primarily led to abuse and stalling rather than protecting the interests of the defendant. We will be supporting the bill.

Motion agreed to, bill read a second time and referred to a committee of the whole at the next sitting.

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

**HON. MR. ROLFES:** — Mr. Speaker, it is my pleasure to rise today and explain the purposes of the amendments to The Hospital Standards Act. I think it is a well-known fact that in some Saskatchewan communities, hospitals have been co-operating with other health agencies and programs in the provision of health services. For example, in Gravelbourg, Radville, Rosetown, and Spiritwood, just to name a few, a nursing home unit is operated in conjunction with the hospital.

The hospitals in these municipalities are providing a variety of services to the nursing homes, including meals, laundry, housekeeping and administration. In several other locations, hospitals are participating in local Meals on Wheels programs. This type of co-operation between hospitals and other agencies is highly desirable, and I am sure that it will expand in the future as home care and other community-based program are developed. At the present time, however, most hospitals do not have any clear legal authority to provide services except to their own patients.

Mr. Speaker, these amendments to The Hospital Standards Act will give hospitals the necessary legal authority to provide services for, or with, other agencies. These services could be provided in the hospital or elsewhere in the community. Of course, there are limits to the extent which hospitals can reasonably provide service to other agencies. To ensure that co-operative arrangements are established on a rational basis, we have provided in these amendments for the Minister of Health to approve individual health care facilities for purposes of receiving services from a hospital.

Mr. Speaker, I am confident that these amendments to The Hospital Standards Act will enable our hospitals to play a more active and extensive role in the provision of health care in Saskatchewan communities. I move that this bill be given second reading today.

**MR. BERNTSON:** — I think, overall, the minister can expect the support of this side of the House for his bill. The only thing that is a little offensive in the bill, and which always bothers me when this minister brings it forth, is that the ultimate authority for such things always comes back to minister. I think both the minister and I will acknowledge (if the minister is completely honest with himself) that there are a lot of people out there running hospital boards and home care boards who are a lot smarter than both of us, and who could very well make the decision as to who should provide service and to what level, etc. Having said that, Mr. Minister, we will be supporting the bill.

Motion agreed to, bill read a second time and referred to a committee of the whole at the next sitting.

### **Bill No. 99 — An Act to amend The Saskatchewan Hospitalization Act**

**HON. MR. ROLFES:** — Mr. Speaker, in part, the amendments to The Saskatchewan Hospitalization Act are consequential to the bill which we just dealt with. The amendment to the definition of a hospital is simply a consequential change which is required because of the amendments being made to The Hospital Standards Act. It will prevent the possibility of a nursing home being defined as a hospital and being required to operate under the terms of the hospitalization act. This would satisfy the Leader of the Opposition that I will no longer take the final authority under my own jurisdiction.

The main amendment is designed to enable Saskatchewan to participate in a reciprocal interprovincial agreement currently being proposed by several provinces and the federal government. This agreement would pertain to payment to hospitals for services provided to residents of the provinces. At the present time, Mr. Speaker, Saskatchewan hospitals must submit claims for treating out-of-province residents to the hospital plan in the patient's own province. The same is true of hospitals in other provinces. Under the proposed agreement, hospitals would submit claims for out-of-province residents to their own provincial plan, and the various provincial plans would make the necessary financial settlements with one another on a regular basis.

It is desirable that Saskatchewan participate in the proposed agreement for two reasons. Saskatchewan hospitals will have to deal only with SHSP (Saskatchewan Hospital Services Plan) rather than with a number of other provincial hospital plans and in some cases, they would be reimbursed more quickly for services they provided. Secondly, for Saskatchewan residents who needed to be hospitalized in another province, the agreement would minimize the possibility of their being required to pay for services at the time and to seek reimbursement later on from SHSP.

Mr. Speaker, the proposed amendments to The Saskatchewan Hospitalization Act will allow Saskatchewan to participate in this scheme by giving SHSP the legal authority to act as an agent for other provincial governments, that is the authority to pay Saskatchewan hospitals for treating residents of other provinces.

Although the interprovincial agreement I have described is the specific reason for these amendments, it is possible that other comparable situations may arise. For this reason, the authority to act as an agent has been stated in broad terms to accommodate other arrangements which might be considered desirable in the future.

Mr. Speaker, these amendments to The Saskatchewan Hospitalization Act will facilitate a desirable interprovincial agreement relating to payment for hospital services. Therefore it gives me pleasure to move second reading of Bill No. 99 — An Act to amend The Saskatchewan Hospitalization Act.

Motion agreed to, bill read a second time and referred to a committee of the whole at the next sitting.

#### **Bill No. 100 — An Act to amend The Cattle Marketing Voluntary Deductions Act**

**HON. MR. MacMURCHY:** — Mr. Speaker, hon. members will remember the amendments to The Cattle Marketing Voluntary Deductions Act debated in this Assembly in 1978, which made the cattle checkoff more voluntary in its approach than a more or less compulsory approach which had been the case previously. At that time the account which would collect the checkoff contributions was renamed from the

cattle checkoff trust account to the cattle marketing voluntary deductions trust fund. When the committee administering the funds came to make grants out of the fund, however, the auditor ruled that the funds in the former cattle checkoff trust account could not be used as part of the new cattle marketing voluntary deductions trust fund. The auditor reasoned that no specific provisions had been made in the legislation to transfer the funds from the old account to the new fund.

The funds involved in the old account were significant, in fact in the order of \$90,000. By the auditor's ruling, these funds were frozen and could not be used for beef promotion.

Following the ruling, Mr. Speaker, the Saskatchewan Stock Growers Association and the Saskatchewan Cattle Breeders' Association brought a joint suit against the Government of Saskatchewan and the Minister of Agriculture for (as they put it) co-mingling the old and the new funds. A sincere attempt was made by the government to unfreeze the money in the old account so that this could be used by the committee which administers the funds and, of course, as hon. members know, the suit was dropped.

However, Mr. Speaker, all attempts to find a way short of legislation were unsuccessful. All legal counsel agreed that the only way to release the funds from the old account for use by the committee is for the legislature to pass an amendment to the act to make provision for the old funds to be transferred into the new account. Bill 100 before us, Mr. Speaker, makes the provision.

The current legislation provides for a committee to administer the funds, made up of two persons nominated by the Saskatchewan Stock Growers' Association, one person nominated by the Saskatchewan Federation of Agriculture, one person nominated by the Saskatchewan Cattle Breeders' Association, one person nominated by the Saskatchewan Dairy Association, one person nominated by the Western Canadian Cow-Calf Association (Saskatchewan section), and two persons appointed by the minister. This committee, currently consisting of Mr. Barry Andrew, Mr. Boyd Anderson, Mr. Bill Marshall, Mr. Frank Edenoste, Mr. Leo Fuhr, Mr. Evans Thordarson, Mr. Walter Jess and Mr. Bob May, remains in place and will administer the fund.

Mr. Speaker, Saskatchewan cattlemen will look forward to being able to make use of the \$90,000 plus, which is in the old account. I am therefore pleased to move second reading of Bill 100.

**MR. KATZMAN:** — Mr. Speaker, I think this is the third time since I have been in the House that a bill affecting this particular concern has come before the House. This one, I think, is to legitimize the thievery of the people who put money in the original cattle checkoff. In those days, the decisions were made by the producers and not the minister, as is the new ruling. Now, what we are going to be authorizing is giving the present minister veto power to do as he pleases with producer funds which were originally placed into this account for the benefit of the producers. The account was run by the producers, and decisions were made by them. Basically, this bill is the legitimization of thievery of the producers' funds. In the old checkoff system, the producers made the decisions as to where they wanted the funds to go, and not the minister. Since then, that bill has been amended so that the minister has his all-encompassing veto power. Now, he's basically legitimizing the thievery of that money from the producers — money which was originally presented to them. They had the choice as to what they did with it.

Mr. Speaker, this bill may be small but the ramifications are very large . . . (inaudible)

interjection) . . . The member from his seat says, “Are you against it?” Let me ask the minister why he doesn’t just make arrangements to allow these funds to be released to the producers who originally put them there, and let them make their decisions without his veto power, and without sticking his sticky fingers in there? Let the producers decide what they want to do with that money because under the new system, the way you have it geared, they don’t have the right to make that decision. You have the veto power. Yes, it’s a money grab. Your government is famous for it.

Let me suggest, Mr. Minister, that there are going to be responses from the industry and from everybody else about your grab. For that reason, I’m going to adjourn debate on this one. Many of our members will have much more to say on Monday. Mr. Speaker, I ask for leave to adjourn debate.

Debate adjourned.

## ADJOURNED DEBATES

### SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Snyder that Bill No. 54 — **An Act respecting Electrical Wiring and Inspection and the Sale and Installation of Electrical Apparatus and Material** be now read a second time.

Motion agreed to, bill read a second time and referred to a committee of the whole at the next sitting.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Snyder that Bill No. 83 — **An Act to amend The Workers’ Compensation Act, 1979** be now read a second time.

Motion agreed to, bill read a second time and referred to a committee of the whole at the next sitting.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. MacMurchy that Bill No. 85 — **An Act respecting the Stabilization of Returns to Beef Producers in Saskatchewan** be now read a second time.

**MR. MUIRHEAD:** — Mr. Speaker, I had discussed this beef stabilization program with the minister before — even in question period. The minister said that the member for Arm River stated that there is quite a bit of merit in this bill. After studying your remarks, Mr. Minister, my opinion about the good merits of this program have changed. What you’re doing in this plan is putting government completely into the lives of the farmers. I’m just going to go through some of the remarks which you’ve made, Mr. Minister. In the beginning, you said:

The beef stabilization act marks a major milestone in a comprehensive program initiated by the government to provide the basis for a strong, growing, secure livestock industry and commerce.

That’s easy for you to say. You get up and you make these statements, but is this what the farmers say, Mr. Minister? Do the farmers agree with you? I say that the farmers are not agreeing with you. I was home Wednesday night and went to a ratepayers’ meeting

of the municipality. There were a lot of cattlemen there. It seems very strange to me that the majority of those cattlemen who gave me their remarks said that this is a backdoor method of a marketing board coming in. Now this is what we heard before and you said, "No, this is not a marketing board." But this is the feeling out in the country. Whom have you contacted? Who are these groups of people giving you all this support? We don't seem to find them. Even since you read the complete bill in the House the other day and your remarks went throughout this province, people aren't coming forth in favor of this bill.

Now you go on to say:

We have provided the legislative framework and administrative support for the establishment of a producer controlled marketing system for hogs, sheep, lamb, milk, poultry and eggs.

Now you're going to add cattle to it. If this is a good program (and it's been a good program in the past) why are all these farmers raising these products going broke? The idea of your plan, Mr. Minister, should be to put cash in the hands of these beef producers. It is going to do that? You're going to get a little bit of merit for it because the hog raiser is going to say, "I don't like SHARP but it's all we've got." It's all this province provides. You've stated here, Mr. Minister, that this is perhaps not a good bill, but it is the best you could do. For goodness sakes, you've had months and months and years to think about something to put together for the cattlemen of this province and then you come up with the bill and say, "It's not a good bill, but it's the best we can do." For goodness sakes, if you want to do something for the farmers, put some cash in their pockets. Cash!

The government is providing, through its investment in Intercontinental Packers, Saskatoon and Plains Poultry, Wynyard, the support and confidence required by three sectors to develop and grow in complete efficiency in western Canada. Mr. Speaker, this is exactly what it is all about here. They're plants that they control. Why don't you spend some money in helping some free enterprisers to own some packing plants in this province? This is what it is all about, to control the marketing to go to your own packing plants.

You say here, "Everyone agrees there are problems in the beef industry in the province." Well I sure agree with you on that, Mr. Minister. But if we don't do something and your government doesn't come up with something much better than this to protect the hog farmers and to assist the beef farmers, what's it going to do? It's going to hurt the grain industry. I agree with you that we have to do something for the hog raiser and the beef raiser, but your hog marketing commission didn't do anything for the hog raiser. You talk to the hog raisers and see what they think of SHARP. It is a few extra dollars but they need something better. Maybe this is going to put a few dollars in the hands of the beef producers, but they want something much better than this.

This is not going to do the job with inflation and high interest rates. This is going to hardly even touch them. Why don't you do something right now? Spend some money on getting some feed piled up in the province like the previous government did from 1964-71. At least the Liberals did do it. They had hay banks all over this province. But when we come to emergencies are there any hay banks? No, you have to bring hay in from Alberta and Ontario. You bring in subsidies to help on travel, and who gets the extra dollars? The farmers in Alberta and Ontario, and the farmer is still paid the same. Your programs have been a flop, something like the federal herd maintenance

program, a complete flop. If the farmers were agreeing with you, Mr. Minister, why wouldn't they be coming to the Premier and to you and agreeing with you? They're not. They know they can't come to government for assistance. They know they can't because they know you're going to interfere in their lives. You're going to make this stabilization plan into another SGI. I feel it's going to be an SBI — Saskatchewan beef insurance program. That's what it's going to be in time. You mark my words. You're going to control it. It's going to be another SGI.

**AN HON. MEMBER:** — Or a BSI.

**MR. MUIRHEAD:** — But we'll call it SBI — Saskatchewan beef insurance program. That's what it's all about. The farmers pay a little into it and they're supposed to get a little more out of it. Why don't you get rid of your administration? Never mind all the administration, and put some cash into the hands of those farmers. Why don't you put some money into programs like leasing programs, irrigation programs? You don't do those kinds of things. This is what the farmers have been coming to you for. The member for Rosetown has been going at you for three years in this House to put some money where it would do some good for the farmers.

You come up with a little program like this. Who wants it? I can't find anybody who wants it. Even Boyd Anderson, a rancher — what does he say about it? What did he say about it, Mr. Minister? If it's so good, how come such a well-spoken man as he can't come out in support of your program? He states publicly that good merits don't exist. They're very disappointed, and I'm disappointed, Mr. Minister, because I said to you in the House when I first read your 14-point program, before your main criteria came out, "Perhaps this program has some merits."

It's not even voluntary, like you say. It's either a whole herd or none. For goodness sake, if somebody has 100 cows, has 100 calves to sell, why don't you let them try 10 head and sell the others somewhere else? But, no, you want to control all or none. So it's not completely voluntary. Don't try to tell us that.

You could do so much with your money. Why did you remove the fuel rebate that the member for Indian Head-Wolseley brought up this morning? Why did you take that away from them? You could put so much money in the hands of these farmers, but you don't do it. What about the 20 per cent gas tax we have in this province? That would help everybody. It would help the poor cattleman who has to drive around and fix his fence at a \$1.50 a gallon for gas. There's so much you could do here.

Getting back to these irrigation programs, why didn't you spend your millions of dollars there, so the people could grow hay more efficiently and not have to buy feed? What happened to the beef industry in Saskatchewan last year, and why did they lose so much money? I'll tell you why they lost so much money — their grain is so high priced, and then they had to go out and buy it to save their herds. They had to go out and buy hay at high prices and bring it from other provinces. If they could grow hay and feed at a reasonable price, and if the government would just get some hay banks, so when there's a shortage of feed like there was in '61 and '67, they could go to a hay bank and get that feed at cost instead of paying these outrageous prices. The price of beef last year, Mr. Minister, was good on the market — 70 to 75 cents a pound. It's the cost of producing it. Do something about the original cost. That's what you're not doing. You're not helping the farmer to get to the original cost.

There are some other points in here I notice. You said in here, "Mr. Speaker, it is not a

perfect bill; we will learn some things as we go along.” Yes, we’ll learn some things, the same as the hog producer learned. He learned as he went along that it put him out of business. We produce one million fewer hogs in Saskatchewan than we did when the hog marketing commission came into effect. Is that what your intentions are with this? Why don’t you get your department together and why didn’t you bring in the beef men to talk to you about this? Who did you go to? You told us. You said you went to the National Farmers’ Union, Sask Wheat Pool, and all these different organizations like the Saskatchewan Stock Growers’ Association. I have yet to find where they support you in this.

You said you had taken people from these groups of organizations to help you put the plan together. Why can’t you say in this House who these people were that helped you put it together? I’ll tell you who helped you put the plan together — the political hacks helped to put it together, not the farmers. Why don’t you get right out into the boondocks and find a cattleman and ask him how much money is going to go in his pocket because of this plan? That’s what you have to do.

You should take all the costs of your administration programs and all the costs of the red tape, and just send a cheque out to the farmer. That’s what you have to do, just send a cheque. You don’t need to go through all this rigmarole. To each person who raises an animal in this province and sends it to market, you could just give so much per animal and your administration costs could probably add another \$50 on that.

Mr. Minister, a lot of our members will have a lot to say about this bill next week. I am going to do the same as I did with regard to the municipal bill, Bill 50. I am going to go and talk to the people who are involved. This weekend, we, as the Conservative Party, are going to talk to as many of the beef producers of this province as we can. We will get their feelings on this bill and inform you of our findings next week. I can tell you right now, Mr. Minister, that the producers I have talked with so far are not in favor of this bill. They want something, but they want something better.

Mr. Speaker, I wish to adjourn debate.

Debate adjourned.

## **COMMITTEE OF THE WHOLE**

### **Bill No. 62 — An Act to amend The Northern Saskatchewan Economic Development Act.**

Sections 1 to 6 inclusive agreed.

The committee agreed to report the bill.

### **Bill No. 90 — An Act to amend The Department of the Environment Act**

#### **Section 1**

**MRS. DUNCAN:** — I just have one question, and I understand the Minister of Northern Saskatchewan is going to respond. We thoroughly agree with the intent of the bill, and we think that the expansion of terms to include drainage, deposits, releases, and emissions is a vital change, and we welcome that. But I am concerned, Mr. Minister, with 12.21(6), which states that the minister is under no duty to give a hearing to any person before making an order under this section. Could you tell me why this would be

included? Personally, I don't think it's very, very fair that a person who is being ordered to make some changes in his operation is not given a chance to a hearing with the minister. Could you just respond?

**HON. MR. HAMMERSMITH:** — The intent of the section is that overall we are dealing with situations where most cases could be considered emergency situations. We are dealing with dangerous and hazardous materials, and it's not considered realistic in the situation where we have an admittedly dangerous substance out there to wait an undue period of time before proceeding with the clean-up.

It should also be noted, however, that the order may be appealed to the Court of Queen's Bench, and that in practical terms the people to whom the order is directed are generally aware ahead of time of the contents of the order, because attempts are in almost every case made to resolve the situation without issuing an order. So, it's not as if there is not an opportunity to discuss it and make the position known. But it's felt that in a situation where you have a dangerous material that needs to be cleaned up, there needs to be ability to expedite that. I think that it's also true that it's in the existing legislation in section 4, but the answer is to be able to deal with an emergency situation without a long period of time with that substance out there.

**MRS. DUNCAN:** — I can appreciate, Mr. Minister, that before a directive would be ordered under ministerial order, there would be consultation with the person or persons in question and, as you said, he or she can appeal to the Queen's bench. So I really see no reason for subsection (6), and I would really like to see it taken out.

**HON. MR. HAMMERSMITH:** — Well, I appreciate the suggestion. I understand what the hon. member is saying. But I think that it is fair that the ability to act with dispatch in an emergency situation needs to be retained.

Section 1 agreed.

Sections 2 to 10 inclusive agreed.

The committee agreed to report the bill.

#### **Bill No. 58 — An Act to amend The Air Pollution Control Act**

Sections 1 to 6 inclusive agreed.

The committee agreed to report the bill.

#### **Bill No. 65 — An Act to amend The Water Resources Management Act**

Sections 1 to 5 inclusive agreed.

The committee agreed to report the bill.

#### **Bill No. 91 — An Act to amend The Provincial Court Act (No. 2)**

Sections 1 to 3 inclusive agreed.

#### **Section 4**



**MR. LANE:** — I noticed the reference in the various court acts to the seal and the changes in The Queen's Bench Act as well. Are you contemplating doing away with the requirement of the seal and if so, what changes in The Saskatchewan Evidence Act are going to be forthcoming?

**HON. MR. ROMANOW:** — Mr. Chairman, we are not contemplating doing away with the seal subject to the amendments of The Queen's Bench Act where it may not be required in some particular actions. But the seal will remain for the Queen's bench unchanged. Essentially what we are doing here is providing the provincial court, as the member knows, with a seal in its documentation. It has to transmit records up to higher courts, etc. We feel that a seal is appropriate. But there is no doing away with seals other than as defined in the previous bill.

Section 4 agreed.

Sections 5 to 8 inclusive agreed.

The committee agreed to report the bill.

#### **Bill No. 92 — An Act to amend The Intestate Succession Act**

Sections 1 to 3 inclusive agreed.

The committee agreed to report the bill.

#### **Bill No. 93 — An Act to amend The Surface Rights Acquisition and Compensation Act**

##### **Section 1**

**MR. ANDREW:** — I take it you have received the resolution of the Northwest Surface Rights Association. They brought a couple of points into question. One question was: how will the act apply to the surface rights problem as it relates to tertiary recovery? As you know, far more land is involved, and they were concerned about the limits on the surface rights, I think, being \$1,500. Are you looking at that potential problem for some amendments with regard to that?

**HON. MR. ROMANOW:** — Mr. Chairman, simply put, the answer to the member's question is yes, we are looking at the potential problem. As the member himself would understand, as well as any member in this House, and because he has asked a lot of questions on this subject, it is underlined as a potential problem. We obviously need to take into account many other factors before it becomes a full-blown difficulty. But leaving that aside for the moment, for our point of view, we are.

We have given a commitment to the surface rights people that these amendments which we have introduced are not the end to additional amendments which are required. For example, one consideration relates to power corporation poles, and how we handle that. That is very complex and very costly.

Tertiary is in that same category. I can't tell the member when we can expect any amendments on that — one year, or next year, or two years. We have only begun to work on the problems associated with it.

**MR. ANDREW:** — All right. That was my second question. You were also then looking at how Sask Power and Sask Tel affect surface rights? The pedestals which Sask Tel put on the line, there is no compensation at this point in time to the farmer for them. Are you considering that in the future those two utilities would also come under this jurisdiction?

**HON. MR. ROMANOW:** — Mr. Chairman, I want to be absolutely clear. We are considering it. We believe that there are many serious problems attached to that, both legal and financial. That is not to throw cold water on it, because I think it can be done with modest legislation, carefully thought out on a step by step basis. When I say yes we are considering it, I want to keep expectations at an appropriately modest level because it is a very, very complex job. We have a committee which is headed by the gentleman sitting to my right, Mr. Garnet Holtzman, dealing with officials in the power corporation and other agencies in looking at this for us. When he will come up with a report, I just don't know. I am hoping that by fall, we will at least be able to get a handle as to the scope and the magnitude of the issue.

**MR. ANDREW:** — I have just one other question on that. The resolution of the northwest people also was that they felt that surface rights more appropriately should have come under Department of Rural Affairs as opposed to Department of the Attorney General. Feeling that somehow the farmers perhaps related to that department, that that department perhaps understood the concerns of the farmer. Under the Attorney General's department, it tended to place surface rights more in the adversary, quasi-legal field. Very often it is much like a quasi-court case. Is there any consideration of a move in that direction to streamline the procedure so that farmers can appear before that board and represent themselves or represent the economics without the legal situation?

**HON. MR. ROMANOW:** — Mr. Chairman, I don't mean to dodge the question by saying that this is something that the Premier will ultimately have to decide. I have no personal vested interest in this and neither does my department.

The member for Kindersley will know that this has risen essentially as a result of the activities of the former premier, Ross Thatcher, and the administration in those days under Judge Friesen, and it logically and historically fell under the Department of the Attorney General.

My own personal feeling is (without articulating government policy) that it doesn't much matter where you house the surface rights arbitration board; it will, of necessity, be a quasi-judicial function; it will, of necessity on occasion, require lawyers. I agree with the member — nothing would be better, as far as I'm concerned and my people are concerned, than to have no lawyers in the whole procedure, but very often an oil company or a land man will show up with counsel. The farmer feels the same way. As we keep introducing legislation, it becomes more technical. So it's kind of a quasi-judicial operation, and if you switch it from the Attorney General's department to rural affairs, you will still have a quasi-judicial operation. The perception may be better, as far as the farmers are concerned; the politics of that may be better, but I think if one looks beyond that rather superficial approach, it won't much matter.

We are certainly flexible to it, and if there is a loud outpouring of feelings that we should move it to rural affairs or some other agency, I would not, as one minister of the Executive Council, oppose that. But I do think that it will not circumnavigate the major problem which, of necessity, will exist.

**MR. ANDREW:** — One other question. The province of Alberta requires its land man to be licensed under provincial jurisdiction. Have there been any complaints about land men who are not being controlled and, therefore, is there a movement toward licensing land men (I suppose, to get away from the unscrupulous type)?

**HON. MR. ROMANOW:** — Well, Mr. Chairman, this is perhaps not a full answer, but I would tell the hon. member that these amendments are the result of about nine months to a year's worth of work by a group, headed by Mr. Tom Wakeling (again, Garnet Holtzman was on the committee, and there were other representatives — I think Bob Kohaly from the Estevan area was on the committee). We gave to the Wakeling committee the question whether we should license land men. I don't have the report with me now and neither does Mr. Holtzman, but the recommendation (as I say, it is not a complete answer, but it certainly was a significant one by the committee) was that it wouldn't materially affect the operations with respect to operators, land men, and the farmers, or the act, and they recommended against licensing and bringing in legislation to license at this time.

In the report there is probably some verbatim explanation for that. I considered it, and I felt that I would defer to the recommendation, that judgment call. Again, I don't feel so strongly about this that if it isn't the positive asset, we wouldn't incorporate it. I repeat again, that is something which I could ask for in the next session — for Mr. Holtzman (in a marginal way) in the meantime to reconsider. I don't want him to re-invent the wheel, because we have spent lots of time looking at it.

**MR. LANE:** — I wasn't paying complete attention to the statement you made. Did you indicate that the jurisdiction for this legislation may be moved into another department?

**HON. MR. ROMANOW:** — No, at the present, there are no plans to move it to another department. I was responding to the member for Kindersley, who was responding to the petition of the northwest surface righters who at one time passed a resolution urging that it be shifted to rural affairs. I was arguing that it wouldn't make any change or difference at all, but that I had no vested interest in its being changed. My obvious proclivity is to leave it with the Department of the Attorney General. I think Judge Friesen's initial report made good reason for that but, nevertheless, we're looking at it.

**MR. LANE:** — I would have reservations. We are dealing with rights and I would have concerns if that is being considered. I would feel a little more comfortable if it stayed in the Department of Attorney General.

Section 1 agreed.

Sections 2 to 5 inclusive agreed.

Section 6 as amended agreed.

Sections 7 to 12 inclusive agreed.

The committee agreed to report the bill as amended.

### **Bill No. 56 — An Act respecting Jurors and Juries**

Sections 1 to 4 inclusive agreed.

## Section 5

**HON. MR. ROMANOW:** — What we are doing essentially on all of these amendments is striking out the words, 'exempt from jury duty' to now 'relieve from jury duty.' That is the word that is being used 'relieve.' So those are the amendments which are being done to make it uniform. We are now relieving people from jury duty.

**MR. LANE:** — Section 5(2)(b). By striking out exempt and relieve, I just don't see exactly where that fits in that particular amendment.

**HON. MR. ROMANOW:** — Mr. Chairman, I think the amendment comes on the top of page 3 of the printed bill. The first amendment says that the sheriff shall not exempt but relieve. Then in line 7 or 8 down in the next subtreary, second line from the bottom: 'the judge shall relieve,' and again in (4), 'relieve' and in (5). What it does is just clarify it. No appeal lies after (4). We're making the amendment to clarify that. Those are the amendments to section 5.

Section 5 as amended agreed.

## Section 6

**HON. MR. ROMANOW:** — This amendment adds the words 'of the Department of The Attorney General' in the bill under subsection 1. Under subsection 2, we are striking out the word 'upon' and substituting 'notwithstanding any other act.' This is an effort to get around the provision of one of the hospitalization and medicare acts which has an absolute bar to any kind of release of any information. What we need to do is get the simple names and addresses on the SH list in order to use them on the jury list and that's the wording there.

**MR. LANE:** — I'm not concerned about the House amendments. I'm concerned very much about the government now tapping the hospitalization list and I don't see anything in the bill other than that you can ask for the names and address of individuals. But I'll tell you if what is coming on the computer print-out over to the Department of the Attorney General is all the medical records and everything else, then this is a terrible abuse and I think that the Attorney General will guarantee that. Now if the list comes to the Attorney General's department and it includes everybody's health information and all you're going to take off the list is the names and addresses, you have strictly complied with the section, but you've had access to everybody's health and medical records. I add that to item 5 or section 5 of the printed bill. Then you can turn around and use the medical records as evidence that perhaps the health is such that they can't serve jury duty.

I would like to stand this section from the point of view of having the officials of the department draft an amendment to the effect that the records under The Saskatchewan Hospitalization Act cannot be, in fact, obtained by the Attorney General and that all that can specifically be obtained are the names and addresses.

I don't know if the officials heard me, but if everybody's medical record along with the names and addresses come over and all you have . . . (inaudible interjection) . . . No, I know what the sections says, but if all you take off there are the names and addresses,

you've strictly complied and yet you still have access to everybody's medical records. I think that's highly dangerous and I want to see an amendment somewhere that if we are going to use this procedure, which I have very grave reservations about, the hospitalization people be only allowed to send over the names and addresses. That's where the starting point has to be, in my view.

Secondly, I don't know why the inspector of legal offices does not, rather than even open the dike, to access to the medical records, why not use the combined voters' lists, and let him keep his update for existing public information? Why not let him do that? I know it may be more difficult, and it may even be more costly. I suggest that once you've got it done, the cost will decrease to maintain it. But I have grave reservations about this particular practice.

The government has given the assurance time and time again to the people of this province that their medical records and everything else are confidential. But all I say to you is that if the medical records are sent over and all you do there is take off the names and addresses, the Department of Attorney General has complied with the strict provisions of this act but, in fact, the medical records are no longer confidential.

**HON. MR. ROMANOW:** — Mr. Chairman, I share the concern of the hon. member, and we have tried very much to draft the legislation to forestall that possibility. I'd like to make two very brief responses, and hope that I could at least satisfy the member, perhaps reluctantly, to proceed.

On the main issue about other medical information coming about, there are two answers to this. The first is a legal answer. Under the proposed section 6(2) it says that:

. . . the person in charge of the register described in subsection 1 (subsection 1 says that's the person who is obligated under The Saskatchewan Hospitalization Act section 13 (a) to maintain a register) shall randomly select the requisitioned number of names and addresses and no information from the register, except the requisitioned number of names and addresses . . . is to be forwarded to the inspector of legal offices.

In other words, nobody has access to that other than what access is given by the man who keeps the charge of the register of the Saskatchewan hospitalization. And he, by this section, is obligated, as he is by The Saskatchewan Hospitalization Act, only to release the names and addresses. Therefore, nobody from the judicial process onward will get anything but names and addresses.

Secondly, the computer only prints out names and addresses in any event, in reality. On the second issue about voters' lists, the law reform commission recommended rejection of the voters' lists for a number of reasons. We don't have a permanent, up-to-date voters' list; voters are mobile. The lists are, as any electoral campaign will prove, occasionally spotty, to say the best. And the purpose of this bill which is to expand the scope of those who are prepared to do jury duty, we argue, and the law reform commission submits, would not be served by going to the voters' list.

**MR. LANE:** — Would you be prepared to have your officials draw up an amendment to satisfy me? The number of names and addresses, and no other information.

**HON. MR. ROMANOW:** — That would involve the additional word 'other' between 'no other information from the register.'

**MR. LANE:** — Number of names and addresses. This is in subclause 1.

**HON. MR. ROMANOW:** — Yes, we'll do that in sub 1, but I think it may require it in sub 2 also. So we'll do that, and while we will stand section 6, the boys will draft the appropriate amendments right now. And if you can, get a notice of motion please, and let us proceed with the other bills.

**MR. LANE:** — And in regard to the other ones, I'm prepared to go by number for the Chairman, and I only have a question on clause 20 of the proposed bill.

**MR. CHAIRMAN:** — Why don't we just set this bill aside, go on to the next bill or do you want to do the rest of this bill? We will stand section 6.

Sections 7 to 16 inclusive agreed.

### **Section 17**

**MR. LANE:** — I don't know what that does to affect the judge's discretion, because I'm sure that with the adjective as there, he will make the decision based on either well-served or best-served, no matter what would happen anyway. It's no issue. The only real question I have is on the question of costs. I get the impression that it is no longer costs in the cause. There has to be a special order as to cost, which may not follow the cause, and I wonder if that's really your intention.

**HON. MR. ROMANOW:** — Mr. Chairman, my officials advise me that there may be a slight change with respect to costs. As I understand it, when a person requests a jury, the obligations of costs are carried on the requesting person unless, in the determination of the case, it goes to his advantage, in which case the loser will carry the costs of the trial and the jury. That won't change, except that under this bill we have introduced a new mechanism for the payment of costs by the state where it's in the public interest or in some other special circumstance at the discretion of the judge. It may necessitate a second or separate order as the member implies, but in reality what will likely happen is that it will all be incorporated in the determination of the award and the determination of the costs.

**MR. LANE:** — I think that a fair reading doesn't come to that conclusion, although I'm not going to debate because I'm sure counsel will be debating the point. But I suggest to you that it's not all that clear that is the effect of those sections.

Section 17 as amended agreed.

Section 18 agreed.

Section 19 as amended agreed.

### **Section 20**

**MR. LANE:** — I don't know why you are taking away the judge's right to make his own assessment at the trial of the action. In other words, what you are saying there is that during the action it must be at the application of one of the parties. I would suggest to you that the judge should be able to make an order of his volition to do away with the jury as well. I think that option should be there.

**HON. MR. ROMANOW:** — Mr. Chairman, I think the hon. member raises a good point. I don't feel so strongly about the section as it's presently worded that I would hang onto the words 'upon application by a party to the action.' I can only say that the section appears as printed, based on the recommendation of the law reform commission, their exact draft. The rationale appears to be to give some element of control, in the conduct of the case, to a party to the action. However, if the hon. member feels that strongly about it, I'd be prepared to have the officials also strike out the words 'upon application by a party to the action.' it could just simply say 'may direct that the action be tried without jury.' That would give the ultimate freedom.

**MR. LANE:** — It could come about at any time during the course of the action (or by a judge at a trial). I don't see it happening that often when I say that. But I do think that if you're trying to improve the system, you should allow the judge to make a ruling. 'Look, there's no need for a jury on the evidence to date. I think the costs are already high enough.' He should have the right, at his discretion, to say that a jury won't be necessary. This also applies to the party's application. I think the party should be able to make the application. But what I'm saying is that I think you should give the judge the discretion as well, in case the party doesn't make the application. That's all I'm suggesting. I think it would help expedite things if the proposal was in line with what you're attempting to do with the act.

**HON. MR. ROMANOW:** — Mr. Chairman, I've just said that I would be prepared to strike it out. I still am, but my lawyers are urging me not to agree to that. They argue that if we strike out the words 'upon application by a party to the action,' that could be interpreted that the party has no right or status to strike out. It would fall directly upon the judge directing in his action. The words 'upon application by a party to the action' are designed to give the party that right. The interpretation of section 20, as my lawyers see it, is that it does both. It allows a judge to strike out, but it also gives the party standing. There may be an interpretation which says that if the words 'upon application by a party to the action' were struck out, the party then cannot so move to strike out.

**MR. LANE:** — I don't want to prolong this, but I simply just don't see how any officials reading that could come to that conclusion.

Where it appears to a judge presiding at trial that an action should be tried or damages assessed without a jury, a judge in his discretion may, upon application of the party only . . .

All I'm saying is: keep the right as it is, or let him have the power as well. I think the judge should have that power.

**HON. MR. ROMANOW:** — I will make an amendment which I hope will satisfy the member. It will, in effect, say in his discretion upon application by a party to the action or on his own volition. That will clarify the right for sure.

**MR. CHAIRMAN:** — We'll come back to this section as well.

Sections 21 and 22 inclusive agreed.

Section 23 as amended agreed.

Sections 24 to 40 inclusive agreed.

#### **Section 41**

**HON. MR. ROMANOW:** — Mr. Chairman, one small change of substance in section 41, coming into force. This will not come into force on the day of assent but on the day of proclamation; the obvious reason is that there may be a jury trial or something going on and it gets challenged.

Section 41 agreed.

#### **Section 6**

**HON. MR. ROMANOW:** — Now, Mr. Chairman, I have two amendments to section 6, which I think will meet the member's points. I would move, seconded by the hon. member for Moose Jaw South, that we amend section 6(1) by adding after the words 'subsection 3' in the last line, the following:

and no other information shall be transmitted.

and amend section 6(2) by adding after the word 'no' in the fourth line:

other (double reinforcement — 'no other information')

I think that does improve the bill.

Section 6 as amended agreed.

#### **Section 20**

**HON. MR. ROMANOW:** — Mr. Chairman, I move, seconded by the member for Moose Jaw South that section 20 be repealed and the following substituted:

Where it appears to a judge in chambers or a judge presiding at a trial that an action should be tried or damages assessed without a jury, the judge may (that's a new word) in his discretion, or (a new word) upon application by a party to the action, direct that the action or issues be tried or damages assessed without a jury.

Section 20 as amended agreed.

The committee agreed to report the bill.

### **Bill No. 85 — An Act respecting the Consequential Amendments resulting from the enactment of The Jury Act, 1981**

Sections 1 to 8 inclusive agreed.

The committee agreed to report the bill.

### **Bill No. 87 — an Act to amend The Unified Family Court Act**

Sections 1 to 3 inclusive agreed.



The committee agreed to report the bill.

**Bill No. 50 — An Act to amend The Rural Municipality Act**

Sections 1 to 16 inclusive agreed.

The committee agreed to report the bill.

**Bill No. 59 — An Act to amend The Provincial Lands Act**

**Section 1**

**MRS. DUNCAN:** — Mr. Minister, when I was home after you had given this bill second reading, the news that some of my constituents would be afforded the opportunity to buy up a section of their lease lands was greeted with (what I would call) stunned silence at first, and then it was wholeheartedly supported by the people I spoke to.

I have some concerns, Mr. Minister, with section 27(1)(c). Could you give me examples of whom provincial lands would be sold to other than lessees?

**HON. MR. MacMURCHY:** — Mr. Chairman, in response to the hon. member, this applies to lands that would be sold to villages and towns for use as lagoons, for garbage disposal, and lands that might be sold to highways or to municipalities for gravel, or whatever.

**MRS. DUNCAN:** — Mr. Minister, in selling lands to lessees, there is a maximum time they must have held the lease before they would have the option to buy. What is that length of time?

**HON. MR. MacMURCHY:** — Yes, it would be five years so that it puts land branch land in line with policies of land bank, and that was specifically the request that came forward from the lease committee of the Saskatchewan Stock Growers' Association.

**MRS. DUNCAN:** — If a father turns over his operation to his son, will the son also have to wait the five years or is that going to be treated differently?

**HON. MR. MacMURCHY:** — The tenure of the father can be transferred to the son.

**MR. TAYLOR:** — Just a question, Mr. Minister. You know my concerns about some of the areas in southeast Saskatchewan. Does this mean that all the Crown lands will be available for sale there, or will you be taking into consideration the concerns of the natural history society and the wildlife federation to perhaps maintain some of the more marginal ones as Crown lands for natural habitat for the wildlife in the area?

**HON. MR. MacMURCHY:** — Mr. Chairman, if the hon. member looks at new section 27(2) in the bill, it's here where we will attempt to take care of the concerns of the wildlife people and of the natural history society which we believe to be legitimate. Under our Indian land entitlement agreement perhaps these lands would be selected for entitlement and that would also apply, although I don't think too many have been. But that's a possibility. Section 27(2) attempts to deal with providing the protection that's a concern of the hon. member and a concern of the groups that are coming forward.

**MR. TAYLOR:** — The only other question I have, and this may not pertain, but the lands in the provincial parks are Crown lands also, are they not? And one can lease until a limit of age 65. I asked this the other day and I don't recall your reply, but would that pertain to a cottage owner who has leased Crown land that he has his cottage on? Is this entirely grazing and nothing to do with Crown lands in provincial parks upon which cottages are located?

**HON. MR. MacMURCHY:** — Mr. Chairman, we will be moving some amendments to the bill which will clarify the issue that the hon. member raises. And the amendments will exempt the cottage owners in the provincial parks from the age 65 provision under section 4, subsection 26. So we'll have some amendments to exempt them and, therefore, protect the cottage owners. I think that's the issue the hon. member is putting forth.

**MR. TAYLOR:** — So, actually, we're going to wait for some House amendments because . . . Are they here now? But as the bill reads now, without those amendments, it would have limited those cottage owners. Is that correct? Thank you for bringing in the amendments.

**MRS. DUNCAN:** — Mr. Minister, I have another question. Under 27(1)(a) just states that you could sell provincial lands for cultivation or hay production. Subsection (b) sets a maximum of one section. Does that mean in 4(1)(a) that the amount of acreage that can be sold is left up to your discretion or does the one section maximum also apply there? If so, why wasn't it included?

**HON. MR. MacMURCHY:** — Mr. Chairman, section 27(1)(a) relates to cultivated parcels. At the present time we have a selling policy for cultivated parcels on which there is no limit. Most of the parcels are very small, so it's not an issue. The one section ceiling would not apply to 27(1)(a) but would apply to 27(1)(b), which is really the grazing leases for which there has been no sale policy under our administration until this particular legislative change.

Section 1 agreed.

Section 2 agreed.

### **Section 3**

**MR. TAYLOR:** — Could you give me a little explanation on just what that does? Is that the section that we were pertaining to?

**HON. MR. MacMURCHY:** — It was the issue of the cottage owners on provincial Crown lands. This provides the protection that we desired, and I think the hon. member desired.

Section 3 as amended agreed.

Section 4 as amended agreed.

Sections 5 and 6 inclusive agreed.

The committee agreed to report the bill as amended.

## Bill No. 60 — An Act to amend The Department of Agriculture Act

### Section 1

**MR. ANDREW:** — I just have one area of concern on this bill, Mr. Minister, and that is: are you going to be controlling the moneys being paid out for research? I am quite concerned that you are going to be very selective about what research programs will be going on. The concern I have is that you are going to be superimposing your policies on your research. I think that is really a poor place to put politics. Research should be independent. The people doing the research should have free run of it and not be confined to the areas which you are probably going to try to dictate.

**HON. MR. MacMURCHY:** — Mr. Chairman, I'm surprised that the hon. member for Kindersley would say that I'm going to impose my politics in the area of research. Seriously, this kind of provision has always been there.

What this amendment does is provide more clarification with respect to these powers. We felt it essential in the role that we are attempting to embark on, as I described in the second reading speech, to match up what kind of research goes on at the university with what research can go on at the farm level. This is a task which has never really be tackled in a significant way. We are attempting to tackle it here. We will see results. We have had contracts with the university for research. At the same time there has been some funding for research on the farms. This is an effort involving a fairly significant amount of money to bring the two together. It was felt that we needed more clarification and a strengthening of the particular section of the act.

**MR. BERNTSON:** — Is it the intention of the minister to conduct any in-house research in the department into this particular amendment?

**HON. MR. MacMURCHY:** — Mr. Chairman, it is not our intention under this particular program. We announced \$4 million and \$25 million over five years. So, it's not in this announced program. That is going to involve university farms.

**MR. BERNTSON:** — Well, I feel a little easier about that. I had some fear that if you had any in-house research programs, in all likelihood the conclusion would be dictated before the research began. I base that on statements made by your deputy and you in an issue of *Inside Saskatchewan Agriculture* some months ago. It indicated that any agrologist or staff members in your department who didn't have the right political slant should start looking for another job. I think the minister will remember the one about which I am speaking.

Section 1 agreed.

Sections 2 and 3 agreed.

## Bill No. 89 — An Act to amend The Marriage Act

Sections 1 to 5 inclusive agreed.

The committee agreed to report the bill.

**Bill No. 53 — An Act to amend The Fuel Petroleum Products Act**

Sections 1 to 4 inclusive agreed.

**Section 5**

**MR. ROUSSEAU:** — Mr. Chairman, I just have a couple of comments i want to make on section 5. I want to state categorically that we would not need this section if SGI had been properly managed. We certainly don't like it. We will be voting against it. If they had managed this properly, we wouldn't have the losses necessary. We wouldn't be needing the \$20 million, which this will create, adding at least \$30 for every vehicle registered in this province on the insurance premium.

I just want to refer to a comment which the minister made on April 24. I don't understand his comments at all when he says:

When out-of-province travellers in our province are involved in accidents with Saskatchewan motorists as they are, they make at least some contribution to the automobile accident insurance fund.

I don't know how they could possibly be making a contribution on why they should be considered because when they are involved in an accident, it is not costing SGI any money at all; they have their own policy. I just want to comment on that one statement the minister made and say that this is a totally unnecessary tax on the backs of the taxpayers of Saskatchewan. We are opposed to it and we are requesting a recorded vote.

Section 5 of Bill No. 53 agreed to on the following recorded division.

**YEAS — 28**

Blakeney  
Snyder  
Tchorzewski  
MacMurchy  
Hammersmith  
Byers  
Koskie  
Poniatowski  
Nelson  
Miner

Pepper  
Romanow  
McArthur  
Banda  
Kowalchuk  
Cowley  
Matsalla  
Johnson  
White

Kaeding  
Smishek  
Gross  
Vickar  
Feschuk  
Cody  
Shillington  
Lingenfelter  
Chapman

**NAYS — 10**

Berntson  
Rousseau

Birkbeck  
Katzman

Taylor  
Andrew

Duncan  
Lane

Muirhead

McLeod

Sections 6 and 7 agreed.

The committee agreed to report the bill.

### **THIRD READINGS**

#### **Bill No. 62 — An Act to amend The Northern Saskatchewan Economic Development Act**

**HON. MR. HAMMERSMITH:** — Mr. Speaker, I move that the said bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

#### **Bill No. 90 — An Act to amend The Department of the Environment Act**

**HON. MR. HAMMERSMITH:** — Mr. Speaker, I move that the said bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

#### **Bill No. 58 — An Act to amend The Air Pollution Control Act**

**HON. MR. HAMMERSMITH:** — Mr. Speaker, I move that the said bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

#### **Bill No. 65 — An Act to amend The Water Resources Management Act**

**HON. MR. HAMMERSMITH:** — Mr. Speaker, I move that the said bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

#### **Bill No. 91 — An Act to amend The Provincial Court Act (No. 2)**

**HON. MR. ROMANOW:** — Mr. Speaker, I move that Bill No. 91 be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

#### **Bill No. 92 — An Act to amend The Intestate Succession Act**

**HON. MR. ROMANOW:** — Mr. Speaker, I move that Bill No. 92 be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

#### **Bill No. 93 — An Act to amend The Surface Rights Acquisition and Compensation Act**

**HON. MR. ROMANOW:** — Mr. Speaker, I move the amendments be now read a first and second time.

Motion agreed to.

**HON. MR. ROMANOW:** — By leave, I move this bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 56 — An Act respecting Jurors and Juries**

**HON. MR. ROMANOW:** — Mr. Speaker, I move that the amendments be now read a first and second time.

Motion agreed to.

**HON. MR. ROMANOW:** — By leave, I move this bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 85 — An Act respecting the Consequential Amendments resulting from the enactment of The Jury Act, 1981**

**HON. MR. ROMANOW:** — Mr. Speaker, I move that the bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 87 — An Act to amend The Unified Family Court Act**

**HON. MR. ROMANOW:** — By leave, I move this bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 50 — An Act to amend The Rural Municipality Act**

**HON. MR. KAEDING:** — Mr. Speaker, I move that the bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 59 — An Act to amend The Provincial Lands Act**

**HON. MR. MacMURCHY:** — Mr. Speaker, I move that the amendments be now read a first and second time.

Motion agreed to.

**HON. MR. MacMURCHY:** — Mr. Speaker, by leave now, I move this bill be now read a

third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 60 — An Act to amend The Department of Agriculture Act**

**HON. MR. MacMURCHY:** — Mr. Speaker, I move this bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 89 — An Act to amend The Marriage Act**

**HON. MR. ROMANOW:** — Mr. Speaker, I move this bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 53 — An Act to amend The Fuel Petroleum Products Act**

**HON. MR. ROMANOW:** — I move this bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

The Assembly adjourned at 1:13 p.m.