

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 14, 1981

EVENING SESSION

COMMITTEE OF THE WHOLE

Bill No. 95 — An Act respecting the Stabilization of Returns to Beef Producers in Saskatchewan

MR. TAYLOR: — Well, in my area it's known that I know an awful lot more than the member for Melville, so we'll start with that.

Most of the ranchers along the Qu'Appelle Valley, Mr. Minister, indicate to me that certainly if there are any beef problems on either side of the valley — and that's the boundary between those two constituencies — that you come to the member for Indian Head-Wolseley if you want satisfaction, because the member for Melville, as in many other situations, fails to take action. He is a played-out MLA who is, I think, not seeking re-election again. So those poor people as in many other situations (education and so on) have nowhere else to go. I think the proof in the pudding was the case of the 88-year-old man in Lemberg, Saskatchewan, who had nowhere to go. I raised this with the Minister of Social Services the other day. He didn't know where to contact his MLA, so he phoned over to Wolseley, and you saw the issue when it was raised in the House. The media took note of it. I think that man's situation is going to be improved via that. Anyway, I think really that is off the topic of stabilization, but the member for Melville had to raise his head. There is an old adage that you never get hung for the things that you didn't say, my friend, and it's a good thing to remember.

Regarding beef stabilization, we'll get back to the topic, Mr. Chairman, following those few little remarks. On the beef stabilization bill, I think there are just a few concerns that my colleague was expressing before supper. I think you know very well that we on this side of the House feel that really beef stabilization, noble plan that it may appear at this time, will probably result in a marketing board, and philosophically we oppose those types of things. I think since the bill has been introduced, many of the cattlemen in Saskatchewan have had some misgivings about it.

My concern is this: in the long run if we are really going to protect the beef industry, the stabilization bill should be there to maintain the number, or better than that, to increase the number of marketable beef cattle in the province of Saskatchewan. I won't go back through the figures. I think I've mentioned these to you previously in debate, but I know you feel strongly about your SHARP (Saskatchewan Hog Assured Returns Program) with the hogs. The problem there too, is that the number of hogs is going down. Also, I don't see that this plan — I've expressed these concerns before to you — with its limitations on the number, is going to be conducive to encouraging or developing an increase in the number of marketable beef cattle in this province. I think that should be the ultimate aim. Regarding price and what will happen in that regard, I think that we have to wait and see what happens before we make unjust criticisms. But I think the ultimate aim that we should have as a province and as legislatures is to maintain and to increase, if possible, the number of beef cattle that are produced and marketed in the province of Saskatchewan. Of course, out of this, what we all want to see is the value added spinoff industries that could come about from that sort of thing. These are the objectives that we hold. And we question at this time whether the beef stabilization plan is going to achieve those objectives.

HON. MR. MacMURCHY: — Mr. Chairman, I appreciate the hon. member's sense of humor, because I was trying to put a bit of sense of humor into the debate before supper and I appreciate the hon. member's sense of humor. I appreciate, Mr. Chairman, his sincerity with respect to this plan.

As I listened to the hon. member for Indian Head-Wolseley, he was making an argument — and a legitimate argument — counter to the argument that was put forward by the member for Thunder Creek, because the member for Thunder Creek was saying, "Forget about trying to put some stability into the industry; forget about trying to increase the livestock production through a program." He was saying, "Let the market take care of itself. When the market is soft, get rid of those cows and when the market is good, then let the production rise." I don't think Mr. Chairman, you can build an industry on the arguments put forward by the hon. member for Thunder Creek. I do think you can build an industry based on the arguments put forward by the hon. member for Indian Head-Wolseley, not only an industry for producers, but also a processing industry, because a processing industry needs to have some stability, needs to know the number of livestock that are going to be marketed and, therefore, available for processing each year. Clearly, this is the objective of this plan — to try to bring some stability and to try and increase livestock numbers.

I think that the hon. member would agree that a number of producers in Saskatchewan — and I refer to them as producers, because there are cattlemen, ranchers, and mixed farmers. I would say to the hon. member that most of the cattle producers in his constituency are mixed farmers. They mix their grain operation with a livestock operation. Generally, that livestock operation is 30 or 40 cows — maybe more in some cases, but, generally, that's what it is. I think that the area we want to keep in the livestock industry is that with the 30, 40 and 50 cow operations — the mixed farming sector which makes up the largest portion of our province's production and the largest number of cattle. That is the purpose of the stabilization plan — to try to bring some stability for them as well as all producers and try to not only stabilize the numbers, but to ultimately increase the numbers of cattle in the province.

MR. GARNER: — Mr. Minister, I would like to touch on the board a little bit tonight. This board is going to have an awful lot of power — an awful lot of power.

Subject to the approval of the Lieutenant-Governor in Council, the board may authorize any person to perform any duties or exercise any powers imposed or conferred upon it. The board shall market beef on behalf of producers participating in the plan. No participant shall market beef enrolled in the plan other than through the board.

I'm going to try and explain something to you, Mr. Minister — just how some cattle are marketed, not only in the province of Saskatchewan but in western Canada. I'll use High Gain Feed Lot of Alberta for an example. They take, if they have 100 or 200 head of steers ready to go, the tenders; they accept sealed bids on these cattle from all over — Moose Jaw, Edmonton — approximately six companies that tender on these cattle. They open the tenders, they contact the gentlemen that they are feeding the cattle out for, they look for the top price. That producer does not have to take that sealed tender bid at the time. He can wait a week or two weeks, but it is not forced upon him like a board. That board would take those cattle and sell them — bang. Will they be sold by a tender system? Of course, you'll say no, because you don't know. You're giving a board (set up and appointed by the cabinet, not appointed by the producers) the power to sell

those cattle. It's not on the sealed bid system. So what guarantee can you or the board give to that producer that, once those cattle are enrolled in that plan, the benefit of competitive bidding will get him top dollar for his livestock. You can't because you know what that board is going to be. That board is going to be politically appointed and you know it. It's nothing more than that.

Well, I'll ask you this (and let you say it for the record Mr. Minister): are you going to go to the Saskatchewan Stock Growers and the NFU (National Farmers' Union) and ask each of them to select one member to sit on this board? Answer that before we get into some of the others.

HON. MR. MacMURCHY: — Mr. Chairman, the hon. member makes the point, accurately, that I cannot answer his question whether the board would take bids, or market by contract or through the existing system. He's accurate in that we have not set that down in the legislation; we've left that to the board. I think the hon. member would agree that we should leave it with the board. There's been a great deal of comment, Mr. Chairman, inside and outside of the legislature, that this board is going to be a political board. I suspect likely it will be — we said that it could be that, regardless. But I'll report to the hon. member the structure we intend to establish.

We've been dealing with the six farm organizations. Letters are going to those farm organizations. I've asked the staff to draft the letters for me to each one of them asking for names of person who they would recommend to cabinet as members of the beef stabilization board. We will select from each one of those organizations a person to be appointed to the board. So, each one of those organizations (if they choose to submit names to us) will have membership of the beef stabilization board. That's six; that leaves three for, I suppose, the minister in the department and other ministers to recommend to cabinet to be appointed to make up nine, if we decide to go with the maximum in the legislation.

I report, Mr. Chairman, to the hon. member, that we will not have a member of the staff of the Department of Agriculture on the beef stabilization board. They will be producers. That's not to say that at some time in the future it may not be wise to put some expertise on the board, other than a producer, to give some assistance to the board. One might choose from the private sector or the co-operative sector in order to fill such a position. The legislation provides for that leeway and I think that's legitimate. But so far as the actual board is concerned, it will be made up of producers on the basis of what I have laid before you.

MR. GARNER: — Now, you just said it there by your admission, Mr. Minister. You are not going to be sending a letter out to those organizations asking them to select, from within their own organization, one person. You said "names they would recommend." By your admission, Mr. Minister, you're letting the Saskatchewan Stock Growers meet with the directors and appoint one person from the Saskatchewan Stock Growers to go on this beef board. That is just what I am saying and that is one of my concerns.

In order to prevent it from becoming a politically oriented board, let them democratically select one person.(if they are to have one person on) for your little stabilization board. Let them select the person. But you said no. You're sending a letter out to them, all very cagily, asking for names. I can see you running down the names as

to whom you want and the area you want, instead of letting them make that selection. Correct me if I'm wrong.

HON. MR. MacMURCHY: — I indicated to the hon. member that I would hope that each of those six farm organizations that we have been dealing with will submit names. It has been the practice of this government (in terms of appointments of this nature — whether it be farm organizations, trade unions, or the university or whatever) to ask them to submit names to us. I don't know about the university, but organizations of that nature. That's what comes to my mind. That's what our practice has been. And I think it's a reasonable policy and a practice that has been working very, very well.

The letter that goes to each of those farm organizations will be asking them to submit at least three names. I put that on public record because that's what the policy is. Hopefully they will sit down as a board of directors and pick out three producers who they think would be good people to sit on the beef stabilization board. Out of those names submitted, we will want to name a representative from the NFU, the Saskatchewan Stock Growers' Association, The Saskatchewan Wheat Pool, SARM, Saskatchewan Federation of Agriculture, and the Western Canada Cow-Calf Association. Those are the six we have been dealing with right from the beginning. And that's the six we have been dealing with in our drought programs. They have memberships on the drought committee. We think they have done an excellent job; in moving this program to where it is today, they have done an excellent job as well. I am pleased with their response. And I'm sure they will respond to the letter that I will be forwarding to them, probably before the end of this week.

MR. GARNER: — Okay. We will be watching this very closely as well as the farm and cattle organizations in the province.

AN HON. MEMBER: — They don't want it.

MR. GARNER: — The member for Maple Creek says they don't want it. Yes. And that's the voice on behalf of the producers.

Let's talk about this appeals board. Tell me how you are going to set up the structure of this appeals board.

HON. MR. MacMURCHY: — Mr. Chairman, we would use the same procedure we did in establishing the stabilization board asking for recommendations from the respective farm organizations.

MR. KATZMAN: — Mr. Minister, regarding the six groups that you listed, one of the first questions that I have is, are you saying to this House that you will guarantee that from the three names submitted by each of these organizations, you will pick one of the three people they recommend?

HON. MR. MacMURCHY: — Yes.

MR. KATZMAN: — Do you guarantee this House the NFU, stock growers, wheat pool, SARM, Saskatchewan Federation of Livestock, and Western Cow-Calf Association will all have a member?

HON. MR. MacMURCHY: — Yes.

MR. KATZMAN: — The membership that you are offering — one each — has nothing to do with the amount of livestock that these people represent. The stock growers probably represent more livestock beef people than all the rest of the groups together. Am I wrong in this statement?

HON. MR. MacMURCHY: — Mr. Chairman, I don't want to get into an argument about this because I'm not sure if each one of us knows our ground. But I would suggest to the hon. member that the pool, which markets 70 per cent of the cattle marketed in Saskatchewan and has 69,000 members, represents a fair number of producers — probably significantly more than the Saskatchewan Stock Growers' Association.

MR. KATZMAN: — What you are saying is that it isn't the breeders we should have on, but the people that market — Weiller & Williams and those people. Are you talking about the producers or are you talking about industry like Weiller & Williams, Miller Brothers in Saskatoon and all those companies? Because that is what the wheat pool basically is from your statement, not producers that produce the cattle that get sold through the wheat pool. I mean there are two different statements here. Are we talking about the producers or are we talking about the corporations? The Saskatchewan Wheat Pool, by what you just said, is a corporation.

HON. MR. MacMURCHY: — Mr. Chairman, if the hon. member suggests to me that the Saskatchewan Wheat Pool is not a producer co-operative, then I would like to hear his arguments which say that that is not so. I don't think we want to get into that debate tonight, Mr. Chairman, but I just want to make a point with respect to the six farm organizations. I think it's legitimate that we ask these six to give us names. I say that because they have been involved more from the time that I've been Minister of Agriculture and sought to develop this program. They were the group that my colleague, the then minister of agriculture, the member for Saltcoats, brought together to discuss the issues of beef, chaired by the now president of the University of Saskatchewan, Dr. Leo Kristjanson. So they've always been the group involved and I think they're pretty representative of the beef producers.

MR. KATZMAN: — Mr. Minister, I can see why at one time a particular organization called the Saskatchewan Livestock Association might have been overlooked because I was its president, but I would suggest that that organization now has a president that is not involved in politics and represents either the second largest or if you want to use your arguments, for sure the third largest group of breeders, and you don't have them involved. The Saskatchewan Livestock Association is the second biggest (or the third; take your choice) in the whole province and represents people from all over the province and all breeds that there are.

HON. MR. MacMURCHY: — Mr. Chairman, it's not a program for the breeders; it's a program for commercial slaughter heifers and steers. The western Agribition, the breeder program and so on, to a large extent, will continue. Our support, as a government, for those programs will also continue and will not end with the beef stabilization program. The program, Mr. Chairman, if the hon. member will check, is for slaughter heifers and steers.

MR. KATZMAN: — The point is, Mr. Minister, the people also market slaughter cattle, not just purebred cattle. There are many members in there who are strictly commercial men and not purebred men, and they belong with the Saskatchewan livestock

convention. You and your predecessors have been to that convention. They are not all purebred breeders there. I suggest that even the purebred breeders run commercial herds at the same time. This is the association which represents them. Therefore, I think you have missed the second or third largest group in the province. Yet you are willing to suggest that a group that has 35 members should be on the board.

MR. GARNER: — I guess he is not going to comment. He can't tell us a lot about this anyhow. I have never seen a piece of legislation that is brought in and the minister knows nothing about it. Anyway, Mr. Minister, let's go into the financial matters of it. How many dollars are you putting into the program?

HON. MR. MacMURCHY: — Mr. Chairman, we have provided \$5 million for this fiscal year. I think, given the steps in terms of getting the program underway, the \$5 million for this fiscal year should be adequate. We are not clear on the formula or the levy. Therefore, it is not possible to put a reasonably accurate figure yet because, as I indicated during second reading, we are leaving these kinds of things for the board to consider and recommend to us.

MR. GARNER: — Okay. Let's use this hypothetical. Say this program really jumps off the ground (I mean, you birds happen to think it is going to), what if they need more money? Is there more money there for them? How much more money is there?

HON. MR. MacMURCHY: — Mr. Chairman, let's say it is like the hog plan — a 3 per cent levy for producers, a 3 per cent levy for the government, or a 4 per cent levy for producers and a 4 per cent levy for the government, we would provide a sufficient budget to meet that 4 per cent levy. If it were based on, let's say, initially, 300,000 head of cattle being enrolled, we would meet that level. If we had to guarantee the plan over and above that, the government would commit itself to that. As with the hog plan, we live up to the needs of the program as they are brought forward.

MR. GARNER: — You see, Mr. Minister, another concern (it will be on the financial thing) is on that bill with respect to voluntary deduction. I don't remember what bill number it is, Mr. Minister. There is an example where you are taking money which came from producers. Now, say this percentage of this levy is put in there and this thing folds, what are you doing to do with that money which is left over? Are you just going to absorb that into the government coffers? Will it go back to the producers? What will you do?

HON. MR. MacMURCHY: — Mr. Chairman, let's suppose that, for example, the federal government introduces a meaningful stabilization program for beef which would, by decision, end the provincial program. They just do it totally on their own, which we've been asking them to do, and our program would end. If there is a surplus in the fund, the producer portion would be paid back to the producers. If there is a deficit in the fund, the government would pick up the deficit at no cost to the producer. You can't do much better than that.

MR. GARNER: — Okay. That's basically what I'm asking you, Mr. Minister. My colleague for Maple Creek has some comments on it, but I think it is quite obvious why I am concerned about it and so are the others. We'll take the NFU for an example. They came in to meet with us. Their comments on the beef stabilization program in Saskatchewan was that they wanted nothing whatsoever to do with it — nothing whatsoever to do with it. I would like you to tell me the organizations that you approached, that you were in touch with, and that you contacted or contacted you that were in favor of this program.

HON. MR. MacMURCHY: — Mr. Chairman, I reported during second reading on the farm organizations we have been working with. The Saskatchewan Stock Growers' Association is not supporting it because it thinks it goes too far. They are concerned on the marketing side of it. The National Farmers' Union have indicated their lack of enthusiasm for it (I think that's the best way to describe it) because it does not go far enough. In other words, they are calling for compulsory marketing for beef in Saskatchewan. And I don't know where the opposition member comes down with respect to Saskatchewan Stock Growers' Association and the NFU, but clearly those are the two positions. With respect to the Western Cow-Calf Association, they support the plan. With respect to the Saskatchewan Wheat Pool, they support the plan. With respect to Saskatchewan Federation of Agriculture, they say the plan should be a national plan but when there is no national plan in place they will support the Saskatchewan plan.

The SARM (Saskatchewan Association of Rural Municipalities) I am not clear where they come down. I know that they have had conventions calling for programs for beef — their last two conventions — and talking about marketing and stabilization. I don't have in front of me the statements of the president of SARM. I recall his statements to be not condemning the plan but suggesting ways to improve the plan. I may not be accurate with respect to SARM, but I don't think I'm totally inaccurate. So we have two organizations clearly opposing for different reasons, three organizations clearly in support, and I'm not totally clear on SARM.

MRS. DUNCAN: — Mr. Minister, I have a few words to say on this plan. I would like to say at the onset that throughout questioning in question period (for years before last December when very direct questions were asked to you, especially by the member for Souris-Cannington, and on every occasion through the spring session) you gave us the assurances that the plan would not be implemented unless you had producer input. I would just like to say, Mr. Minister, in light of the farm groups that today are not supporting this plan (and I believe the last meeting you had with them was about the Wednesday before you gave first reading of the plan) I think, Mr. Minister, that you absolutely hoodwinked all farm organizations. You led them to believe that you were asking their opinions. I look at this little booklet, the announcement on page 5 of a Saskatchewan beef stabilization plan. This book was printed in April of this year and was distributed in May. You had no intention, Mr. Minister, of listening to the concerns of the producer organizations, because this plan really does very little to stabilize the beef industry in Saskatchewan. This plan is nothing more than a policy concept — a policy that your government happens to support, that being orderly marketing. In this whole bill you are asking us to vote on a bill which really has nothing to say.

3(1) The minister shall establish the beef stabilization plan in the manner prescribed in regulations to be made.

How do you expect us to say, "Yes, we support this," when you don't give us numbers; you don't really say what you're going to stabilize the beef price to? What happens, Mr. Minister? I'll ask you this question before I sit down. If you're stabilizing beef prices, say, to 70 cents or \$70 a hundred and the price goes up, what happens to the difference? We saw a plan in Manitoba that was thrown out because, if the price went up above the stabilized price, that money went into the coffers of the board. Now, what's going to happen here?

HON. MR. MacMURCHY: — Mr. Chairman, in response to the hon. member, this

process of discussion about beef went on for some time before I became minister. It involved the six farm organizations that have been identified a number of times. Now, if the hon. member suggested that they aren't representative of beef producers in Saskatchewan, I don't agree with her. The hon. member for Rosthern suggested that another farm organization should be involved. I think the suggestion is worthy of consideration. But they have not been part at all of the discussions that have been taking place over a period of about three years, at least.

The discussions were going on, Mr. Chairman, throughout the fall — long before an announcement about beef stabilization. They were going on, Mr. Chairman, among the staff of the Department of Agriculture. We have two of them here: Dr. Gartner and George Pearson. I got involved prior to the budget. And if the hon. member will recall, the budget which came down March 5 announced a beef stabilization plan. She makes reference to the document that was printed, or whatever it is, which said it was printed in April. That's well over a month after the budget came down announcing the beef stabilization plan.

I outlined to them prior to the March budget the principles of the plan. We gave them an opportunity to look at the legislation that's before this Assembly — not before this Assembly but draft legislation for which recommendations for changes were suggested. Based on those suggestions, we made some changes in the legislation that is now before the Assembly. So, we have involved the farm organizations. Now, the hon. member says that the producers haven't had any input, and when I suggest that the producers have had input, and should have more input, the hon. member for Maple Creek says, "No, they shouldn't." She says that all of the details of the plan should be built into the regulations, and we should not give the producer board, which has to administer the plan and make it work, any input into the operation of the plan at all. We shouldn't give them an opportunity to consider some of the vital issues and recommend regulations to government. I think that, with this plan, which hasn't been done before in this manner, it's legitimate that we give producers every opportunity we can, particularly the ones who are going to be called upon to make it work, to have input into it.

MRS. DUNCAN: — Mr. Minister, you are asking us to sanction a bill filled with principles and no specifics, and that's exactly why organizations throughout the province are not supporting the plan. It's principle we are talking about, but the specifics are really going to decide whether or not the plan is going to work. I still say that you hoodwinked those farm organizations. You led them to believe that they were having input into this plan. I think we can go back to last summer, when you had your agricultural fieldworkers in, and your deputy minister said, "Set aside your professional principles and your professional knowledge. You support the government plan or stand on orderly marketing." This beef stabilization bill, Mr. Minister, was decided by your department long before you went to the producers. I look at section 24(5), which reads:

Each participant shall market all beef enrolled in the plan through the board.

That's fair enough. Section 14(6) reads:

No participant shall market beef enrolled in the plan other than through the board.

That's fair enough. But then we go on to Section 14(7), which reads as follows:

Participants may market any beef that is not enrolled in the plan through the board with the permission of the board.

Now, what happens if I decide to go out and spend \$40,000 or \$50,000 on some slaughter cattle because I as an individual am willing to take the chance that when I finish those cattle on my farm or ranch or whatever, and sell them, I might make a profit? I can't, because you control it. The board controls it, and you talk about producer input. If you want producer input, why not an elected board rather than an appointed board? I'll tell you that I can look at some of the boards throughout the province, and they really aren't representative of the people they happen to be representing. Quite often it depends on what color of political card you have in your pocket, whether or not you get appointed to a board. Specifically, Mr. Minister, I would like your comments on section 14(7).

HON. MR. MacMURCHY: — Mr. Chairman, the hon. member for Maple Creek can say that I hoodwinked the farm organizations and that's fine. I don't think we can debate that issue but, Mr. Chairman, I sincerely don't know how I can involve producers more in the development of the plan than we have, and that we intend to. We've involved them in discussions over three years. We outlined to them the principles of the plan, prior to the budget. We've put forward to them the draft legislation. They suggested changes. We responded, not to all of the changes, but to some of the changes. The bill provides for the establishment of a producer board. We're going to ask each of those farm organizations to submit to us some names. If they submit some names to us, I guarantee that each one of them will be represented on the board. We're going to ask that board to look at details of the plan before it is implemented. We'll be asking them to share with us the implementation of the program. I don't know how they can be more involved.

In response to the hon. member's final question with respect to going out and investing \$50,000 in some calves that she is going to feed out, she has the choice of enrolling those in the plan or not enrolling them in the plan. If she wants whatever number of head she has purchased for the \$50,000 to be stabilized, she has the opportunity to do that. If she decides not to, she doesn't have to, and it is just as simple as that — the choice is clearly up to the producer.

MRS. DUNCAN: — Well, you didn't answer my question because section 14(7) clearly states that "participants may market any beef that is not enrolled in the plan through the board with the permission of the board." You said in second reading that ceilings were going to be placed on the number of cattle that you could enrol. But this clause negates that statement — absolutely negates the statement, and I can go over and above my ceiling with permission of the board.

HON. MR. MacMURCHY: — Mr. Chairman, the ceiling is not yet established and if the hon. member will recall, I indicated that a 150-head ceiling for producer would cover 98 per cent of all of the livestock in the province. If we had 100 head as a ceiling, we'd cover 95 per cent. There's pretty good coverage if you will consider those two kinds of figures.

Mr. Chairman, let us say that the ceiling is 100 head and you, with that \$50,000 purchase, purchase 150 head. You decide to enrol the maximum in the stabilization plan. The numbers that you enroll will be marketed by the board but you also have left another 100 which aren't stabilized which you want to market. Now you may say to yourself, "Well the stabilization board is going to market the 100 that are enrolled. By

golly, I'll let them market the other 100 that I have on my behalf." So you ask the stabilization board to market the additional. Or let us suppose that I have 50 slaughter steers and heifers which I enrol in the plan. The board is going to market them under this plan. I have about half a dozen old cows and an old bull that I want to sell too, and I want to ship them when I ship out those 50 heifers and steers. I might decide to do that myself or I might ask the board to market those for me. If one thing came out of the discussions with the farm organizations, that issue did and that is the recommendation as to how it should be dealt with. They said that only the livestock that are enrolled to be stabilized shall be marketed by the board. But if a producer who has enrolled in the plan wishes the board to market other cattle, that's his choice and the board by request would do it on his behalf.

MR. SWAN: — Mr. Minister, I'd like to have you explain to us how you are going to arrive at the cost of production. That's a very critical figure in the proposed plan, and to arrive at a cost of production is going to be a difficult process indeed. I'd like an explanation. I don't suppose you can give it to me in detail, but tell me what you are going to do to arrive at that cost of production figure, which is what will control the payout at any time under this plan.

HON. MR. MacMURCHY: — I want to get the items in order to present them to the hon. member. The formula will be 100 per cent of cash costs, and likely some percentage of fixed costs. We want the board to review the fixed cost side and make recommendations to us. But on the cash cost side, we have the following components: grazing, fence repairs, feed, bedding veterinary costs, breeding costs, machinery costs, building repair costs, trucking costs, and interest on operating. Fixed cost: depreciation, replacement, labor. So you have on each side the coverage of the cost factors involved.

MR. SWAN: — All right. The concern I have is a real one. I've mentioned it to you before. Depending on who calculates those costs, the figure will be different each time. I don't care if you go to 50 farms, you'll get a different figure each time about cost production. I well remember, and I'm sure you do, that a gentleman by the name of Clarke came out with the cost nearly 20 years ago of what the cost would be to produce a bushel of wheat. If his costs had been anywhere in the ball park at all, every farmer in the province would have gone bankrupt. At that time he came up with a cost of something over \$4 a bushel and that goes back a long way. My concern is that, if you fellows end up with a cost of production that's unreasonable, you are going to throw the price of beef into a wild and disturbing market situation in the province. And that will have repercussions in other parts of Canada and will likely cause other parts of Canada to ship beef into Saskatchewan to meet the market need. So I am extremely concerned. I would like to know when you start talking about these costs, whose costs are you going to take because they can be extremely different from one to the other?

HON. MR. MacMURCHY: — Mr. Chairman, obviously the costs will be based on studies. And, very clearly, the board — really in a sense a board of directors — is going to have to hire a person and a staff to do work for it. I suppose the best way to describe it is we will have to have a Jim Morris of hogs, for beef. There is no question; the hon. member makes a good point that it is a very delicate kind of thing, because you can be easily too low and very easily too high.

I think that our experience with hogs has been pretty good, when we use pretty much the same components, if not the same components — some things are different. I think, based on our experiences with hogs, we feel we have enough knowledge and confidence from that experience to lay before the stabilization board and then management to make this plan work. The hon. member makes a good point. The studies are important, and it's a risky kind of business. But we have been pretty successful with SHARP.

MR. SWAN: — I would like one other question answered. That has to do with the levy that you're going to charge people who enrol. Now, there's nothing in the bill that explains what the levy might be. It indicates that there will be a levy and that's all.

I remember well when the grain stabilization plan came into being, and the levy was 1 per cent. And before the thing had ever made one payment, the levy was changed to 2 per cent. Doubling of a levy certainly changes the profitability, or the lack of it, to any organization. So what can you give us as an indication of what that levy is going to be? Is it going to be 1 per cent, 2 per cent, or 5 per cent? What are we talking about here? What is it going to cost a producer to enrol?

HON. MR. MacMURCHY: — Mr. Chairman, to establish the levy, you have to establish the stabilization formula. I'll use the words, "the attempt will be" to make the plan actuarially sound over a 20-year period. And I suppose you'll look back at the past 20 years in seeking to arrive at what will be actuarially sound over the next 20 years.

On the work that has gone on (which is only preliminary) and given 100 per cent of cash costs and let's say 50 per cent of fixed costs, the levy will likely be in a 3 per cent to 4 per cent range — 3 per cent to 4 per cent for the producer to be matched by the government. So, we're looking at 3, 6, 7, or 8 per cent total levy. I would likely think that 4 per cent is going to be the maximum, and probably 3 per cent to be the minimum.

You know that SHARP has gone to a three and three levy, and the response by producers is very positive. But you have to set the stabilization formula and then, based on that formula, very quickly you can arrive at what the levy will be.

MR. GARNER: — Well, Mr. Minister, I think we've debated this long enough.

Mr. Chairman, at this time I would like to move a motion, seconded by my hon. colleague, Mr. Katzman:

That this committee report to the Assembly that Bill No. 95 be not proceeded with at this time.

Motion negatived on the following recorded division.

NAYS — 25

Pepper	Kaeding	Snyder
Romanow	Banda	Vickar
Thompson	Engel	Prebble
Johnson	Long	Nelson

May 14, 1981

Tchorzewski
MacMurchy
Byers
White
Miner

Skoberg
Mostoway
Cowley
Solomon

McArthur
Feschuk
Cody
Chapman

YEAS — 10

Berntson
Lane
Swan
Garner

Birkbeck
Taylor
Pickering

Duncan
Rousseau
Katzman

Section 1 agreed to on the following recorded division:

YEAS — 26

Pepper
Romanow
McArthur
Banda
Thompson
Byers
Prebble
Nelson
Chapman

Kaeding
Tchorzewski
MacMurchy
Vickar
Engel
Cowley
Johnson
White
Miner

Snyder
Skoberg
Mostoway
Kowalchuk
Feschuk
Cody
Long
Solomon

NAYS — 10

Berntson
Lane
Swan
Garner

Birkbeck
Taylor
Pickering

Duncan
Rousseau
Katzman

Sections 2 to 26 inclusive agreed.

The committee agreed to report the bill.

Bill No. 70 — An Act to amend The Education Act

Section 1

MR. TAYLOR: — Mr. Deputy Speaker, I rise again to speak on the amendments to The Education Act as I have on many occasions in the Chamber during this sitting. We have done this in question period, second readings and education estimates. However, it seems to me that no matter how many sound and good reasons one puts forth on behalf of the majority of people who made submissions (again I will say the elected members

of the population of Saskatchewan in the urban centres) and no matter how many times one reiterates his objection to the imposition of the ward system to the government opposite, it seems to continue to fall on deaf ears.

Now, I don't know what one can do to try to change the opinion and to get the government opposite to listen to the people whom this legislation concerns. I must say I am at my wits' end in trying to transmit to the government opposite and to the minister in charge the feeling of the elected representatives in the area where this legislation will take effect. I am sure these people must feel a great deal of frustration (as I do tonight) in seeing that, come hell or high water, that ward system is going to be rammed into the systems in Regina and Saskatoon, no matter what opposition there may be to it.

I asked questions the other day in second reading debate about the voting procedures and coterminous boundaries, and if they were coterminous, how they were going to be set up and what the overlap between public and elementary and civic boundaries was going to be. I must admit, at that time, I had negotiations going on with some of the other members and the minister, in all fairness, may have given me the answers. As you well know, sometimes, I had to be absent from the Chamber. If he does have these answers, I would appreciate a brief reply to them tonight.

Secondly, I asked about the position of making directors of the principals of small systems. I don't know if that question was answered.

Now, Mr. Minister, I say my questions may well have been answered because, as you know, there are other things going on which I had to attend to at that time. But if you did not answer those questions, I would appreciate it, very much, if those questions could be answered tonight.

Mr. Minister, I am going to look at something different tonight on section 1 of this act. I think I have exhausted my resources (and I think the people whom I represent must be frustrated and totally disappointed) due to the insensitivity of the government opposite on the crucial matter of instituting the ward system for education in the two major cities of this province.

I want to say to you, the Minister of Education, I think you are portraying the old role of Nero, who was fiddling with Rome was burning. Mr. Minister, I don't think the method of electing school boards in the province of Saskatchewan in the urban centres is the paramount problem facing education in the province today. Now, you may think so, and the government opposite may think so, but I beg to differ with you. I hope, tonight, that I will be able to show you that there are other concerns which need to be addressed by the government opposite far more seriously than the method of electing school trustees in the two major cities of this province.

What I am going to tell you, and any of you that have a teaching background would do well to listen. If you do not listen and take heed to the warnings which I am giving you tonight, you are playing the role of the proverbial ostrich (and, Mr. Minister, if your department doesn't listen it is playing the role of the proverbial ostrich too); you may be Nero, and it may be the ostrich. There are other things underfoot today in education in Saskatchewan which are far more important to the well-being. I told you the paramount objective of a department of education, of anyone involved in education, is to deliver the best possible education to the children of this province. I hope that's what you stand for; I think you do. I think you are misguided; I think you are misinformed; I think you are going in the wrong direction.

May 14, 1981

Now with that preamble I indicate to you, and to the members opposite, that there are other things which need to be addressed far more seriously than the method in which school board officials are elected. I would like to turn my attention to that at this time. If you have followed any of my speeches to the school trustees' association in this province, to teacher groups, and to the Phi Delta Kappa educators in the city of Regina, you will know very well what I am saying. The threat to the public school system today is not how board members are elected but is the growth of the private school movement in Saskatchewan. That is the problem. You, Mr. Minister, know it as well as I do.

I don't know what is causing this. I say to you who are educators to pay attention because what I am telling you is right. There is something going on in public education in this province which is causing a growth of private schools. I will be fair and say to you that it's not only in Saskatchewan. This is happening in Canada. It is happening across the North American continent. I don't know and I won't say definitively what is causing this problem. But it is developing. I challenge school administrators, the Department of Education and the legislators of this province to come to grips with this situation.

To add some credence to what I am saying, I want to quote a few lines from a university professor who had a conference in Saskatoon just a few days ago pertaining to this. This person is probably more attuned to this growth of the private school system in this province than I am. I would draw your attention to it and I relate it to the government opposite in this education bill, which says the ward system should be implemented. As the critic of education, I relate to you that the implementation of the ward system is not the thing which should be addressed.

MR. CHAIRMAN: — I have to remind the member that you have to talk about what is in the bill, not what is not in the bill.

MR. TAYLOR: — Oh, yes, I realize that. You can be assured that on every sentence I will come back to the ward system, if that will satisfy you, Mr. Chairman. I will say though, if I am forced to do that, I will be prolonging my statements. I would like your consideration to briefly state this. But if you force me to bridge every statement, then I would be glad to comply. Would it be acceptable to this House if I briefly stated this concern? That is the only concern I have.

MR. CHAIRMAN: — Just go right ahead, but make it brief.

MR. TAYLOR: — Mr. Chairman, I appreciate your very kind, sensitive and intelligent appraisal of the situation . . . (inaudible interjection) . . . No, Mr. Minister, I am afraid that you don't read all these articles. I would like to indicate to you what other experts in the field say may be more important than the ward system. I want to point this out to you. "Private school demand is expected to increase."

That is what professor Donald Wilson of the University of British Columbia said. I would like to inform the Assembly of this situation. I would think anyone who is interested and part of education would allow me the kindness and the politeness to lay this out. I would be very shocked if any educator would interrupt, because he must have an interest in this. "The challenge of non-public education alternatives is greater than it has ever been in over a century," Professor Donald Wilson of the University of British Columbia told a national conference on education and the law hosted by the University of

Saskatchewan's department of educational administration. Now, I think, a speaker at a national conference is someone who we should pay a bit of attention to. He went on to say.

It seems safe to predict that the pluralism of Canadian society made official in the 1970s by a government policy of multiculturalism will be further reflected in the multiplicity of non-public educational institutions receiving various forms of public aid throughout the 1980s.

Speaking on behalf of the parents (and I am condensing this, Mr. Minister, as I told the Chairman I would), most parents demanding educational freedom of choice do so for religious reasons, detesting what they see as materialism and moral neutrality in the public system, and insisting instead upon the primacy of God, and the inclusion of a Christian perspective in all of life.

He goes on to give the statistics (and you know these as well as I do) of the growth of private school systems throughout Canada, and the decline in the public school system. He has offered some suggestions as to what may be the problems in the public-funded school systems. He says the following with respect to private schools.

A stress . . . on strict discipline, academic quality and individual attention characterized . . . the private schools.

Now, as you see, I am condensing that. That is what makes it a little bit choppy, Mr. Minister. I think that indicates to you the concern which is out there. I don't want to prolong this. I wanted to draw this to the attention of the members opposite. I say, if we are really addressing the problems of education in the province of Saskatchewan as a Department of Education and as a legislature of the province, that those things to which I have alluded tonight probably have more far-reaching ramifications for education today and for the future in this province that does a ward system for electing trustees, which appears to the government opposite to be a necessity to implement posthaste.

HON. MR. McARTHUR: — Mr. Chairman, the hon. member, in his last-ditch attempt to try to show someone that he has something to say about education, has, in the course of the comments, asked me a couple of questions. One was with respect to the voting procedures which would be followed in establishing the subdivisinal system.

I point out to the hon. member that the subdivisions will be built up from the polls which exist within the urban municipalities. People will be resident according to the polls as they exist for rural municipalities. The boundaries for the subdivisions will be built from there.

In the case of the public school system, it would be my intent to refer this to the educational boundaries commission and for them to have discussions with the municipal boundaries commission with the objective of having common boundaries for both the municipal elections and the subdivision elections.

For the separate school system, there will be the opportunity for the educational boundaries commission, in reviewing the boundaries, to look at different boundaries so as to take into account the structure of parishes in communities within the separate school system. But, in no case will there be any boundaries which cut across polls. This is important because I remember one member from the opposite side stating that

May 14, 1981

people would have to go to different polling stations to vote which, of course, is not possible if you use the basic poll structure as the building block for any structure for subdivisions. With respect to voting procedures, they will be the normal voting procedures which are followed under the act and the regulations.

The member asked a question with respect to superintendency in small schools. In small systems, where the principal can no longer act in that capacity, what will happen is that either there will be a sharing with other school divisions in terms of employment of a director of education, or they will draw upon the Department of Education for a superintendent of education. Either of those two alternatives will be followed as the act indicates.

The hon. member asked a question with regard to whether or not it was my view that this was the solution to all the problems in education. I think the hon. member should simply look at the remarks I made in the second reading debate, in which I indicated clearly that what is being suggested here is a change in the structure of electoral representation within the two major urban centres and that's all. It is not advanced as a solution to all, or even an important number, of the difficulties and problems which exist in education. But I will say to the hon. member that the public school system in Saskatchewan, while we can make improvements, is in excellent shape and I think that it stands up against any public school system anywhere on the North American continent. I think that there are improvements we can make, but I would be one of the strongest defenders of the public school system.

Section 1 agreed.

Sections 2 to 7 inclusive agreed.

Section 8

MR. SWAN: — I'd like the minister to explain the intent of the amendments that are being proposed here. What effect are they going to have on the sale and the lease of property? What is your intention with the amendments? We haven't had time to study them because they just came across.

HON. MR. McARTHUR: — Mr. Chairman, they are both clarification amendments. As the hon. member may be aware, the concern has arisen that the wording of clause 92(j) in the bill could be interpreted to mean that dispose does not include lease. I think the hon. member himself mentioned that point. It is our legal advice that dispose does include leasing, but in order to be absolutely clear, and in order to allay the type of concern that the hon. member mentioned, we have added "dispose of property and grant easement over." So it's clear to everyone that we are not intending to eliminate the power of boards to lease property. Likewise, with clause 92(h), a concern was raised that the wording of clause 92(j) might interfere with the ability of boards to dispose of property that has been bequeathed to them in accordance with the terms of the bequest. So, we have just clarified that wording so it's absolutely clear that those terms would apply to the disposition of property.

Section 8 as amended agreed.

Sections 9 to 11 agreed.

Section 12 as amended agreed.

Sections 13 to 27 inclusive agreed.

The committee agreed to report the bill as amended.

Bill No. 21 — An Act respecting Representation in the Legislative Assembly

Section 1

MR. LANE: — I've discussed the bill and the House amendments with the officials of the department. It is rather a lengthy bill.

MR. CHAIRMAN: — Well, if it is agreeable to everyone, we could take the amendments as read which would save a fair amount of time. I usually read them all off. Is that agreed?

MR. LANE: — Yes, I'll agree. The only request I made is that the Attorney General give the assurance that, in fact, there were no population changes as a result of any of the amendments.

HON. MR. ROMANOW: — Mr. Chairman, I am advised by my officials that that is indeed correct. Therefore, on behalf of them and myself make the assurance to the House that the only amendments here involve the technical surveyor's descriptions. There are no population changes with the exception of the one main change which has been pointed out to the hon. member.

Section 1 agreed.

Section 2 as amended agreed.

Sections 3 and 4 agreed.

The committee agreed to report the bill as amended.

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

Sections 1 to 3 inclusive agreed.

The committee agreed to report the bill.

Bill No. 118 — An Act to amend The Executions Act (No. 2)

Sections 1 to 5 inclusive agreed.

The committee agreed to report the bill.

Bill No. 107 — An Act respecting the Economic Development Foundation of Saskatchewan

Section 1

MR. LANE: — Can you detail what actions you propose to take to ensure that that particular bill allows financial accountability and administrative accountability as

we've indicated? We know there is a great deal of social experimentation necessary here, but let's do this one right. There's an opportunity and I think what will happen is those groups affected will respect the officials and the government for doing this one properly.

HON. MR. VICKAR: — Yes, Mr. Chairman, the intent is in the legislation and I'm hoping that it will work out to the satisfaction of everybody. The groups will be accountable to the legislature the same as any other lending institution.

MR. LANE: — That doesn't give me any confidence. I don't want it accountable in any other way. I want it accountable in the proper way. We had a lengthy debate in Crown corporations as to Sask. Housing. The idea that you can just throw money out and hope for good results is not proving true. The federal government has proven that on numerous occasions. I don't want it done in the normal manner as such social programs have been embarked upon in the past.

I want the assurance from the minister that the financial accountability will be in the manner of strictly following rules, either outlined by the provincial auditor or financial administrators from the department. I want the assurance that administrators from the department will be, in fact, overseeing the operation of the program and will be involved in the day-to-day operations of the program until you have the assurance that those affected are able to take over the operation of the program, and if they are in compliance with the normal practice of the government as to financial accountability. We won't just throw out money and all of a sudden we come into losses and the defence is that it was a social experiment. I suggest to you that it's time for a social experiment based on the standards that apply to most other government departments.

HON. MR. VICKAR: — Well, Mr. Chairman, I have to agree with the members opposite 100 per cent. I'm sure that the foundation, after it is structured, will look at those suggestions. I'm quite positive that's the route that they will be taking.

MR. LANE: — As a matter of fact, I'm prepared to take it a step further. The normal rules of accountability, financial accounting and administrative accountability don't apply in the native housing program and a lot of the SHC (Saskatchewan Housing Corporation) programs. As a matter of fact, if the minister can come back two or three years down the road and say, "We followed the normal rules and there are still problems and it's not working," I would be very interested in seeing the results of that, because perhaps I'm wrong. Maybe there is no other route to go but throw enough money and hope that something comes to the fore. I think it's time that in one of these social experiments, we are very firm about accountability.

Section 1 agreed.

Sections 2 to 31 inclusive agreed.

The committee agreed to report the bill.

Section No. 113 — An Act to amend The Agricultural Implements Act

Section 1

MR. SWAN: — The member for Thunder Creek asked a couple of questions and you promised answers when we came into item 1 in committee of the whole. Could we have

the answers to those two questions?

HON. MR. MacMURCHY: — Mr. Chairman, I think the first question was, what is the point of the second letter? You'll note the legislation calls for a second letter from the finance company and it's to be by registered mail. That's to make sure that the purchaser knows that the implement dealer is no longer the agent, and it's requiring the finance company to send a letter to make sure that that happens.

I think the second question relates to the position of the implement dealers. What do they feel about the legislation? We met with them and went through the legislation with them. By "them" I mean the Man-Sask Implement Dealers Association. They are representatives from both provinces, Saskatchewan and Manitoba. They were in support of the bill. In fact they suggested some minor changes, and they are incorporated.

MR. SWAN: — I didn't understand you to answer one of the questions there about the second letter. There is a need of two letters the way the bill is written now, and they are asking, "Why the concern for two letters?" I can understand one. That's simple. Why is there need for two?

HON. MR. MacMURCHY: — Mr. Chairman, the first letter goes out to the purchaser — the farmer — informing the farmer that the dealer is no longer the agent, and the farmer is to make the payments directly to the finance company. Let us suppose that the farmer has the practice of saying, "I'll do what I've always done. I'll go in and pay the dealer." And so he does. The dealer sends the money on to the finance company. If the finance company does not wish the dealer to be its agent after having accepted a payment from the farmer through the dealer, by this they are required to inform the farmer once again by registered letter and to indicate to the farmer that the dealer is no longer their agent.

MR. LANE: — I'll tell you the weakness in your suggestion. You take away the defence used in the second North Battleford case, to use that phrase, wherein the courts ruled that the dealer was the agent. And, of course, by the letter you take away that defence. I understand what you are trying to do. I'm not sure what the answer is, but I do see some significant dangers in that if there was an opportunity to tie the two together, because the finance company had held out the dealer as its agent, or the farmer was misled by the words, or an impression was left with him that they were one and the same. You are taking away that opportunity by making it very clear in the letters that the agency no longer exists. I suggest that your position has some danger, and it's certainly, I suggest, not the be-all and the end-all. As to trying to help the farmers, in some certain narrow circumstances it may in fact hurt them.

HON. MR. MacMURCHY: — If the hon. member has a suggestion of how we can strengthen it, I think it would be most welcome. The legal argument that's put forward in relationship to the issue that the hon. member raised was that in the Lindsay case (for want of a term) which involved White Finance Company, there was documentation provided which indicated that the agent was still the agent of the finance company. What this attempts to do is to deal with the other case, the Brumby case. The farmer is informed but he still goes in and pays the dealer. The dealer forwards the money to the finance company. The dealer will, therefore, remain the agent of the finance company, unless the finance company sends a registered letter to the farmer saying that that dealer is not.

What happened, I understand, in the Brumby case was that the farmer paid the dealer; he forwarded some of the money to the finance company, but didn't continue to be their agent. What this amendment says is that he will continue to be their agent after accepting a payment, unless the finance company informs the farmer by registered mail that he is no longer their agent. So it is, fairly obviously, a strengthening in the situation of the Brumby case.

MR. LANE: — It strengthens only so long as it's not to the farmer's advantage to have the dealer as the agent of the lending institution. There may be times where it's an advantage to the farmer to be able to have an agency relationship there. And, of course, you are taking away that option. Now, again, I'm not sure what the letter with a provision to the effect that an agency relationship may no longer exist as opposed to no longer exists as an emphatic statement does. I throw that out. I'm not sure where it takes us legally, but I do suggest to you that the termination of the agency by the letter may, in some circumstances, work to the farmer's detriment, where it would be to his advantage to be able to plead an agency, as happened in one of the cases. So your amendments don't deal with the situation where it's to the farmer's advantage to see an agency relationship maintained.

HON. MR. MacMURCHY: — Mr. Chairman, the hon. member makes some points I'm not sure that we can respond to, with respect to the amendments for this session. I think what is suggested to me, by advice from Mr. Scratch, is that he would want to take it back to the lawyers and see what could be done in response to the hon. member for amendment next year, and there may well be required some legislative amendments as a result of some of the work that will be going on, because of our announcement on Monday.

MR. LANE: — The only reason I would be prepared to accept that suggestion is that, if we look at the recent history of the province of Saskatchewan, in the vast majority of cases the farmers have been well served by the Saskatchewan implement dealers. The problems that have arisen, given the number and the dollar volume of implements sold in the province, are relatively very few. I don't know whether the present economic situation would lead to more problems than normal. I can't speculate. As I say, the only reason I am prepared to accept your statement that you will continue reviewing the matter (and I suggest that your officials or the solicitors come back with some way of having the letters not take away any advantage that the consuming farmer may have) is the fact that the track record of the implement dealers of Saskatchewan has been very, very good. As a consequence, I'm prepared to accept your suggestion now, but I do say that the legislation you are proposing is inadequate in terms of taking away some rights that may normally exist in certain circumstances. And I know that is not your intention.

HON. MR. MacMURCHY: — Mr. Chairman, I think I'll accept the hon. member. I make the point that we are as sensitive as the hon. member and all hon. members are to this relationship between farmer and dealer in Saskatchewan. It has been over the years an excellent relationship. I don't think anybody wants to see that changed. Certainly, in discussions with the implement dealers' association, that came out very loud and clear when they looked at these amendments. Now, albeit I suspect they may not have had time to consider them totally, but they saw these as amendments which would still retain that excellent relationship. I think we agree to continue to examine this in light of this sensitive area.

MR. LANE: — One other comment I believe made by the member for Thunder Creek is that the effect of the amendments could be to increase the amount of the reserves that

the implement manufacturers or the financing institutions maintain. In other words, it may be costly to some of the dealers because the reserve held back may be increased because of the legislation. That concern was brought to our attention by some of the dealers. The hon. member for Melfort says that shouldn't make any difference, although it was expressed to us by dealers that in fact the reserve could be increased.

HON. MR. MacMURCHY: — This is a new point to be brought to my attention because it was not raised when we met with the implement dealers' association. Now it may be that they considered the issue after, but they didn't respond in writing or by call to either me or Mr. Scratch who sat in on the meeting on this issue. So it is a very new one to me.

MR. LANE: — I'm not trying to hold up the bill but I wonder if there is any way of verifying that particular aspect. If it is a new concern that they're in a financial squeeze, it may, and I am prepared to accept what the hon. member for Melfort says — that it is not a problem. But we have had it brought to our attention. I am not prepared to debate it with you. I say we have had it brought to our attention.

Without holding up the bill, I wonder if that question could be very quickly pursued. If it is not a problem, then let it go through tomorrow. If you insist on it going through tonight, we'll accept that. But I bring it forward and I would hate to see it become a problem.

HON. MR. MacMURCHY: — I suppose we can delay it and find out. I'm inclined to take the word of the hon. member for Melfort, who has had a good deal of experience in this area, probably as much as any dealership out there. Perhaps a phone call would assist. I think we can go ahead, Mr. Chairman.

MR. LANE: — I'm prepared to let you make the decision on it. If it were my decision, I would make some phone calls in the morning and see if a House amendment is needed. But if you want to proceed tonight and let the decision rest with the member for Melfort, we are not going to stand in your way.

MR. SWAN: — I have a question on the same point the member for Qu'Appelle was raising. The member for Melfort was a dealer for cars, but I don't believe that he was a dealer who dealt with the kind of circumstance that was being raised here. What they are talking about is the interest-free loan arrangement which many of the implement dealers come into in the fall of the year. An awful lot of equipment is transacted on at that time. There are many sales, millions of dollars worth. Some of those dealers could be sitting with a million dollars in sales, without a doubt at Christmas time. If they are in turn caught with 2 per cent or 3 per cent of a hold-back by the company because that money could be tied up under the process of this bill, then it is going to be a very expensive thing to the dealer left holding the bag over that period.

Now I don't know whether the member for Melfort has ever been involved in the interest-free arrangement that is being handled by machine dealers today. That was not always a process which was used. I am not a machine dealer but I have bought a lot of equipment under that same plan. I know how it works and I know that it can cost dealers a considerable sum, even under today's terms. If this bill has a detrimental effect, then we should certainly correct that portion of it.

HON. MR. MacMURCHY: — Mr. Chairman, I don't think I want to spend a lot of time arguing about this. If the hon. members here will feel better, I will make a brief call to the office of the implement dealers' association, because that is what we would do; that is

May 14, 1981

who we are dealing with and I think legitimately so. It is the spokesman for implement dealers in Manitoba and Saskatchewan. I would certainly be glad to do that. I'll ask Mr. Scratch to do that and I will get a response from them.

I would suggest that it is important that this piece of legislation move through the Assembly before prorogation. I think that is important.

MR. LANE: — If you come back tomorrow and say they have no objection, we'll let it go through tomorrow.

MR. CHAIRMAN: — You can't just hop up while the guy is talking.

HON. MR. MacMURCHY: — The hon. member doesn't need to make that point. I was just saying that we want to do the best we can and suggestions are important. But, also, dealing with the issue is important as well. So we will check in the morning and call the bill.

The committee agreed to stand the bill.

The committee reported progress.

THIRD READINGS

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

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

Motion agreed to.

HON. MR. ROMANOW: — By leave, Mr. Deputy 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. 112 — An Act to amend The Crown Corporations Act, 1978

HON. MR. ROMANOW: — Mr. Deputy Speaker, on behalf of the minister, I move the bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

Bill No. 110 — An Act to amend The Vehicles Act (No. 3)

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

Motion agreed to.

HON. MR. LONG: — Mr. Deputy Speaker, by leave now, I move the bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

Bill No. 70 — An Act to amend The Education Act

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

Motion agreed to and bill to be read a third time at the next sitting.

Bill No. 21 — An Act respecting Representation in the Legislative Assembly

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

Motion agreed to.

HON. MR. ROMANOW: — 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. 102 — An Act to amend The Saskatchewan Human Rights Code (No. 4)

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

Motion agreed to and bill read a third time.

Bill No. 118 — An Act to amend The Executions Act (No. 2)

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. 107 — An Act respecting the Economic Development Foundation of Saskatchewan

HON. MR. VICKAR: — 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.

COMMITTEE OF FINANCE

CONSOLIDATED FUND BUDGETARY CASH OUTFLOW

ATTORNEY GENERAL

Ordinary Expenditures — Vote 3

HON. MR. ROMANOW: — I have with me the associate deputy minister of the Attorney General's department, Jim Benning; the director of public prosecutions, Mr. Dell Perras; the director of administration, Harvey Murchison; the director of civil law, Mr. Hugh

Ketcheson; Mr. Armand Bachelu of our administration and accounting division and a cast of thousands waits to answer any questions the hon. members opposite would have to throw at me.

Item 1

HON. MR. ROMANOW: — Mr. Chairman, before the hon. member for Qu'Appelle starts, he wanted some information yesterday, so I'll just give that to him and then we would proceed however he wants to proceed.

I'll do it this way. I'll drop it back one year. For 1981 the total judicial centre complement was 125 permanent, 3 temporaries and 11 vacancies. That is as of March 10. In 1980-81 there were 23 turnovers, namely people who turned over and their places were or weren't replaced. Were replaced, I guess. Overtime was 4,623 hours. Compared to '79-80 the establishment was 115, apparently no temporaries, turnover the same, 23; overtime was 4,127 hours. We could go on further, but the member said a couple of years and there it is.

MR. LANE: — I would like to know (and I'll ask all my questions on item 1) in the two judicial centres of Saskatoon and Regina what the turnover of staff was in each of the last two years if you have it. I would like to know what a local clerk would get at the top of his or her range and the number of years experience to get to the top of that range.

HON. MR. ROMANOW: — The top of the judicial officer range is judicial officer 3; it's \$2,278 per month. Theoretically, it would take six years if there were a consistent promotional pattern; it takes six years to get to the top of the range. Realistically, because vacancies don't spring up, it takes a little bit longer. We're not able to give the member a specific number of years. It takes 10 or so. But the theoretical time would be six years; the practical time would be longer than that.

With respect to the first part of the question, in Regina, last year, there were nine turnovers and the year before that there were eight (that is to say the '79-80 period). In Saskatoon, there were five for '79-80 and four for '80-81.

MR. LANE: — I don't want to get into a personal attack on the Attorney General but the feedback I'm getting (and it is a matter of deep concern) is that the Attorney General has been spending so much time on the constitution that he has become a part-time Attorney General and I will show you how that manifests itself.

In the courthouse in Regina, court officers are going to Sedco or industry and commerce or other government agencies because they can get more money at the bottom end of the scale when they transfer out of the department, and so we're losing some very skilled clerks and court officers. I am especially concerned that we're going to have some dramatic changes in the operation of the court system. In light of amalgamation, there are significant rule changes coming on. I know from the Regina Courthouse, itself, we're going to lose some key people. I understand there are going to be some promotions. Let me say that the promotions are well-deserved and long overdue, but the Attorney General has come through the same system as I have and the court officers that we have in this province have helped more than one young lawyer through articles and along the paths of practice. They've been extremely co-operative to the members of the public and to the members of the Law Society of Saskatchewan.

I just say that if we're going to have an efficient and effective court system, then we can't

lose these people. I don't know if the matter has been brought to the Attorney General's attention, but it is certainly a matter of concern to members of the Regina Bar. I understand it is a matter of concern to the Saskatoon Bar that these people are going to higher paying jobs within the civil service. Now, that is an area where the competition should not exist, in my view. I suggest, again, that we're losing some very valuable and skilled people. I don't know that the system is going to be well-served if we do lose them and I am going to urge the Attorney General to take an immediate look at that problem because it is a matter of concern.

I think, as well, that the Attorney General can stop any . . . if the story is out that he is spending all his time on the constitution and not directing his mind to the administration of justice, I can see, politically, where one would easily fall into that trap, but the fact is that I think some time must be spent on the matter. We are losing these people and I wish the Attorney General would direct his mind to it in the very, very near future to make sure that people who are, perhaps, now contemplating leaving are encouraged to stay in the department. You are going to have some very severe problems of amalgamation if these people do leave. And I suggest, again, that you take an immediate look at the problem.

HON. MR. ROMANOW: — Mr. Chairman, I am sensitive to and conscious of the remarks made by the hon. member, particularly about the need to retain as many of the experienced and qualified personnel that we can. I think he is very correct when he says that when we're looking at amalgamation, this will make it difficult and important that we retain qualified personnel. I would like to make a couple of brief points. It is correct that the judicial system is becoming increasingly busy, partly through such things as legal aid and the like, where there is more access to courts and litigation just seems to be generally on the upswing. This is another reason we need to retain these people.

I'll make two quick points in rebuttal or defence. First of all, the rates of pay for the judicial officers essentially are the competitive rates. How one can judge the competition is subjective because the work done by judicial officers is compared to a comparable style of work in another area. I don't know how you can directly draw a line. But the public service commission in its preparation of its rates, since these are all in scope, tries to prepare rates which are competitive with other agencies within our governmental system and comparative to the rates of other provinces. As Mr. Benning points out, we are not the highest paying judicial officers nor are we the lowest in the western region. I think we stand somewhere between Manitoba and Alberta, which seems to be more or less the yardstick which is developing. So if my information is right, the pay rates should not be out of whack. There may be other conditions which would prompt departures and the like which may be over and above that.

The second point that I would like to make is that of these turnovers, some of which take place in a favorable or a natural way. For example, of the list that I gave for the system, we had three promotions, five retirees, six transfers and nine who left the civil service. Now nine is an undesirable number I agree, but is tolerable (and that's not a good word because nothing is tolerable in these kinds of circumstances). Perhaps understandable is the best word, given what is happening on other aspects of the civil service. So there is the turnover rate. That's not to say that it's perfect. I am very sensitive to this as I said in the beginning. I think we have to do all we can to protect them. But I would simply want to qualify the remarks of the member on those two points and say that while I had been busy on the constitution, and I think to some extent giving not the kind of attention that the department needs, it hasn't been a total neglect. We have been meeting weekly and struggling with treasury board on all these plans we have on the boards. I think that the

department is experiencing the same thing that the judicial system is — kind of an overloading.

MR. LANE: — If you're saying the system is overloaded or becoming overloaded, I'm not sure that the person-years in the judicial centres are being reduced in the right direction. I don't know how much of that comes from any reduction in the number of judicial centres, but it certainly is not a desirable route to go if we are talking of an overloading of the system. I think the system may be on the verge of being overloaded. I'm not sure what studies the Attorney General has done of efforts made in the United States to speed up the workings of the justice system (for want of a better phrase). I don't know what studies the department has made as to computer record keeping or computer scheduling of the courts. I would appreciate being advised as to what studies are being done in that regard, how much was spent on studies and who did the studies.

HON. MR. ROMANOW: — We have implemented what we call the PCMIS (provincial court management information system) which is the computerization system. We are working toward computerizing as much as we can, starting, first of all, with the provincial level. I don't know what phase we're at now in PCMIS. It's operational and we have spent (as a pretty accurate guess, we could give you the exact figure if you insist) about \$300,000 or \$400,000. It was not totally in study, but a good portion of that \$300,000 was in computerization study, etc., a couple of years ago, with respect to the establishment of it. We are trying to continue bringing this up to date and seeing if we can apply it to the section 96 courts. Quite frankly, that's the next step. We have the basic system in place with the PCMIS and as we develop and can digest it and as the thing gets really worked into the operation (phase three just started on April 1, 1981) then we can tackle the higher level courts.

MR. LANE: — I asked as well for any studies that you may have done in this regard in the year under review. Were outside consultants used?

HON. MR. ROMANOW: — Are you talking generally or just systems?

MR. LANE: — Let's do both because I was going to ask the question.

HON. MR. ROMANOW: — We used the company called Westbrooke Management in the initial phases of the computerization (an outside consultant); for the systems analysis we used the computer centre and still do from time to time. We have used no other outside consultant with respect to the computerization field. When we talk about outside consultants, I think I'll sit down and let the member (if he wishes to pursue this) particularize it a little bit more. On the computer side, that's it for the last couple of years. Of course, with respect to outside consultants we use them (depending on how you define consultants, whether as agents and all kinds of lawyers) from time to time. I think, as I say, I'll answer if you seek to pursue it more specifically.

MR. LANE: — In that regard, would you supply me with the advice as to all moneys paid to legal firms in the province or outside the province of Saskatchewan and expenses paid in that regard as well? Would you list for me the prosecuting agents of the department?

HON. MR. ROMANOW: — Mr. Chairman, perhaps I could undertake . . . I cannot do this tonight. We just simply can't unless we take time off for the next three or four hours to go through this. But I can certainly undertake on behalf of the department to the hon. member to answer that question if I may interpret it again in the way that we have

answered it in the past. The member has asked this question last year on the order for return. There is a stock series of firms, etc., and we will put that down for you, amounts paid, firms hired, as much as we can. The only reason I request that is because it's a consistent pattern of answering that the department is more or less used to.

MR. LANE: — Is June 1, 1981, a fair date to have it supplied to me?

HON. MR. ROMANOW: — Yes. Here's a counter example. I need a little more detail on this. To give you an example, here's a list the boys have given me on Crown litigation — a list of payments of \$500 or over. It's just a short list. It's April 1, 1980 to February 28, 1981. We'd have to add a couple of more months to make it up to date. But it lists the firms. We'd have to bring that up-to-date, and I'll do that.

For example, I see we hired Gauley and company on a case. Another one is Davis, Ward, and Beck for petroleum legislation, that kind of stuff. We'll give you that later.

MR. LANE: — Would you supply me, under administrative services, your budgetary breakdown of other expenses?

HON. MR. ROMANOW: — The breakdown of other services under administrative services is system centre (we talked about that), \$99,620; Sask Comp services, \$267,500; rental of key edit equipment, \$32,080; rental of photocopying equipment (includes cost of copies), \$16,850; travel and sustenance, \$40,600; telephone rental and tolls, \$33,130; forms, stationery and office supplies, \$26,750; operating expenses \$32,360.

MR. LANE: — Why is the number of person-years in the land titles office down?

HON. MR. ROMANOW: — Mr. Chairman, the answer, generally put (and I'm looking for some back-up figure to support my argument) is the department advises that the decrease reflects an actual decrease in the work carried out (comparative workloads) by the land titles. In 1979-80 there was a decrease of 16,000 documents from the year before, and 1980-81 (while that is yet to be analysed) is likely to show a further decrease of about 12,000 documents. I can't quite explain why that is the case. Based on those comparative workloads, it was felt, in going to budget bureau and treasury board, that we would have to show a comparative decrease in person-years.

MR. LANE: — Well, on what would your officials base the estimated reduction in documents?

HON. MR. ROMANOW: — This is based on two things, I gather. First — the trend they try to analyse or guess from the previous year. Second, this material which is prepared for me here is an estimate made part of the way through 1980-81 based on the current developments, or the developments up to the time of the projection of an 11,266 actual decrease. So, it's a combination of two. This is not an up-to-date figure; it's very close. It has to be finalized. This comparative workload has been made in May of 1981. They can get a fairly accurate assessment of it now.

MR. LANE: — I'm asking, other than the track record, what factors would land titles officials take into account which would cause them to project that the number of instruments is going to decrease?

HON. MR. ROMANOW: — The answer, shortly put, is the track record. The track record

has for two years now shown this reduction, and that is the basis of it. In fact, this year they are simply estimating a “hold even” from 1980-81. They could be wrong.

MR. LANE: — It is a little interesting in that the Minister of Finance is predicting a great upsurge in the housing starts, which usually means an upsurge in real estate transactions. He is projecting all of these great events and happenings, but land titles doesn't happen to believe it. It is of the opinion that things are not going to increase. As a matter of fact, they are going to stay approximately the same. I find that a little interesting.

However, on the question of land titles, my concern in the city of Regina is the office location. I have made it clear in this Assembly what I thought of the idea of land titles going to the inaccessible place which it now inhabits. It is an inconvenience to people who use the land titles office in Regina. If there is parking available, it is well hidden and not marked. I ask two questions from that. Firstly, is it your intention to move the land titles in Regina to a more accessible location and if so, when? Secondly, is it your intention to include the Regina Land Titles Office in a new courthouse, or an extension to the existing courthouse?

HON. MR. ROMANOW: — Mr. Chairman, we are not satisfied with this. We, as the member knows, deal with government services. Government services provides the space for us. Chateau Towers was given to us. It is inconvenient. I totally share the view of the member on this. I have tried to communicate this to my colleague ministers who, I think, are sensitive about it. I am advised by my officials that they are actively surveying other potential locations which would be more convenient for parking and the kinds of things you identified. We are not contemplating the move into the courthouse. The current structure of proposal is at kind of a user's committee conceptual stage. It does not contemplate the land titles office, simply because of the sizes of the two operations. It is not necessary to do both. We haven't ruled it out totally but that's the current inclination.

MR. LANE: — At what stage are the plans for an expansion or a new courthouse for Regina? And secondly, what proposals are you prepared to make in Saskatoon for a new courthouse or an extension?

HON. MR. ROMANOW: — Mr. Chairman, in Saskatoon an architect has been engaged to expand the courthouse immediately adjacent to the north side of the current courthouse facility, opposite the Bessborough. The architect has been engaged as of November 1980, so he is at work at the job now. Saskatoon is in that kind of a time frame. In Regina we received treasury board approval for an expanded facility adjacent to the current facility, but across Smith Street. When we showed the plans to a number of the judges and others it was impressed upon us that it was inadequate planning. We have had to go back to the treasury board and, in effect, balloon up the funds or seek more funds. The matter is currently before treasury board, I believe. So when that completes itself within two weeks (if and when the legislature prorogues and we can all have some time to sit around our desks and to push these things) we should see some form of a decision made on Regina. Regina has progressed a lot further down the line than Saskatoon.

MR. LANE: — At what stage are the architectural drawings for Regina?

HON. MR. ROMANOW: — We have not yet selected an architect, apparently, which may

contradict the earlier remark I made that we were ahead of Saskatoon. But we have site development plans and accommodation plans in some detail, developed by government services and an outside consultant who did the site development plans. I am advised that while the architect's work is very important, this can be very easy once you have the basic conceptual plan approved and detail fleshed out. If all goes well, the next step after treasury board approval will be to engage a architect.

MR. LANE: — When do you expect a decision from treasury board?

HON. MR. ROMANOW: — Well, I don't mean to be critical of my colleagues in treasury board, but this matter really has been before them for some several weeks. I don't blame them because between sessions and everything of that nature, they are just not getting around to it. I'm hoping that they will decide within a matter of weeks.

MR. LANE: — I'm prepared to be critical. Could you give us a time period? Are you saying June 30?

HON. MR. ROMANOW: — We're hoping — that's all I can say — for June 30. The member will, I am sure, appreciate this. This is not solely in the Attorney General's hands. We push on behalf of the judges and what we can get from lawyers writing to us and talking to us privately and informally, and sometimes formally. On the other hand, government services has its concepts and its government standards, and it's that kind of complicated operation. We are targeting for June 30 or earlier, if at all possible. It's currently before treasury board.

MR. LANE: — Has the Attorney General received complaints — written, verbal, or otherwise — about the operation of the Saskatchewan Human Rights Commission?

HON. MR. ROMANOW: — Mr. Chairman, I'd have to check my files to see whether or not I've received any written complaints within the last little while. When I say "the last little while," I mean the last years or so. I truthfully can't recall any and I don't mean to put a hard luck story on the member, but I think we're averaging something like 75 letters a day in my office these day. I just don't recall them. Verbally, from time to time, I will bump into somebody at a social gathering or perhaps at some other gathering where there will be the occasional complaint. I would say, however, that the level of complaints that are communicated to me is much lower than it was, say, two, three, or four years ago.

MR. LANE: — I would like the breakdown of other expenses for the human rights commission. I would also like the breakdown for the Saskatchewan Police Commission.

HON. MR. ROMANOW: — For the human rights commission, analysis of the major items included down to other expenses is as follows: research and consultant fees, \$9,000; legal fees and expenses, \$18,500; rent of photocopying equipment (includes costs of copies), \$10,000; advertising, \$15,000; printing (pamphlets, news letters, reports, etc.), \$30,000; travel and sustenance, including CVA charges, \$61,630; telephone rental and tolls, \$17,000; forms, stationery, and office supplies, \$6,000; commercial and technical reference books, \$5,000; miscellaneous operational expenses, \$19,630.

With respect to the police commission: other expenses, research and consultants, \$3,840; advertising, \$3,000; printing, regulations, annual reports, etc., \$4,200; travel

May 14, 1981

and sustenance, \$17,080; police training college, \$149,140; in-service training program, \$48,040; forms, stationery and office supplies, \$3,500; miscellaneous operational expenses, \$5,520.

These others break down to a variety of things, but an example would be perhaps rental of some form of office equipment or a tuition course, some staff training seminar, or a charge for some form of travel not covered by regular CVA (central vehicle agency), perhaps an occasional use of executive aircraft or something of that nature, messenger, telegraph services, those kinds of things.

MR. LANE: — I would like to be advised as to the travel and the breakdown of the out-of-province travel, who went on out-of-province travel and the manner of such transport under the heading of administrative services. I'm also asking about the human rights commission. When I ask for legal fees paid to outside firms, I'm asking as it applies to all these agencies in addition to the department. So I would include in that the human rights commission, anything of this nature.

HON. MR. ROMANOW: — Mr. Chairman, I shall undertake to provide that information but, again, the member will understand this will take some time. We will do it as soon as we can and put it in a letter to him.

MR. LANE: — If the officials wish (and I know they've had long days already), those in the civil law and the criminal law section, I won't have any questions of them tonight. I would like to know about all the officials, personnel services, all expenses under the communications secretariat. I'd like to know about any outside consultants hired on behalf of the communications secretariat.

HON. MR. ROMANOW: — Mr. Chairman, I'll give you the breakdown of the other expenses for communications secretariat: telephone rental, \$4,800, travel and sustenance, including CVA, \$14,300; miscellaneous operational expenses in the same kinds of categories I gave the member the example of, \$6,370. The personnel are: the director, Mr. Richard Simpson, present salary \$39,981; Mr. A.S. Blackman, salary (this is monthly now) \$2,990; Mr. K.C. Wrigley, \$2,865; and a clerk steno 4, V.A. Szatkowski, \$1,508 per month. That is the communications secretariat. One outside consultant, from April 1 to February 28 (not totally up to date, but not bad) was hired respecting a possible cable application at Humboldt, Charles G. Day, fee and expenses and everything, \$632.14.

MR. LANE: — What did Mr. Day do for that service?

HON. MR. ROMANOW: — Mr. Day is a key (or active) figure in the North Battleford Cable Co-op and I don't know the circumstances, but my guess would be that what has happened is that a request has been made by Humboldt people as to how they would go about making a co-op application for cable TV, etc. We would offer to help them in that. We would probably engage somebody like Day from North Battleford and say, "Okay, go out there and see what these people can or can't do by way of a co-op." I could be miles off on that but I'm sure that that's what Day is, but whether that was the function here, I don't know.

MR. LANE: — I would like you to confirm that because I would like to know if that service is available to other communities in the province.

HON. MR. ROMANOW: — Yes, Mr. Chairman, our position with respect to co-operative

applications for cable TV is that we will try to do it within the secretariat. Either Simpson or one of these people within the secretariat will go there to give them that kind of assistance. We have done it. I know we did it with respect to Melville for a lease, in a preliminary way which does not show. If we can't do it, then we will try to make arrangements for somebody to do it and that is the case with Mr. Day.

MR. LANE: — Your grant to provide for policing services by the Royal Canadian Mounted Police shows an increase of approximately 30 per cent. What assurances do you have from the Government of Canada that that increase is going to be adequate? And do you have any commitments as to future cost sharing from the Government of Canada or is that still being negotiated? For the years 1981-82, what assurances do you have that that amount of funding will be adequate?

HON. MR. ROMANOW: — Mr. Chairman, shortly put, we have no assurances. This is, of course, one of the difficulties of the negotiations and one of the problems which face the province. I will not repeat again the well-known facts to the member that the federal government started out wanting to increase the share from 56 per cent to 75 per cent and has not budged. We have indicated (perhaps not wisely, but we have) that we're prepared to budge from 56 per cent upward. You will know that the budget, as the member directs his question, contemplates an assumption of 56 per cent to 60 per cent. Obviously, I wouldn't want to say publicly where we will ultimately end up because a negotiation process has to provide some latitude, but we have no assurance.

It has been, quite frankly, a very frustrating experience for me because we have been, in a way, spinning our wheels as ministers and officials in this particular area. All I can tell the member is that we still have a liaison at the officials level and we are hoping that with some good will, some flexibility and some time, we can come to an agreement as Canadians.

MR. LANE: — Is there going to be any reduction in RCMP personnel servicing the province of Saskatchewan?

HON. MR. ROMANOW: — No, there will be no reduction. We are actually budgeting (if all things work out) for an increase of six personnel.

MR. LANE: — What category are those personnel?

HON. MR. ROMANOW: — General detachment duty.

MR. LANE: — Where will they be located?

HON. MR. ROMANOW: — This has not yet been determined. This is done as a result of an annual review with the RCMP. As the hon. member knows, the RCMP co-operate a lot with us, but in the end, it is the assistant commissioner, under the contract, who has the final duty and responsibility which he exercises as to where they place. They do, obviously, listen very greatly to us but that has not yet been finalized. That will depend when that general assessment takes place.

MR. ANDREW: — I have a couple of questions. The first is the question of freedom of information and where the Government of Saskatchewan stands. Without getting into the details of any proposed legislation, I wonder if the Attorney General could advise as to any status of a potential move in the direction of freedom of information legislation, privacy legislation for the province of Saskatchewan. I think originally you indicated

last year that there was a potential white paper coming forward within a year to 18 months. Is there any development on that?

HON. MR. ROMANOW: — Mr. Chairman, I don't want to look like I'm putting the member off, because I know he holds a very strong feeling about freedom of information, but I'm not at liberty to give him any information today on this, other than to say that we are looking. I hope to be in a position to make an announcement within a matter of several days. (10 days, two weeks) in this area — not involving a royal commission or study. I can assure him of that. But at least we're looking at the material on freedom of information that is currently available in Canada — from the House of Commons, the Krever report in Ontario, and so forth — and an announcement is coming related to that activity as it affects the province of Saskatchewan. I can't release any more information because the persons I'm talking to have not made some decisions as far as they're concerned. So, there we are.

MR. ANDREW: — Suffice to say, then, that there is some movement coming which is at least related to the field of freedom of information and that will lead its way down eventually to legislation, given the fact that the other jurisdictions are moving in that field. I commend you if in fact you are moving in that direction.

The other area I have concern about is the position of your government with regard to the freedom of information Bill C-43 before the House of Commons, primarily as it relates to the question of federal-provincial relations or executive federalism — call it what you want. It's an area that is developing in this country and yet is almost exclusively behind closed doors, other than for press statements made by the various political people. What is the position of your government? As a representative of other attorneys general across Canada, what is the position of the Attorney General of Canada with regard to that important question, executive federalism?

HON. MR. ROMANOW: — Well, Mr. Chairman, I anticipated the member might ask this question and want to tell him what I tried to do. I had my officials try to get hold of Mr. Francis Fox to see if he would consent to my giving you the letter. We spoke only to his executive assistant who said that she would get back to us as soon as she could. We tried again today and there is no release yet. And therefore, I'm not able to give you the letter. If we can get that release tomorrow or in the next few days, I'll mail it to you and you can take a look at it.

Essentially, without pretending that the answer is comprehensive, our concern is twofold. First is the potential intrusion by the federal government into provincial areas related to freedom of information, for example, RCMP investigative files, administration of justice concerns, the prosecutors the Department of the Attorney General has, human rights commission people acquired, etc. How does that relate to what's potentially coming in through C-43 and getting access to it, because they're talking about a federal bank? There are details and explanations of that.

And the second level or general level of concerns of the attorneys general, as I recollect the letter, is not with the principle of freedom of information. I don't want to argue with you, but sometimes it has been said that I am opposed to freedom of information. I am not opposed to freedom of information. What I am concerned about, and the nine other attorneys general are concerned about, is the proper balance between freedom of information and privacy. It is in the second category that the attorneys general (all 10 of them) have subscribed to the position that we've articulated about the concerns on privacy.

I can't get into more detail on that without having the letter in front of me and, if I have the letter in front of me, I might as well table it. But I can't table it because Mr. Fox hasn't given us permission to. I will undertake to give you and to give the critic for the Attorney General's department a copy of that letter the moment we get release on it — today, tomorrow or a week hence, or whenever it is.

MR. ANDREW: — Have you reviewed the existing Bill 43 presently before parliament (I think in committee stage) and do you feel that that particular bill is able to balance the question of freedom of information on the one hand, and privacy on the other hand.

HON. MR. ROMANOW: — On balance, Mr. Chairman, the response of the AGs (as indicated by this letter) is right now, "No." That's perhaps stating it too harshly . . . (inaudible interjection) . . . No. That's the feeling that the 10 provinces have. I don't want to make it sound stark, "No, it's all over." I think that C-43 holds potential for working out something. I really do. I think that it can be given some modification of federal stances and positions. Unfortunately, federal-provincial relations are poisoned, very badly, for a number of other reasons. And it's difficult to get this unscrambled. We can't get the letter tabled, and we can't get together — just a lot of things are being held up: the RCMP contracts (the hon. member for Qu'Appelle talked about C-43), the communications policy, (we haven't had a communications ministers' meeting for months), and all these satellite problems floating about which our people have talked about in Sask Tel. So, I just don't know. When I say no, that's the position officially by the letter, but it is not that black and white.

MR. ANDREW: — Going back to the original question that you would see some movement coming, I see the law society's forthcoming convention has a resolution (I think) from the Regina branch (and I'm encouraged to see the Saskatchewan Law Society has taken the lead taken by the Canadian Bar Association) to try to express (not the question of freedom of information at this particular resolution) concern with regard to the attitudes of governments tending to be too secretive with information that should be public. So, at least I am encouraged by that way.

If I could ask a further question with regard to the proposed announcement that you have: will a pending study (or whatever it's going to be) be an internal study, or will it be a broader range that will allow for public input and for a more independent analysis than an internal government study?

HON. MR. ROMANOW: — I don't hold out the prospect of a broader study (as the member would describe it) for public input at this time. But, I can't again be precise on that because it is the subject of some discussions with people at the present time. I don't want to jeopardize that by revealing or announcing publicly something which I am not in any position to do today. But, I don't want to hold out prospect for a larger study because as the hon. member knows, we can't reinvent the wheel much better than the way it was originally invented.

Krever in Ontario carried out a study for three years with public input, at a cost of some several millions of dollars to the Ontario government. And the report is down. The AG in Ontario is taking the position that now they are going to try to analyze this report, and see how it can be boiled down to legislation and applicability.

For us to send up another kind of input inquiry, simply reduplicates or reinvents the wheel. Krever is very modern; it's very current. But, we need to take Krever, the

May 14, 1981

commons and everything, and identify (if I can put it that way) how that applies to Saskatchewan so that we can overstep the public inquiry position and get in to a legislative position, if we can, as quickly as possible. It's in that area that the discussions in the area of concern is being directed.

MR. LANE: — What grants are being proposed to justice organizations? Why the significant increase in which organizations?

HON. MR. ROMANOW: — Grants that are being contemplated for 1981-82 are as follows: Saskatchewan Association on Human Rights, \$15,000; provincial court judges' association, \$2,500; Canadian Association of Chiefs of Police, \$5,000; John Howard Society, \$72,240; and Canadian Law Information, \$12,930. The grand total is \$107,670.

MR. LANE: — I see a significant increase to the human rights association.

HON. MR. ROMANOW: — It's only a \$2,500 increase. It is significant when you compare it with the \$1,250, but we simply feel that with inflation and everything else there has to be some justification to that.

Item 1 agreed.

Items 2 to 22 inclusive agreed.

Vote 3 agreed.

CONSOLIDATED FUND BUDGETARY CASH OUTFLOW (SUPPLEMENTARY)

ATTORNEY GENERAL

Ordinary Expenditure — Vote 3

Items 1 to 7 inclusive agreed.

Vote 3 agreed.

CONSOLIDATED FUND BUDGETARY CASH OUTFLOW

PUBLIC AND PRIVATE RIGHTS BOARD

Ordinary Expenditure — Vote 31

Item 1 agreed.

Vote 31 agreed.

CONSOLIDATED FUND BUDGETARY CASH OUTFLOW

SURFACE RIGHTS ARBITRATION BOARD

Ordinary Expenditure — Vote 37

Item 1

MR. LANE: — Could the Attorney General simply supply me with the same approximate deadline? I'd also like to know the areas with which surface rights arbitration board is mainly concerned — which geographic areas of the province. What particular problems have come up in the last year?

Item 1 agreed.

Vote 37 agreed.

CONSOLIDATED FUND BUDGETARY CASH OUTFLOW (SUPPLEMENTARY)

SURFACE RIGHTS ARBITRATION BOARD

Ordinary Expenditure — Vote 37

Item 1 agreed.

Vote 37 agreed.

The committee reported progress.

The Assembly adjourned at 10:15 p.m.