

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**December 10, 1981**

The Assembly met at 7 p.m.

**ADJOURNED DEBATES**

**SECOND READINGS**

**Bill No. 27 — An Act respecting the Protection of Residences in Saskatchewan (continued)**

**MR. NELSON:** — Mr. Speaker, as I was speaking, the member for Nipawin called it 5 o'clock. I guess he had good reason because I was beginning to do a short analysis of what his amendment would do for the people of Saskatchewan. That amendment that he brought in was loudly and strongly supported by the Progressive Conservative members.

I ask you the question: why did he bring it in? What was the purpose of that amendment? The purpose is there. It's plain and obvious, Mr. Speaker. It's to give the banks a bit more time to be able to seize a few more homes in the province of Saskatchewan. It's to cause some people in Saskatchewan to have to pay higher mortgage rates. It's to cause confusion among the people of Saskatchewan. Will they be losing their homes, or will they be able to keep them? Will the act be passed or will the act not be passed? The Conservatives want to toss it down the road six months, hoping then that it won't be necessary and that they could save face.

I ask the question, Mr. Speaker: why was the amendment made by the former Progressive Conservative leader, and supported by his old seatmates? Was that amendment made to assist the people of Saskatchewan? No, it was not, Mr. Speaker. It was made to assist the banks, and it was made to confuse and upset the people of Saskatchewan. It was made to take money from the pockets of Saskatchewan people, to let the banks and the trust companies lift extra money from the people and to seize people's homes. It was made to force those people for the next six months to pay outrageous interest rates that they cannot afford.

Mr. Speaker, I think the member for Nipawin complained about legal hassles. He complained this whole bill was set up so that it would be a lawyers' field day, Mr. Speaker. I would like to ask the member for Nipawin: won't his suggestion — hoisting this thing down the road for another six months and attempting to make it come into effect on the first of January — cause legal hassles as well? That to me, Mr. Speaker, would be the real legal hassle.

I would like to close on this final note, and that is by letting the members opposite know that I talked to the senior citizens who came into this legislature yesterday. They asked, "How long are those guys going to oppose this bill? How long are they going to keep this up? How long are they going to keep attacking it?" They asked me, "We've heard that they are going to keep this bill going on into January. Can they do that? Can they keep this going and get people kicked out on the street?"

Mr. Speaker the members opposite talked in terms of not bothering to pay the money that was owed to the various lending institutions. In fact, the way I gathered it, they are virtually counselling people not to pay. They are encouraging civil disobedience, Mr.

Speaker, and I say shame. Encourage people to disobey any law and you will find a nut who will follow your lead — just encourage him. And so I say to the people who pretend to be lawmakers, Mr. Speaker, shame. I'm amazed, Mr. Speaker. I am just amazed.

The one final point that I would like to make is that those people who support the banks had better take a look at their actions, because the banks are going to be just a little bit upset with their idea of counselling people not to pay. The fact that the banks support them is obvious; it's been placed in the record and emphasized in this House. But I'm sure that after the Tories' counselling not to pay, those banks and those trust companies are going to be taking their henchman out to the woodshed.

It's obvious, Mr. Speaker, that I cannot support the amendment placed by the Unionests and supported by the Tories. I will hereby give notice that I will heartily support the bill that protects the home-owners of Saskatchewan. It is a bill that the people of Saskatchewan want; it is a bill that the people of all Canada want and need, but won't get except from a New Democratic government.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** — The question has been called. Is the Assembly ready for the question? The member for Nipawin wishes to close debate. After the member for Nipawin has spoken, all members will be precluded from speaking to this matter.

**HON. MR. ROMANOW:** — Point of order, Mr. Speaker.

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

**HON. MR. ROMANOW:** — The point of order is this. The amendment is before us. The amendment is a six-month hoist. I'm the mover of the bill. You say I'm precluded from speaking after the amender does. That's a new rule. It's a new rule if he can wrap up the debate on the amendment, I'll tell you that.

**MR. SPEAKER:** — The Attorney General has raised a very interesting point of order. The question has been called and the member for Nipawin has spoken already on the particular matter before the House. As a matter of fact he introduced the amendment which is a six-month hoist. The member does not have the right to close debate on an amendment. He does on a substantive motion, but he does not on an amendment.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SPEAKER:** — So the question before the House is second reading of Bill 27, to which the amendment has been moved by the member for Nipawin and seconded by the member for Swift Current. Will the Assembly take the amendment as read?

Amendment negatived on the following recorded division.

**YEAS — 2**

Collver

Ham

## NAYS — 34

Blakeney	Allen	Kaeding
Romanow	Robbins	Feschuk
McArthur	Rolfes	Mostoway
Banda	Hammersmith	Kowalchuk
Thompson	Engel	Byers
Long	Cowley	Matsalla
Poniatowski	Prebble	Johnson
Nelson	Lusney	Solomon
Chapman	Miner	Berntson
Birkbeck	Taylor	Andrew
Rousseau	Duncan	Katzman
Muirhead		

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. ROMANOW:** — Mr. Speaker, I shall speak for only a very short time in rebuttal.

**AN HON. MEMBER:** — Take your time!

**HON. MR. ROMANOW:** — No, I shall only speak a short time in rebuttal, essentially for two reasons, Mr. Speaker. First of all, there is not very much to rebut since so little has been said . . . (inaudible interjections) . . . No, I don't rebut anything that my boys say; my boys say the right things.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. ROMANOW:** — I rebut what your boys say. Of course, this time around, your boys have said absolutely nothing apart from that very credible attacker of the chartered banks, the hon. member for Thunder Creek, who was on television tonight, passionately showing how he didn't like the big, bad banks and the big profits. If I could say so, I couldn't have picked a more credible spokesman for the Conservative opposition to convince the people of Saskatchewan about the bad banks and the profits. So there's very little to rebut, because nothing has been said by the opposition side.

I think the second major reason, Mr. Speaker, why I shall not be speaking at length is that nothing that I could say could speak more eloquently about the bankruptcy, if you will, almost the immorality, of the position taken by the official opposition with respect to this particular bill. Nothing I could say could add to that.

Mr. Speaker, I draw to your attention and to the members of the House page 358 of yesterday's *Hansard* reporting question period. Said Mr. Andrew:

Question to the Attorney General in the absence of the Premier. Mr. Attorney General, given the fact that your government has what seems to be endless sums of money to promote your views of state capitalism and other government programs, I wonder if you today would advise this Assembly that you would be prepared to drop your new bill, The Home-owners' Protection Act, or whatever it is called, which is very little more than window dressing

and legal loopholes for legal trickery, and take some money from your heritage fund and inject it into the home-owners mortgage plans for the people of Saskatchewan — take it from what is called the heritage fund, but perhaps better known as Blakeney's bank.

Now, Mr. Speaker, the position of the Conservatives last day was to drop the bill. They still say it's a good idea; just now they said it was a good idea. Is that still your position? Why didn't you get up in second reading and tell us that that is your position, to drop the bill and replace it with something else? You see, Mr. Speaker, the petard that they get hoisted on and can't get off. The credibility gap has long vacated them. I say to you, Mr. Speaker, you have an official opposition that wants to seek power in this province saying, less than 24 hours ago, "Drop the bill," and today, on television, saying that they support the bill. "Get on with it. We'll stop the clock. We'll wrap up the House. We'll get this business done." I tell you, Mr. Speaker, that is incredible. It's unethical. It is immoral politically and deserves the heartiest condemnation of the Saskatchewan public. So, Mr. Speaker, that is the major reason why I should be sitting down in just a few minutes.

There are two other points I want to make — first of all, the question about section 9. I tell the members of this House that section 9 was put into the bill in large measure as a result of representations that I received from the credit unions. Section 9 is there, I believe, as a good safety valve. I believe it's a safety valve for the kinds of people that the member for Regina South says that this bill is in danger of protecting — those who don't need the protection, namely, people who adopt a financially irresponsible point of view. That is the essence of your argument. I have to ignore the members opposite, Mr. Speaker, because they do not make any sense when they stand up. That's perhaps understandable, because they are on their feet. But when they are sitting down and saying that, then there is no excuse for it. Even then, you can't understand it.

So, Mr. Speaker, even when I met with the Saskatchewan chairman of the Canadian Bankers' Association, he, too, expressed a concern that there be a safety valve for those people who might seek to act irresponsibly because of this section 9. That is the position taken by the credit unions and by some of the other lending institutions which I had spoken to. It is the posture which has been incorporated by this government, in the response to those requests, in this legislation.

The third point I would like to make, Mr. Speaker, is with respect to the banks. I have in front of me a page 4 headline from the *Globe and Mail*, Toronto, dated December 10, 1981, "Angry Banks Threaten Boycott of Mortgages in Saskatchewan." Some of you may have seen it. The article reads:

Boyd Robertson of the Royal Bank of Canada in Regina, who is chairman of the Saskatchewan branch of the bankers' association, says the way the legislation is drafted, if he had a mortgage, he wouldn't pay a nickel on it in 1982. He says lending institutions may cease to offer residential mortgages in Saskatchewan.

any way you cut it, that is tantamount to a threat — a threat that residential mortgages in Saskatchewan will be withdrawn by the banks because the banks don't happen to agree with the legislation which has been drafted.

If I may say so, the parallel in the positions taken yesterday by the Conservative caucus, and Mr. Robertson of the Canadian Bankers' Association, were almost identical in their

thrusts. The member for Kindersley said, "I wouldn't pay any mortgage money if I were in that position in 1982." The Canadian Bankers' Association president takes the same position.

I say, Mr. Speaker, that is an irresponsible position. It is a parallel position taken by the banking association, the bankers and the Conservative opposition in this legislature.

My point in drawing this headline to the attention of the House is to tell the members what my position has been in meeting with Mr. Robertson this morning. I take the position that the Government of Saskatchewan is very much interested in improving the legislation. We want to see if there are ways to improve it. Regrettably, we have not heard any specifics from anybody.

I indicated to Mr. Robertson, that there is not way I, as Attorney General or the person responsible for piloting this bill through the House, would consider amendments to this bill suggested by the banks of this country and this province with the condition they have attached to those changes, namely, the threat of withdrawing mortgage money from the province of Saskatchewan. To do so, Mr. Speaker, amounts to nothing more or nothing less than giving in to the most undesirable aspect of pressure and the most undesirable form of threat which no elected government, no elected legislature can sustain.

The fourth point I would like to make is the question related to the matter of the Conservative Party. I want to just underline this point very quickly. I think it has been made very ably by my colleagues. I have before me transcripts of the House of Commons debates where Mr. Crosbie, the then minister of finance, says at length (there are too many quotes to spend much time on it) and repeats over and over again:

I agree with the steps the governor of the Bank of Canada has taken, because in my view there are no alternatives to those steps.

This is in response to the question dealing with interest rates by Mr. Gray. And then later on, Mr. Crosbie, in connection with the three recent interest rate increases, said:

I have concurred with the governor of the Bank of Canada in his decision. There has been no conflict between us.

And I made the point in introducing the bill that it was Mr. Crosbie, Mr. Clark and the Conservatives of this country who reappointed Mr. Bouey for a seven-year contract, which has brought us to this sorry state of affairs in Canadian economic life.

I shall ask leave of the members of this House to move to the consideration of the bill clause by clause, assuming passage of it within a short few minutes. But first, I wish to advise the members of the House that we have received many phone calls and many inquiries at almost every government office in the province of Saskatchewan. I haven't taken an accurate count in my own office but I am advised that it is certainly in the tens — hundreds is perhaps overstating it, but I don't think so, judging by the reaction that I have received from my staff.

People want to know how the bill will affect them. People want to know how to handle their affairs. We will be explaining to the public in simple language in the next few weeks ahead what the provisions of this bill are. We will be outlining how we see the bill

operating and its interpretation. We will be offering as much advice as we can to individual people who are concerned about what to do about their mortgages and about dealing with the lending institutions.

Finally, Mr. Speaker, there is the question of the vote which will be coming up in a minute. As I said in my opening remarks, it is incredible what the opposition has done. I think it deserves the worthiest of condemnation by the Saskatchewan public and I believe . . . (inaudible interjection) . . .

**MR. SPEAKER:** — Order, order! If the members have something which they say they have to deal with in committee, perhaps they could wait until committee. We can get the second reading over with.

**HON. MR. ROMANOW:** — Mr. Speaker, as I was about to say, I believe that when this vote is taken, we will have seen — I won't say the destruction, because I don't think there was very much there of the Conservative Party in Saskatchewan — one of the final nails in the idea that they are the alternative party . . . (inaudible interjections) . . . Mr. Speaker, I'm sorry, you might not be able to hear me . . .

**MR. SPEAKER:** — Order! This will be the last time I will warn the member for Thunder Creek to control himself in this House during the debate. This will be the last time today.

**HON. MR. ROMANOW:** — Mr. Speaker, to conclude, I'm going to say again that I believe this is a very important occasion in the Saskatchewan legislature, because of what this government is doing for the home-owners. I think it is also important because we are witnessing the political process in the province of Saskatchewan.

May I say, Mr. Speaker, that the situation is such that even if the Conservatives should vote for this bill in the end (I don't know what they will do), it's impossible for them to have urged that it be dropped yesterday and then to turn around and support it today, and be credibly believed. I want to leave this final thought with the members of the House, Mr. Speaker.

I don't believe it will every happen, politically, in my lifetime, but if the Conservatives should ever attain elected office in the province of Saskatchewan, notwithstanding if they should be in favour of this bill tonight, I warn the people of the province of Saskatchewan that one of the first acts the Conservative government would do if it were elected would be to repeal this Bill No. 27 without any operation at all.

I say, Mr. Speaker, that that is the only credible conclusion to make as a consequence of the position taken all these days during the debate — the position of opposition by these unprincipled spokesmen for the banks. I warn the people of Saskatchewan that in the position they are now in, if ever the Conservatives be elected, this bill and the protection for the home-owners will not be safe with the Conservative Party in the province of Saskatchewan.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. ROMANOW:** — Mr. Speaker, I move second reading of this bill.

Motion agreed to on the following recorded division, bill read a second time and referred to a committee of the whole later this day.

**YEAS — 38**

Blakeney	Allen	Kaeding
Romanow	Tchorzewski	Robbins
Feschuk	McArthur	Rolfes
Mostoway	Banda	Hammersmith
Kowalchuk	Thompson	Engel
Byers	Long	Cowley
Matsalla	Shillington	Poniatowski
Prebble	Johnson	Lingenfelter
Nelson	Lusney	Solomon
Chapman	Miner	Berntson
Birkbeck	Taylor	Andrew
Thatcher	Rousseau	Duncan
Katzman	Muirhead	

**NAYS — 2**

Collver	Ham
---------	-----

**COMMITTEE OF THE WHOLE****Bill No. 27 — An Act respecting the Protection of Residents in Saskatchewan****Section 1**

**MR. TAYLOR:** — Mr. Chairman, a few comments regarding the general purpose of this bill. I think it has been debated quite fully in second reading but there are just a few items I would like to draw to the attention of the Attorney General. I would say at the first that I think I would lend my support to the other members on this side of the House who indicate there is very little in this bill. I personally feel it's rather a gimmick to make people think they're getting something. But seeing the government refuses to come forward with any real concrete and meaningful payments of money that would help people, this has passed second reading and we're into the clause-by-clause of it.

I notice that the Attorney General has been saying continually, "Let's have some suggestions. Let's see where it can be improved." And I suppose we're at that part of the debate on this bill at this time. So, therefore, I would like to get into some concrete suggestions as to areas in which I think this bill is really not accomplishing anything.

First of all, I think there is an assumption that this whole bill is based upon that perhaps is not correct, and that is an assumption that interest rates are somehow going to go down. They have been decreasing a bit in the last few months. But I don't think the Attorney General knows, I'm sure I don't know, and I don't think anyone on the other side of the House knows, with any degree of certainty, that the interest rates in this country are going to go down by any appreciable amount in this coming year while this bill will be in effect. In fact, the interest rates could go up.

The other thing concerning me about this bill is the confusion that there is among the

people today. The Attorney General just mentioned that he is getting literally hundreds of phone calls — and I'm sure you're going to get a lot more, Mr. Attorney General, and I would like to know what you are going to advocate. As my colleague for Regina South says, you have three options that you've put out to the people. I think we could look at various situations of people in various economic straits and at the option that you, as an MLA and as the man who is steering the bill through the House, are going to offer to these people. Those are some of the things I think we'd have to be looking at.

Looking at the whole premise upon which the bill is brought about (I am not a lawyer as you well know), it's an extension of The Land Contract (Actions) Act. As I understand that act, if there was a foreclosure, there would be a period of time in which the judge could look at this and apply for leave. That may take up to about eight months and then there's another phase in which it comes before the judge, and the judge has quite strong discretionary powers that he can use in dealing on foreclosures. I don't see how this is going to be any real change from that, and I would like to hear from the Attorney General, who is the expert in this field, how this really is a great improvement upon the legislation that is in place at this time.

Actually, in discussing it with legal people in Saskatchewan, they tell me that there really isn't that much improvement. That's what makes me wonder why the rush to bring this in; why the obviously hastily prepared introduction of it into the throne speech, and then the hustling around to try to get something together which, I think from the criticisms of the members on this side of the House, you can see is not tight legislation. The Attorney General stood up in this House two or three times within the last day and stated himself that certainly this may not be the answer and that he's not sure that this is the correct legislation. Well, I think, Mr. Attorney General, that if you realize that the situation out there is as serious as it is, then surely you could have come up with some legislation that was tight and was an improvement over The Land Contract (Actions) Act.

The other thing I would like to get to is more specific. Rather than going to that clause when we come to it, I'd like to bring forth my considerations at this time. I would like to move to section 11 with your agreement. What section 11, as I understand it, says is that if sections 7 and 8 are waived and section 9 comes into place, Mr. Attorney General, then under section 11 the degree of discretion that was allowed the judge under The Land Contract (Actions) Act is no longer there. Mr. Attorney General, if that is the case, then I think this legislation could probably hurt people when there is action being taken by the lender, for the lender is taking action upon the debtor. I believe that when this discretionary power that was previously there for the judge is now restricted, then perhaps he is duty-bound to look at just the terms of the mortgage, and no longer can he use his discretionary powers. I think that could be, Mr. Attorney General, a backward step for these people.

Now something else concerns me, and this hinges on question period today when I questioned you about some of the legal problems and the administration of justice in this province. You, Mr. Attorney General, said that you did not think it was the role of an attorney general to say who will be charged and not be charged. That's what you said to me in question period today.

Now as I interpret your role as Attorney General of this province, criminal matters concern a person who creates a criminal misdemeanour against the state, and you are representing the state. But in civil matters, it is an individual person or a corporate body that has a dispute. Now if your line of reasoning that you shouldn't be into any of the



criminal things holds true, then would you justify to me, Mr. Attorney General, why under section 12(2) on page 4 of The Home-owners' Protection Act it states the following?

The Attorney General or counsel appointed by him may at any time intervene or appear on an application under section 9 or an appeal under section 10.

Now, you tell me why you think that you should be able to get in on civil matters? I'd like to know whose side you're coming down on. When you move in there, are you coming down on the side of the debtor or the lender? Why is it justifiable for you in civil cases to have this power to move into there, when just this morning on the legal aspects you said that there's no way you should be making any judgments? I don't believe there's another attorney general in Canada who is given power to meddle into civil cases. I would like you to answer me, because I'm very suspicious about why you want that power in this act.

Now, you didn't talk about any of these things when you were on your feet on second reading. No. You covered over all of these things, I heard you, in the interest of good legislation, stand here and attack me on a pamphlet I've written. I'd like you to have gone through the whole pamphlet because there's some pretty good comments in there about you, my friend.

**AN HON. MEMBER:** — I resent that.

**MR. TAYLOR:** — You do. I think you realize this. I heard you comment about the seating plans on this side of the House, and about Tory governments which have not done anything. You didn't say anything about the Crosbie budget. That's been brought up today. But you're great, Mr. Attorney General, at shading things and telling the half-truths that you see fit. But you won't wrestle with the problems that are right here in this bill.

I've laid out two or three of them here. I'd like to know why you feel you have to have the power to intervene, and if you're going to intervene, what is the reason for your intervention? Also, how is this really improving on The Land Contract (Actions) Act? Those are a couple of the things that come to my mind at this time.

The other thing is the fines that are in here. There are fines up to \$10,000 for contravention of the act. I would like to know what contravention you're talking about. Let's have some answers. You ask us to discuss this act, to try to improve it. We've voted for it in principle. Now, let's have some answers. I don't see where the contraventions can be, and I think that's just a big scare tactic that you've put in there.

With those few comments I'd like to hear some answers from the Attorney General on those clauses.

**HON. MR. ROMANOW:** — Mr. Chairman, I suppose it's of little sense to try to persuade the Conservative opposite of what the actual record is. But I will try to put this on proper basis. The hon. member just a few minutes ago accused me of not having discussed section 12 in the second reading speech. He said it. He's absolutely erroneous. I direct the hon. member to page 376 of the second reading speech where I said:

Section 12 provides that the Attorney General should be given notice of all applications and appeals and gives him the right to appeal an order made under section 9.

You said I didn't mention that. You said I absolutely didn't mention that.

I'll give you the answers but don't say that I didn't mention it, because I did. That's all I'm trying to say to you. It's the kind of example that the member opposite and the Conservatives opposite adopt throughout the piece. They pretend that people can't read or won't read: that they don't watch TV or listen to the radio. The Conservatives simply will manufacture out of whole cloth all that is being said. I'm saying that section 12 was noticed by me in the course of the second reading speech and, indeed, I made the observation related to section 12.

Now, let me try to take some of the points that the hon. member has made and explain to him, again, what is intended by this. First of all, the member says that where an order under section 9, which is the court provision section, is made, section 11 says that you don't have to reapply again under The Land Contract (Actions) Act. Now, I'm not quite clear whether the hon. member wants twice the applications — whether he's saying that there should be two court hearings, with two sets of lawyers and two different judges on any kind of a mortgage, or whether there should be only one. What section 11 says is that if under section 9 there is a court hearing and there is a court order, that is it, and leave to foreclose is given. Therefore, land contract does not need to apply: that's what the section says.

**AN HON. MEMBER:** — Then the discretion is gone.

**HON. MR. ROMANOW:** — What discretion is gone?

**AN HON. MEMBER:** — The discretionary power given to the judge under The Land Contract (Actions) Act.

**HON. MR. ROMANOW:** — The Land Contract (Actions) Act has one issue to decide, and one issue only. Shall leave be granted to sue for foreclosure? Period. That's all land contract actions do. That's the only discretion they've got — yes for leave or no for leave. This bill gives discretion to consider all the other economic circumstances and if circumstances are out of control to determine whether or not the leave should be given. There's no use putting in a double form of court action in order to yet even further compound the potential danger of court actions and court costs. So I make that point with respect to section 11.

Now, the other matter that the member mentions is the question of the role of the Attorney General and why section 12 is put in there. Well, the simple fact of the matter is, just as a general proposition, that when you see the words "the Attorney General" we are not talking here about the person of the Attorney General; we're talking about the office of the Attorney General. When you look at The Attorney General's Act, it sets out my responsibilities. It's not Roy Romanow's act; it's the office of the Attorney General's act for the administration.

The fact is that the Attorney General in civil cases, I tell the member for Indian Head-Wolseley, can intervene where there are points of public law or points of constitutional law as is necessary, as he should deem just . . . (inaudible interjection) . . . Well, a constitutional case, any kind of a constitutional case. We're given notices on civil cases

almost every day. I don't have handy examples but I can dig them out and mail them to you, or give them to you any time. We get notices virtually every day saying, "Smith v. Jones." If it's a constitutional case, you can intervene on it; it's up to you. All that we're doing here is this, if I may . . . I'll wait till the hon. member gets the advice from there, because I don't want to repeat it again. Well, are you not interested, or are you interested in hearing it?

**AN HON. MEMBER:** — Yes . . . (inaudible) . . .

**HON. MR. ROMANOW:** — Well, he's the one who asked me the question . . . (inaudible interjection) . . . Yes, he can read it tomorrow. Can he understand it after he reads it tomorrow? . . . (inaudible interjection) . . . You tell me how to explain it, member for Nipawin.

Now I would say to the hon. member for Indian Head-Wolseley that I think he's raised a couple of points worth discussion on section 12(2). His specific mention of section 12(2) was also done in The Family Farm Protection Act in 1972, which is another piece of legislation. It is designed to ensure that if indeed a problem arises with "clogging of the courts" or if there is a judicial interpretation which, in effect, would defeat the intent of the bill (a bill which you have supported), then the Attorney General's department would be specifically notified in advance of that, to know whether or not to take a public policy position on a point of law. We are not entitled to take a position on an individual factual situation.

This section does not give us that authority, and no attorney general would want to get into that. But if there is, for example, some interpretation of section 12 or of the bill which does go to the fundamental core of the legislation, we say that there is a public responsibility for the Attorney General's department (I'm not going to be sitting there, watching every case, or appearing in court, as hon. members know) to make appropriate submissions. Now those are the two major sections you've raised, and those are the two explanations I give to you.

**MR. COLLVER:** — Thank you, sir. Mr. Chairman, I have a few comments to make prior to my request to the Attorney General. I have passed him this motion as per his instructions in *Hansard* on three separate occasions in this legislative Chamber, I passed it to him to sign as the seconder. He will know that it is not necessary to sign the motion, but I am afraid, judging by a few of the remarks he has made, that he is not prepared to stand up and live by his principle, his honour, and his offer in *Hansard* to second the motion to delete clause 9 from this bill.

I'm going to ask the page to please deliver this motion to the Attorney General, so when it comes time to make the motion, I can move it, seconded by the Attorney General, with his signature on it. He will either sign the amendment, or he will refuse . . . (inaudible interjections) . . . Oh, he won't sign it. He has refused to sign and second . . . That's a blank sheet of paper. I want everyone to know that he sent me a blank sheet of paper. I didn't send him a blank sheet of paper.

Mr. Chairman, I sent over an amendment to the Attorney General, drawn up by the Government of Saskatchewan law clerks . . . You know, the Attorney General talks about paying attention. Perhaps he would like to pay attention to his own words.

I sent over an amendment to him, drafted by the law clerks of Saskatchewan, effectively deleting clause 9 and its implications from Bill No. 27. The Attorney General has

refused to second this document. He has refused to honour his own word; he has refused to live by his own integrity. He has refused to live up to a statement made in this House, and I quote: "You move it; I'll second it."

Mr. Chairman, that is the most two-faced behaviour that any attorney general, or cabinet minister or any member of this legislature could ever live by. Mr. Chairman, what he attempts to do with this bill in this Chamber is to play politics with the people of Saskatchewan, to play politics with the suffering of the people of Saskatchewan, to put in a bill which he said (and I'll quote in a moment) himself won't work; he admits that they will have to watch it closely. He said himself, "The courts might get clogged up." He said himself, "We have to hire lawyers."

Now, Mr. Chairman, that is absolute utter nonsense. He says today that he has had many, many calls from people around Saskatchewan wanting to find out — no, he didn't say that. What he said, Mr. Chairman, is this: "I've had many, many calls, in the hundreds almost. I wouldn't say in the hundreds, but maybe in the hundreds. In the tens, maybe the hundreds," he said. That many calls, and these people want to know where they stand! This is what he said, "We are, over the next few weeks, going to explain to these people what their position is."

Now, I have had occasion from time to time to call the Attorney General on many matters. I called as recently as a couple of days ago to request his advice. And I want to tell you exactly what the deputy attorney general and every single staff member in that department says. What they say is, "We do not involve ourselves in these kinds of civil matters. We are not legal counsel and you should direct your attention to your lawyer."

Those are exact words from the deputy attorney general, from the Attorney General, and from every member of his department. "We cannot involve ourselves in civil matters. We cannot give you opinions on civil matters. We can tell you what the law is, but if you want an opinion on a civil matter, go and hire your own lawyer." That is, and has been, the policy of the Attorney General's department since it was formed in Saskatchewan.

I ask the Attorney General this: Does he mean today that he has changed that policy of the Department of the Attorney General? Does it mean that you are now going to give legal counsel to people requesting legal counsel when they phone the Department of the Attorney General? That is what you have said in this Assembly. You've said you are going to tell people what their legal position is, not what the law is, what their legal position is. So, you are going to change, you say, this long-standing policy of your department. Oh yes, that's what you said in this House.

You see, Mr. Attorney General, when you say, "You move it and I'll second it," people think that you are a man of your word. People believe that you mean it. When I ask you to second it, now you won't second it. So, they say to themselves, "Is it correct?" Mr. Chairman, is it correct? Is anything the Attorney General says correct? Is anything he says reasonable or rational? Not a bit of it; not a bit of it.

Listen to this, on page 375 of *Hansard* in the Attorney General's own words. He said if this section 9 is not removed, "... it puts the lie to the allegation that this somehow shifts the purpose of security and moratorium from the Legislative Assembly to the courts, as the member for Indian Head tried to argue during the question period." The Attorney General said that. He says if we don't take section 9 out of there, it shifts the responsibility, the purpose of security and moratorium from this Legislative Assembly

through the courts. He says:

We should keep it in the Legislative Assembly, not the courts.

I say, right on, Mr. Attorney General. Remove section 9, and then it won't be in the courts; it will be in the Legislative Assembly. You still have the right to make the necessary changes in regulations. You can establish it in regulations. Section 9 is the clause to which we have objected in the Unionest caucus. We have objected vociferously because it gives more business to the Saskatchewan legal profession. Remove section 9 from this bill and you'll get unanimous consent in this House. Wouldn't that be nice? Wouldn't it be nice if in this House, in order to help the people, you got unanimous consent from the members of this Assembly? If you remove it.

Now, mind you, you might get a little bit of criticism from almost every citizen if you take that section 9 out of there. But I think we'll all vote for it. Because you put the principle of the bill forward, and you drafted the bill, the people are going to hold you responsible for this bill.

I say to you: you've asked that a motion be made to delete section 9. I have made that motion, and I've given it to the chairman as is the rule of this Assembly. As the Attorney General knows, under the rules of the House, I could not make a substantive motion on second reading, or I would have done so then. But the Attorney General knows that the rules don't permit that. But they do permit a motion during this sitting of the committee, and I have moved it, and given it to the Clerk.

The Attorney General said he would second it. That is another thing I think every member of this Assembly and every member of the Saskatchewan press corps should understand. I might interest all of you to know that it is not necessary for a motion to be seconded in committee. The Attorney General knows (listen to this) that you cannot move a substantive motion removing section 9 on second reading. You can't do it. It's against the rules. Knowing that I don't need a seconder under the rules of the committee (you only need a mover), he says: "You move it; I'll second it." Here's a member of the House who has been here for 16 years, and he knows all the rules. But he twice says, "You move it and I'll second it." So I asked him to sign this to show that he seconded it. He won't do it.

Mr. Attorney General, you are not going to get off scot-free, see? Here's the way it's going to work, right? I'm going to move it; I don't need a seconder; and I'm going to call for a standing vote. We'll see whether you have any principles at all, because you wanted to have section 9 removed from this bill. You said so. You said it's going to cause problems. You said to put it in at the behest of these other people, and you said it's going to cause problems. You said you are going to keep a close eye . . . Mr. Chairman, may I read from what the Attorney General said on page 379?

We are going to be keeping a very close watch on the number and types of applications made through the courts.

And then he goes on:

If it appears that (following your advice) there is non-payment of the mortgage and (following your advice) there is a clogging of the courts by lending institutions, then when this House reconvenes, or earlier, if the

courts are having difficulties dealing with the applications for the purposes of this bill is being thwarted . . .

Listen to this:

. . . we are going to take a very close look at that section 9.

You move it and I'll second it. The Attorney General said that. He is advising every member over there to vote for this amendment. It is right in his own words. This is the man who drafted this bill, and who now says it's not worth a darn. This is where we are at. The first time it will come up will be in section 2. That is where clause 9 is first referred to. The first vote you will have is under section 2. At that point, Mr. Attorney General, and, Mr. Chairman, we are going to find out about the great principle that the member for Regina talked about earlier.

The heavily principled individual, the Attorney General for the province of Saskatchewan, said that the clause is no good. It was only put in at the suggestion of others; it might clog the courts; it is going to do this and that; it will change a long standing policy in the Attorney General's office. They are now going to have to give advice to people on a civil matter. I say that the Attorney General has produced a faulty bill. They were his own words. I say that any member of this Assembly who doesn't heed the Attorney General's words that he will second this amendment, and vote in favour of it, is not doing justice to his constituents. Every time a constituent of any member opposite has to go to pay a legal bill and pay the lawyers for all this extra work, he's going to remember what you did to them in terms of this and many other bills. But this one especially is designed specifically to make more work for the legal profession. I ask the Attorney General to stand up for once like a man, for what you believe in, do what you said you would do instead of putting forward the political gobbledygook that you have for so long.

**HON. MR. ROMANOW:** — Mr. Chairman, I would like to make two broad points in response. First of all, on the question of legal advice or legal explanation of the provisions of the bill, what I am saying is this: the Government of Saskatchewan will be putting out public explanations of this bill in the weeks and days ahead. The explanation will be given with respect to the bill, either by telephone, newspaper ads or pamphlets, to explain to the home-owners of Saskatchewan how we interpret the provisions of the bill.

On the question of advice, the Department of the Attorney General has never been in the business of giving advice on civil or criminal matters, except when it advises the Government of Saskatchewan in its usual capacity . . . (inaudible interjection) . . . That's right. And it intervenes, as I have indicated to the member for Indian Head-Wolseley, on the question of points of law in appellate courts and on constitutional points.

So, let's get that absolutely clear. That has been my position. That position has always been the case. There is no inconsistency about it. That will be the position after this bill gets passed today, or whenever it gets passed. We will be giving explanations of the bill. I am sure the hon. members will be supporting those explanations that we will offer to the public in the next several weeks. That's point number one.

Point number two: the question of section 9. Now let me say, with all due respect, to the hon. member for Nipawin — I don't want to say this in any personally offensive or

aggressive way — the hon. member, in my judgment, represents little if anything of the Saskatchewan public. Accordingly, any kind of an agreement . . . (inaudible interjection) . . . I'll tell you one thing: about the only people you represent are the 15 guys to your right. That's the only thing you represent and I tell you that I made no commitment to you on section 9 . . .

**AN HON. MEMBER:** — In this House!

**HON. MR. ROMANOW:** — No, to the member for Kindersley. No, sir. I made it right there. I made it to the Conservatives.

**MR. CHAIRMAN:** — Order, order!

**AN HON. MEMBER:** — Bring in the member for Kindersley.

**HON. MR. ROMANOW:** — Mr. Chairman . . .

**AN HON. MEMBER:** — Look behind you.

**HON. MR. ROMANOW:** — You talk about looking behind you. Look behind you. Mr. Chairman, here is the situation. Now, look, Mr. Chairman, are you going to grab control of this House?

**MR. THATCHER:** — Mr. Chairman . . . (inaudible interjection) . . . No, not really, to the member for Moose Jaw North. Not an hour and a half, just some brief comments . . . (inaudible interjection) . . . Well, if the Attorney General thinks so and if you think it is all so easy . . .

I note that the NDP has not nominated in Thunder Creek. It is a wide-open nomination. I understand they are very desperate for a candidate. By all means, I think they would even take you. Actually, I could stand an easy campaign for a change. I invite you to come down.

Mr. Chairman, today I think we have seen the political demise of a former political heavyweight. You know, we all play the game rough in this Assembly and there is no quarter asked; we take what comes. When we have to stew in our own juice, I guess we have to do it, but above all . . . (inaudible interjection) . . .

I'll tell you about the juice I'm stewing in, and I say this to any member opposite. The NDP has not been able to find a candidate in Thunder Creek. They would take any one of you. Any one of you who wants to come, by all means come to Thunder Creek. We'll find out about the juice. As I said, for the 45 members opposite, I could stand an easy campaign for a change.

Mr. Chairman, today we saw the demise of somebody who put his foot in his mouth yesterday. Yesterday, he said to the member for Kindersley, "You move it; I'll second it." He said it to this Legislative Assembly. He didn't say it to me. He didn't say it to the member for Moosomin or the member for Nipawin. He said it to this Assembly. How many times have we listed to that Attorney General get up on his feet in that sanctimonious fashion? "You bad guys over there — you're doing this or you're doing that. Your credibility is nil." How many times have you heard it since you've been in the Assembly? I've heard it so many times, I've lost count. Yesterday, the Attorney General on page 379 . . .

**AN HON. MEMBER:** — And 375, there it is.

**MR. THATCHER:** — . . . 375, said to this Assembly, even for those of you over there that didn't get a book from the member for Nipawin. By this time I've had it translated. It means, pure and simple, that the Attorney General is a four-flusher.

Yes, it's about time for you to go out to have a coffee. I hope the coffee is brewing out there because every time the Attorney General gets a little bit of heat he usually runs from the Assembly. You learned a lot of that from the Premier. But, actually I'm glad. See, he took his seat.

Mr. Speaker, on pages 375 and 379, the Attorney General of this province — for all 51 members, for anybody up there that happened to be here, anybody that is in the galleries — exposed himself once and for all for exactly what he is: a political commissar whose word isn't worth the powder to blow it to hell.

From now on, Mr. Chairman, I really wonder how much credibility he has. I mean, Mr. Attorney General, you never did have a great deal over here. But old buddy, look behind you. You haven't got much over there either. Look behind you. Where's the flow of consternation against you? Even your own friends over there are sort of enjoying this.

Mr. Attorney General, Mr. Commissar, let me tell you, the credibility of a politician is not very high in this day and age. There's a lot of reasons for that which we're not going to go into. But when that credibility from one politician to another goes down the tubes, what's left? Mr. Attorney General, as I recall last night, as you made these statements on pages 375 and 379, I don't really recall anybody holding a gun at your head. I don't recall anybody saying, "You make that statement." I don't recall the Premier telling you to get up and tell the member for Kindersley that you were going to second that motion. No, Mr. Attorney General, you made it all on your own.

Mr. Attorney General, this evening I guess we're going to spend some time talking about your credibility. And, your credibility is exactly zero. When you have the gall to make statements as you made in this *Hansard*, as the leading law enforcement officer in this province, as supposedly the officer of integrity, as the officer of everything that is supposed to be right, and you're exposed as a second-rate four-flusher, can you continue as Attorney General?

Mr. Attorney General, were you to resign this evening, let me tell you, there are probably 20,000 children in this province who would be delighted because your credibility tonight is the same credibility that the children's friend over there had six months ago when he was wheeling and dealing to bring this session to an end. He stood up in this Assembly and said, "Within six months this government will do something about the situation on children's rights." You were a four-flusher then and you're a four-flusher tonight.

Mr. Attorney General, if you've got another word for it, I would be delighted to hear it. Have you or have you not got the courage of your word as the chief law enforcement officer in this province, as the person whose integrity must be above reproach, whose word has to be unquestionable? Are you going to sign the motion as proposed by the member for Nipawin?



Mr. Attorney General, I don't think it is at all inappropriate for this Assembly to ask you to live up to your word on pages 375 or 379, and I don't think that it is unreasonable to suggest that you resign. I know I would be awfully interested in hearing why you shouldn't have to honour your word but everybody else should. Tell us why you should somehow be excused from having to make your word good when all other 60 members should be expected to make their word good. Why should you be the exception out of 61? Either sign that thing or tell us why you should be allowed to fall back on your word.

**HON. MR. ROMANOW:** — Mr. Chairman, I will try once more if the hon. member can only contain himself; I know he relishes these personal attacks. Quite frankly, if I had to be attacked personally, I couldn't think of two better members than the member for Nipawin and the member for Thunder Creek to attack me, with respect to my credibility.

I want to say one thin. You can get any one of your Conservative people to figure out the last time I called you or the member for Nipawin or anybody else in this House a four-flusher.

**AN HON. MEMBER:** — I beg your pardon, 1976.

**HON. MR. ROMANOW:** — Prove it. Baloney. Nobody believes you. That's why you're where you are; that's why you're heading a rump group; that's why you're in cahoots with the member for Thunder Creek and all of the Conservatives; that's why you're moving this section 9. Read the words of page 379. I said very specifically that the member for Kindersley also criticized the bill on the basis that there would be so many applications that it will be clogged. I've already made my point in that regard.

I ask again whether the member for Kindersley is saying section 9 should be taken out? I repeat my offer: you move it; I'll second it! Where is the member for Kindersley? He has got you to do his work for him. Where is he? That was the commitment that I made . . . (inaudible interjection) . . . Page 375 even makes it more clear except for your purposeful misrepresentation. It was you and the Conservatives who said that section 9 will clog the courts. I said that is not true; I said section 9 won't. I said section 9 is in there because of the credit unions. I said because of the credit unions it's in there. If I'm wrong and he's right, let him move the amendment to section 9 and I will second it. Not you, you don't represent anybody! Your views about separation from Canada — your views represent nobody!

Frankly, I'm not surprised that the Conservatives and the members there laughing have aligned themselves with you again. I'm not surprised because you still lead them spiritually and you lead them in every way going. I'm not surprised that they have given you this job of trying to argue why section 9 should be removed. Why do you purport to be the friends of the credit unions? Both of you pretend to be the friends of credit unions. When you know they want section 9 in there, why is it you want it removed now? Why have they put you up to this? Why is it that the Conservatives say they support this bill and you're leading the charge, seconded and abetted by the member for Thunder Creek?

Mr. Chairman, I tell you that the simple fact of the matter is that the Conservatives right there — that rump Conservative group which believes in separation to the United States publicly, that group which believes in separation to the United States privately, that Conservative Party which believes in banks publicly, that Conservative Party which believes in support for banks privately — have gotten you to make this particular argument. You are misrepresenting the operation totally, 101 per cent. You are

irresponsible to anybody and you know it. All you can do is sit around and mischief-make and you have the support of the member for Regina South to do it.

I tell you that I didn't give my commitment to you, and I want to tell you one other thing: I never would give my commitment to you.

**SOME HON. MEMBERS:** Hear, hear!

**MR. COLLVER:** — Well, now, Mr. Chairman, I will answer the Attorney General. He asked for a couple of things. The first was: did he ever call anybody in this House a four-flusher? The Attorney General has what is known as “selective memory cells.”

I remember an incident in this House when the Attorney General and two members of the Conservative caucus, when I was the leader, sat down to work out an arrangement by which the House, against my wishes (I happened to be away; I had left the country for a couple of days) . . . (inaudible interjections) . . . In 1976, Mr. Chairman, I had no interest or involvement in the South at all. In 1976, however, I was required to attend a very private and unfortunate incident in terms of my parents, and I was not able to stay in the House.

Against my interests and against what I had been saying for some time, two members of my caucus and the Attorney General made a deal. They made a deal that they would prorogue the House, and any member who is sitting on this side of the House who was there at the time knows that what I say is the truth. One of them was Mr. Larter for Estevan, the other was Mr. Bailey for Rosetown. The Attorney General and those two, oh yes, made a deal. The Attorney General sent a letter across to this side of the House outlining three principles to which he expected our side of the House to agree in order to prorogue. They were not in the letter, but given to both the member for Rosetown and the member for Estevan at the time were two principles that the Attorney General said his side would give to us. And he didn't honour the two things that the agreed to!

When we came back to this Assembly, the Attorney General said, “You have to go right straight to the budget speech.” I said, “Oh, no we don't, because you have to honour the deal that you made with those two guys.” Bank then, he didn't do it either. You know something, Mr. Chairman, because he had a paper in writing and all I had was the word of the two members who were there, the Attorney General stood in this Assembly and called me a four-flusher. He says he has never in all of his years heard that word used by him. I tell the Attorney General, once again, that he has a selective memory. Once again, he should look up the record. Once again, his slippery tongue should start to move a little straighter.

Mr. Chairman, I say to you that when a member who rises in this Assembly, whether he addresses one member, the chairman, or anyone in this Assembly, says, “You move the motion and I'll second it,” he is speaking to the people of Saskatchewan. I say to the Attorney General . . .

**AN HON. MEMBER:** — Is it hurting? Does it hurt a little bit?

**MR. COLLVER:** —I'm not so sure that that's true. I say to the member who says that the waiting lists in the hospitals create the efficiency. And he's the Minister of Health. He talks about credibility. I'll tell you, I don't think that's credible.

Now I'm going to get back to this again. I wanted to tell the Attorney General and I want

to remind the members of this Assembly of something on page 375. "So I make that challenge," says the Attorney General. Listen to this:

So I make that challenge; I extend that invitation to members of the Conservative Party in this regard.

The Attorney General, for goodness' sake, has been standing in this House calling me a Conservative. No, you don't get it both ways. You don't get to stand up and say that to the members who are of Conservative persuasion. So I stand up, and I say, "I'm a Unionest."

But, sorry about that, Mr. Attorney General, you told the people that you would get rid of this onerous clause. I say it's an onerous clause. I say it's a bad clause. I say it's going to make work for the Saskatchewan legal profession as has never happened except for the other laws you brought in in the past. That's what I say. I say that your Attorney General's department is going to be bogged down in telling people over the next weeks and months that those people who phone in should go get a lawyer.

Now, you may say to me, "No, no, Mr. Member for Nipawin; you don't represent anything. You just represent Arizona." Well, I tell the member for Saskatoon Riversdale tonight, and every other member who has made that comment, that as of today, at this moment in time, there are more people in Mesa, and Tempe, and Phoenix, and Wickenburg that there are in your combined constituencies — as of today, Canadian people, Saskatchewan people, right now — and if you don't believe me, go over to your own constituency and check it out. Don't tell me that because a guy goes to Arizona he is not a legitimate resident of Saskatchewan, because half your constituency goes there every year. If you want to come down to Mesa, or to Tempe and check it out, I would be happy to invite you to do so. I would be happy to introduce you to the Saskatchewan Club in Tempe, Arizona, which has a membership of 600 people . . . (inaudible interjection) . . . No, that's just the one club in Tempe, Mr. Attorney General.

When a man rises in this Assembly and makes a commitment to the people that he will get rid of an onerous clause, and one that he knows is an onerous clause, and then refuses to do so, he is two-faced; he is fork-tongued; and, as the member for Thunder Creek said, he is a four-flusher. I say to you that man has zero credibility. For once, for the first time since I have been in this House, we finally got him with his pants down!

I could have told you of a dozen times when we knew his word was given to us and was broken because there was nothing in writing, but today the word was given in writing, and he broke it again. Four-flusher? That's not the half of it.

**HON. MR. ROMANOW:** — Mr. Chairman, this is an interesting exhibition again of the Conservatives applauding their former leader. Or Leader? It's hard to tell, really.

Again, I'm going to try to avoid the invective that has particularly occupied the member for Nipawin and the member for Thunder Creek these last couple of days, but I want to read, for the record, what I did say, on page 375. This will be the last position I take on the matter. The press and others can read it in the context, I said:

The hon. member opposite (talking to the member for Kindersley) says that we're out there defending the credit unions. If the hon. member wants to move that section 9 be deleted, I challenge him to get up when he follows me in this debate and I ask you, Mr. Speaker, to pay particular note to his words,

whether or not he'll make that invitation to me. I bet you a dime to a dollar that he will not make that commitment or public challenge. I tell you, because he won't; it puts the lie to the allegation (his allegation) that this somehow shifts the purpose of security and moratorium from this Legislative Assembly (section 9) to the courts, as the member for Indian Head tried to argue during the question period.

And, indeed, where is the member for Kindersley? Why has he not moved this particular section?

I want to say one other thing with respect to section 9. We are here, regardless of the emotional and deeply felt personal feelings of the member for Nipawin and the member for Thunder Creek toward me, to deal with legislation which we hope will be fashioned as best we can. I want to tell you that I have heard, even since that statement was made yesterday on section 9, many people argue that it should be in there to see how it operates. That is, in addition, information which I have received since the question period yesterday.

That's exactly what I said. I will be pleased to consider the offer again. Please bring out the hon. member for Kindersley. I would like to see where he stands on this, and where the official Conservative Party stands on this. Perhaps the hon. member for Thunder Creek would be able to get up and tell us where the Conservative Party stands on section 9.

Will the Conservative Party move section 9 be withdrawn or not? In fact, I'm going to sit down and ask the hon. member for Thunder Creek to say the Conservative Party wants section 9 deleted.

**MR. THATCHER:** — Mr. Chairman, the Attorney General has given one of his poorest performances since I've been in the Assembly, and I haven't been in as long as he has. His performance has not been very sharp tonight. The smirks on the faces of the people who don't mind watching him take his lumps tell it all.

The Attorney General makes crude attempts to back off statements he made himself, under his own volition, not in the heat of debate, but statements made in the dispassionate reasoning of second reading. I think the important issue here right now is that if the Attorney General wants an answer to that question, there's an easy way to get it. You have had the opportunity to get that answer. Simply do what you have committed yourself to do. Sign that piece of paper, and there will be a vote.

Now even the Attorney General knows that. There will be a vote and you will know very quickly what I and the other members in this Assembly want. Mr. Attorney General, tonight we see you caught in your old vise of lack of credibility, and you brought it all upon yourself. You know, we've known about you for a long time.

Ask the children who are involved in a custody case about the Attorney General, the children's friend. Ask him what he had to say last spring as he used a bill on children's rights as part of the wheeling and dealing as we wound down this Assembly. Ask him about the commitments he made at that time. Ask them what they saw in the throne speech. Zip. Zero. Mr. Chairman, I suggest to you tonight the Attorney General, the political commissar, has been exposed for what exactly he is, and we've all used the terminology. I stand by any terminology that I've used.

I suggest to you that we have seen somebody who has abrogated the post that he was sworn to look after when he was brought into the cabinet 10 years ago. We have seen this man who left his post for all intents and purposes two to three years ago. He went out on to the constitutional stage strutting, crawling, whatever you call it, enjoying the limelight on the national stage. In the meantime, his department went to blazes. His department is run by bureaucrats. His department isn't run by him. Ask Gil Johnson or Wayne McKenzie. The list is endless. Who runs the Attorney General's department?

Then the final straw comes, talking among a group of politicians. You know, honest to goodness, our credibility is bad enough, but when our words among ourselves in here aren't good enough, when they are exposed as being zero, you know there really isn't very much left. Mr. Chairman, I suggest to you tonight that, basically, the Attorney General has lost all credibility. I suggest to you that most people have lost confidence in the Attorney General. I suggest to you that something should be done about it, and the person to do that is the Attorney General himself.

Mr. Chairman, I would move the following motion, seconded by the member for Regina South:

In view of the fact that the Attorney General failed to keep his word and did not stand behind his challenge, on pages 375 and 379, in this Chamber, this Assembly has lost confidence in the Attorney General and therefore demands his immediate resignation.

**SOME HON. MEMBERS:** Hear, hear!

**MR. THATCHER:** — Based on the assumption I could find somebody to take this up to the Chair, I would send it up there.

**MR. CHAIRMAN:** — The motion is out of order, but I'll tell you why as soon as we find it here. The motion is out of order because on October 10, 1980, last session, we passed the following rule of the Assembly that:

The practice of permitting substantive motions in the committee of the whole and committee of finance be discontinued.

This is a substantive motion and is therefore out of order.

**HON. MR. ROMANOW:** — I want you to know that was one of the closest calls I ever experienced in my life. Now, will the hon. member for Thunder Creek please answer two questions: where is the member for Kindersley to move the motion, and secondly, in the absence of the hon. member for Kindersley, will the member for Thunder Creek tell me if the Conservative Party wants section 9 deleted, please?

**MR. THATCHER:** — Mr. Chairman, I find it rather amusing that the Attorney General, who is shepherding this bill through the Assembly, has been reduced to the point where he has to address the questions across the floor. To the Attorney General and to all members opposite, I suggest that you get used to that procedure, and I think the Attorney General should get used to asking questions, because based on the chance that you people should screw up your courage and call an election in 1981, you'll be asking all your questions that way. So I invite you, get used to the idea.

Mr. Attorney General, there's a quick way to find out how I'm going to vote and perhaps . . . (inaudible interjection) . . . We could do it again. The member for Nipawin, on several occasions today, has sent that motion across to you, the motion which you have said you'd sign, the one you'd second. But I note the Attorney General has declined to sign it on every occasion. Mr. Attorney General, I assure you, you second that motion and you'll find out very, very quickly how we're going to vote.

**HON. MR. ROMANOW:** — Well, you see, Mr. Chairman, the Conservative Party again does not tell us where they stand on section 9. I challenged the member for Kindersley yesterday; he ducked. He's out there in the coffee shop. I know where he is. They tell him, "Keep out of here, keep out of here." Mr. Collver will do the job, he thinks. I asked the hon. member for Thunder Creek to get up. He won't give me the answer. He's ducked as well. He was against the bill yesterday. Now he's for the bill today.

I didn't expect passage of this bill to be easy, notwithstanding your vote. But is there no limit to your absolute shameless gall? Is there no limit to the fact that you absolutely cannot even tell us where your . . . All right, let's forget about the member for Thunder Creek. I ask now the Leader of the Opposition: do you want section 9 deleted? Please stand up.

**MR. CHAIRMAN:** — The hon. member for Arm River has been trying to ask a question for about half an hour.

**MR. MUIRHEAD:** — Mr. Chairman, if the Attorney General will have the decency to be quiet like I have. I have a few questions to ask him. I'm going to tell you that the simple fact is that this has been a "nothing" session. You've dragged us in here for nothing. What have you done for the people of Saskatchewan? What have you done for the people who are in dire need out there? I'll tell you what you've done, Mr. Attorney General. You've brought in a "nothing" bill that I am going to vote for, and I'll tell you why I'm going to vote for that bill: because it's your motherhood bill. That's what it is, and it's going to help a few people in my constituency, so I will not vote against it. You are the biggest twister I've ever seen in my life.

I'm going to tell you something, mister. You think you are the smartest politician, but I tell you that you have pulled off the biggest blunder in your life. Even when we stood up here to speak tonight, when we asked to vote on the motion, just because I didn't say it loud enough, you started to make fun: "The member for Arm River didn't say it." I'm telling you I'm saying yes. I'm voting for it. I may not be a great orator, but I know what yes and no are, and not always "maybe," like you say. I know what the truth is. And I'm going to tell you, Mr. Attorney General, you don't have to pull my chain to do it either, like . . . The people of my constituency know I'm a man of my word.

You said that you had phone calls. I had lots of phone calls. I made up my mind, along with my colleagues, long before you introduced the bill, that I was going to vote for it, because you brought it up in the throne speech. Don't be so naive! I was going to vote for the bill even if it would only help half a dozen people, but you discriminate against all the rest of the people in the province of Saskatchewan.

You discriminated! What did you do for the farmer who is going broke? What did you do for the businessman in my town who is going broke? You said yourself, Mr. Attorney General, that there were only a few people who were actually going to use this foreclosure escape. You don't need this bill. You have no intentions of this bill being any help to the people who are going to be foreclosed upon. It is your loophole. You

know it's a political gimmick . . . (inaudible interjection) . . . Amend them? You know perfectly well we can't amend a money bill.

You tried to turn it on the member for Kindersley today. You said we were two-faced; you said that we were voting against the bill yesterday. We did say to drop the bill, and I say yet, drop the bill and bring in something decent. But I'm still voting for it because that's all we've got. That's all you'll give us.

When I go into my constituency of Arm River, I don't go against beef stabilization. I tell my constituents that that's all they gave us. I agree with the member for Thunder Creek. You, Mr. Attorney General, didn't even have the integrity to put the Kamsack allegations to the people of Kamsack in a proper manner. They asked for 38 allegations, and you made up 12 of the nicest little things you ever saw in your life, to protect that man sitting over there: the Minister of Urban Affairs. Why don't we get to the bottom of things around here? You must think you are something, Mr. Attorney General, but you've blown it this time. The people of Saskatchewan will know what your motives are. I don't see anything in those 25 to 30 bills that will help my people, or the people in your constituency. I'll have a response from you on that one.

**HON. MR. ROMANOW:** — Okay. Whatever you say, boss. I'm not fooling with you. If you want thought, I'll give you all the thoughts I've got. I want to tell the hon. members that we're going to miss the inimitable style of the hon. member for Arm River after the next election. We're going to miss your very colourful, if not factual . . . (inaudible interjection) . . . Hold it, hold it, hold it! You were the one who was asking me to be very quiet while you were making a speech. How about giving me the same courtesy? Thank you very much. I'll be very, very brief.

I note again that is now the sixth Tory who refuses to move the amendment to section 9 and accept the challenge I gave to the Deputy Leader of the Opposition. I note he is the sixth one, the sixth Tory, unless the member for Nipawin views himself as a Tory.

The second point I want to make is in answer to a very general point that I think is the only thing worth responding to from the hon. member for Arm River: this idea of this being a nothing session, a nothing bill, "but I have to vote for it." We heard it in another debate the other night. I read about what the hon. member for Thunder Creek said. We could do away with the Speech from the Throne as a waste of time. We could do away with the budget debate as a waste of time. You know, if you boys had your way, the way you howl, the way you conduct yourselves in this Assembly, the way you have to shout people down, the way you accuse people on a personal basis, we'd have no democracy at all — absolutely no democracy at all!

So I want to tell you, you just go out to Arm River and tell them it's a nothing session. You tell them it's a nothing bill because I'm going to tell the people of Arm River that that's what you say about this bill. I want to tell you that I'm going to tell the people of Arm River and elsewhere about the allegations that you sponsored in Kamsack and elsewhere.

I want to tell the hon. member, too, about this being a nothing session. You can be assured the hon. member's view may be that this bill is nothing (the member's view may even be nothing), but judging by the phone calls that I have received, and judging by your flip-flops, you know full well that the people of Saskatchewan don't think it's a

nothing bill. I can tell when you're stung, as you're stung on this bill now, by the venom that's coming out. With the whole business of twisting on section 9 and that whole routine, I can understand a bit of it. But I tell you, you're not going to be able to fool anybody as to where you're standing.

I never expected easy passage of this bill. I know that the banks are drawing a line here. I expected personal attacks and I expected every kind of personal amendment to go on, because you people will pull out all stops to defend your friends the banks. You're doing it. It's 10 minutes to 9 and all we've heard is how I am the most terrible Attorney General in the history of Saskatchewan. I'll tell you something: if somebody who mattered indicated that to me, I'd be worried about it. But I'll leave my reputation to speak to the people of Riversdale and the people of the province of Saskatchewan. I'll tell them make the judgment.

I tell you, you people say that you're for this bill. Baloney, you're for this bill. You are doing everything. You don't care if you destroy personalities in here. You don't care what you say. You don't care how you howl. You don't care at all. You won't tell us where the Conservative Party stands on section 9 or on any of these sections. You absolutely do nothing but drag out, filibuster, yell, name call and then expect the press and the public to believe that you're for this bill. That's exactly what you're doing . . . (inaudible interjection) . . . The member now says, "Why don't you call the question?" Because I make the point, all of a sudden he gets sensitive. "Well, maybe Romanow's scoring a point. Call the question; call the question."

It is so childish. It is absolutely so childish that it would be laughable if it didn't have that element of meanness to it which makes democracy and politics dangerous. That's exactly what it has. It has that element of meanness to it and that element of vendetta that we see everywhere, from the United States' moral majority to your attitudes in this operation in the House. You don't have to take my word for it; I don't expect you will. I don't care if the ladies and gentlemen of the press take my word for it. That doesn't matter to me either. The truth of the matter will be out on the way you conduct yourselves. You don't understand the process. You never have. You're uncomfortable with it . . . (inaudible interjection) . . . Yes, I'm saying it. I'm saying it exactly. You misread the statement — absolutely misread it. You get a discredited Conservative leader — the very man who led you about a year and a half ago — to do this job; the other man's out there in the coffee shop. That's what you're doing, and you're making these kinds of allegations. I tell you, you keep sending the member for Nipawin and the member for Thunder Creek to keep attacking me everywhere — on the TV, everywhere. You get these two men to attack me. I guarantee you they'll prove exactly what I'm saying about the present bill. I say to the member for Arm River, you, on a personal basis, should be the last to say that about me. I'm disappointed in you.

**MR. MUIRHEAD:** — Mr. Attorney General, just to save you the bother, you said you were going to go to Arm River to inform the people that I said it was a nothing session. You don't have to do that, because they sure have been informing me of that.

Mr. Attorney General, you pleased me, because when you got up to answer my remarks, you said they weren't worth answering. But I see you spent eight minutes on them! I watched you. So, I guess they bothered you a little bit. I'm just going to very quietly say one more thing, Mr. Attorney General — very quietly. I'm earnest with you, Attorney General. You said that we're really against that bill.

**AN HON. MEMBER:** — And you expect me to support this?



**MR. MUIRHEAD:** — Of course not. Why would you expect it? Mr. Attorney General, we're the opposition. You're the government. You bring in the bills. I have never seen a bill come into this House that doesn't have some merit in it. But that doesn't say that it's a good bill. It's all you brought in this session, I told you. It's all you brought in that does anything for the people in the province of Saskatchewan, but it only takes in a minority of people — a very small part, unless they use your loopholes. It was right in the paper. Last night there were actually only 10 people who moved from their homes in Saskatchewan last year.

Let's say there are 50 or 100 foreclosures next year. Now, let's say there are. But that's the reason I'm voting for it — to protect them. That is the reason my colleagues are voting for it — to protect those few people. But why are you discriminating against some of the members of the press who told me themselves that they were discriminated against when they had to renew their mortgages in December, just this month, at a high interest rate? What have you got against them? Another member of the press told me, "Oh, I'm all right. Mine is due in January." What about the one that's due in '83 or '84? They're still paying interest. They've got problems, too.

You did what I said before. You brought a motherhood bill in about which you hope the people on the street will say, "Well, it doesn't mean anything to me, but I hope it helps somebody." That's what you did it for. You're not fooling the people. Do you think that the Progressive Conservatives don't get phone calls like you people do? You only got 47 per cent of the popular vote in this last election, so that means that maybe we get as many phone calls as you do. We get as many phone calls as you do, from people who express concerns. I have yet to have one person phone me who thinks it's a good bill. But I hope it helps somebody. I hope so, because that's all you brought in.

**HON. MR. ROMANOW:** — Mr. Chairman, I want to clarify two points in response to the hon. member. Confusion at this late stage again exemplifies that they either don't know what the bill does, or, as I say is the case, their confusion is a combination of not knowing and really being opposed to the bill.

The hon. member opposite gets up and repeats something that somebody in the press told him. By the way, as an aside, in my 14 years of politics, it has only been since the Conservatives got into this House that one had to be afraid to talk to them at any stage of the game, anywhere, because it will come up in the House. Do you remember what you told me out there in the well? Yes, I spoke to a press guy. But let's leave that aside. You say some press guy told you, "I'm okay, I renewed my mortgage and it's going to be until 1982 or '83." Look, you don't understand the purpose of the bill even yet.

**AN HON. MEMBER:** — Then explain it to me.

**HON. MR. ROMANOW:** — I'll try again. I did it during the second reading. I'll try . . . (inaudible interjection) . . . We'll get the appropriate advertising and publication to make sure the people of Saskatchewan understand it, pursuant to your suggestion. That will be out. If a person, during the period of the year, is unable to meet his or her mortgage payments, due to economic circumstances beyond his or her control (while I would caution them to take every step possible to make those mortgage payments, unlike the advice given by the member for Kindersley and the president of the Canadian Bankers' Association), this bill affords them protection, regardless of then they move that mortgage. That's the first point I want to make. I want to make it absolutely clear to the hon. member opposite.

The second point I want to make, as strenuously as I can, is that you continue to refer to this bill as being full of loopholes. You say it's a nothing bill. You have not come forward with one specific proposed amendment to plug those loopholes . . . (inaudible interjection) . . . What do you mean you can't? You can come forward with motions that the Attorney General resign.

You have identified the loopholes, because you have made judgment calls that they are loopholes. Where are they? Why don't you come forward with an amendment? Why doesn't the Leader of the Opposition have the gumption to stand up and tell us where the Conservative Party wants to strengthen the bill? He's going around now saying, "Let's cool it, Gerry: we've done enough now. What we will do now is launch a nice personal attack on Romanow for two hours. We hope to deflect the fact about where we stand on the bill." That's what you are a party to. But you will not tell us where you stand on the substance of the bill, none of you. You have no ability; you have no principle. You simply cannot . . . (inaudible interjection) . . . All right, I am going to sit down again and invite the Leader of the Opposition (for the fourth time) to tell me whether he wants section 9 deleted. I'll sit down and I will ask you.

**MR. BERNTSON:** — Mr. Chairman, on a point of order. I am sure the Attorney General doesn't fully understand the rules of the House. As I understand it, the member for Nipawin has, in fact, put a motion on the floor that deals with section 9. If the Attorney General is so anxious to find out how the Tories will vote on section 9, perhaps what he should do is stay in his seat and call the question. He will find out very quickly. For him to stand there and ask the Tories if they will get up and move the motion on section 9 is absolutely asinine, because there is a motion on the floor dealing with it.

**HON. MR. ROMANOW:** — Mr. Chairman, now they argue both ways. They say I don't keep my word. My word yesterday was if the member for Kindersley moved section 9, I would second it. That was my word. He misrepresents or seeks to misrepresent it another way. Those are the exact words in the section. And you still don't tell us where you stand on section 9. You won't tell us where the Conservative Party . . . (inaudible interjection) . . . You know what your position is. You say, "I'll tell you how I'm going to vote when I get to the vote." That's exactly what you tell the people of Saskatchewan. "I won't tell you where I stand on any issue. Elect us. Surprise! This is what we're going to do. Elect us. Surprise! You didn't know we were fooling. Elect us. Surprise! There goes the Canadian Wheat Board or The Home-owners' Protection Act." You boys are full of surprises! I tell you, you have all kinds of bags of tricks, smoke and mirrors.

You still won't tell us how you're going to improve the bill. All right, I invite you, the finance critic, to tell us how you are going to improve the bill. I want the member for Regina South to get up and tell me how he is going to improve the bill. "Call the vote and I'll tell you." You see? Surprise! They aren't going to tell the people of Saskatchewan anything. See how it is, Mr. Chairman? Absolutely irresponsible — this operation.

I want to say again about section 9, in the context in which it was said yesterday, that I have received representations from people concerned about this bill.

**MR. THATCHER:** — Mr. Chairman, are we to take the Attorney General's remarks seriously? I wonder if it is safe to read his offer verbatim on pages 375 and 379, when he suggests if a certain person moves the removal of section 9 that he will second it. My question to the Attorney General is: does that mean it is the position of your

government that section 9 should be removed?

**HON. MR. ROMANOW:** — Indeed, Mr. Chairman. By the way, I have a feeling that Mr. Andrew will suddenly reappear because of the situation. But I'll tell you what the position of the government is. Indeed, I was making the point that the position of the government is exactly the reverse. That's why we put section 9 in there. Yes, it was Mr. Andrew, the member for Kindersley, and you people who were saying that section 9 would clog the courts. It was I who was saying that you can't pretend to be big friends of credit unions because they wanted section 9 in there, and that's why section 9 was in there. And I was trying to make the point that all he was doing is what Tories typically do. They say one thing, then act another way. In truth he doesn't believe what he says, because if he believes what he says he would move deletion of section 9, at which point I would second it. I'm trying to emphasize the position I was taking yesterday and today, namely that section 9 should be in the bill. It's there at the request of the responsible financial lending institutions. It is going to be monitored. It's open to amendment in March. Those who argue that section 9 clogs the courts simply aren't telling . . . I'll back up, I'm not saying they aren't telling the truth, simply not representing the case as I believe it to be. To test them, I say the fact they don't make the motion proves my argument.

**MR. COLLVER:** — No, no. I have a surprise for the Attorney General, for his information. Over the past number of years, people in whatever party — in the New Democratic Party, in the Liberal Party, and in the Conservative Party — have attempted to get me to do things on their behalf. I'm afraid, Mr. Chairman, that none have ever been successful. None. The member for Swift Current and I do things on our behalf as we see fit. So to make any kind of suggestion to the contrary is the most blithering and stupid means by which the Attorney General could deflect attention from the fact that he himself said section 9 is no good. He says now it's the reverse he wanted.

But I challenge the Attorney General with this, and then I'll sit down and take my place. He knows that this amendment is coming forward, and that the first part of the amendment is going to be on clause 2. When clause 2 comes, I'm going to ask for a standing vote. He knows how he's going to vote on the part of clause 2. At that point we'll know whether he backs up what he says or not. But I make him this challenge. I ask him, reasonably and realistically, if he's not putting this clause in on behalf of the lawyers so that they are going to get more work. What harm would it do to put this bill through, if this is the bill he wants (I didn't vote for the bill; I don't want this bill), and being able to amend it in March or being able to amend it even sooner if he finds that there is a problem without this clause in it?

I say to the Attorney General, on the basis of his own logic, if he doesn't want the courts to be clogged, if he doesn't want to put it in for the lawyers themselves so that they are going to get more pay and work, if he wants to stand up for his very word, what possible harm can it do to the people of Saskatchewan to bring in this bill without clause 9, just the way the socialists should have it in the first place, without this suggested clause? And then, if he finds there is a problem, he can bring it in March. This is exactly what he is going to do anyway, he says. He says this way he is going to save the people of Saskatchewan money, because he is not going to have to monitor the courts for two or three months . . . (inaudible interjection) . . . No, no, not a three-month hoist. I'm sorry, the member for Melville says a three-month hoist. No, I'm saying pass the bill without clause 9. All you have to do is amend the bill by taking clause 9 out. Then it has no reference to the courts. It does exactly the same thing. The Attorney General will agree with me. It does exactly what the purpose of the bill says, but it has no reference

to the courts. Therefore, it will make no extra work for lawyers.

He says he is going to monitor it anyway. Let's see if he has the courage of his convictions. Let's see if he is prepared to save the people of Saskatchewan money. Let's see if any of you are prepared to save them money. Because I assure you, members on the government side, clause 9 has absolutely no effect whatsoever on the purpose of this bill. As a matter of fact, it somehow waters it down a bit, and you can always bring it in if you find there is difficulty.

So let's see if you have the courage, and are not really bringing it in to reward that legal profession out there of which you are so proudly a member, and all of the people on your staff are so proudly members. And let's see if you are not bringing it in to strengthen these law firms in Saskatchewan so that when you are finished with the Attorney General's department you can go over there and have a nice strong, cushy job trying to work out all these wondrous bits of legislation before the courts that you are bringing into this House.

You get the same effect. You get the same bill. The Attorney General will agree with me — exactly the same, only you don't have a reference in the court. I challenge the Attorney General to do that — monitor the situation until March and see what happens. That way, at least for three months, the people aren't going to have to run to their lawyers and have them charge them \$125 an hour to try to check into the bill.

**HON. MR. ROMANOW:** — Mr. Chairman, I repeat again my view that the Conservatives and the Unionists are in league tonight on this protection of section 9. I hold that view. I think that there is every evidence of that. The evidence is the orchestration between you and the member for Thunder Creek on movements and the like, but that's neither here nor there. That's my view. That's a view I shall repeat inside and outside this House and I believe that to be the case. I believe it to be the case for two reasons. They need leadership, just leadership in the House. You give it to them. And secondly, they may not like this bill. But that is my view and I let that go.

Now, more specifically, to the point of view that you articulate, I tell you that it was perhaps not you but your friends to the right who urged us day after day after day in question period, among other things, to talk to the credit unions and hear what they had to say about this. I did. They wanted section 9 in. I put it in. I put it in at their request and the moment I did and tabled the bill . . .

**AN HON. MEMBER:** — Prove that!

**HON. MR. ROMANOW:** — Mr. Tendler himself said after the meeting that he thought he could live with the bill. That's quoted. That's right . . . (inaudible interjection) . . . Exactly . . . (inaudible interjection) . . . Well, I tell you, these people, your friends to the right, said, "Talk to the credit unions; listen to them; be guided by their advice." I did. I put section 9 in there at the request of the credit unions. The moment that I did and I tabled the bill, the Conservatives attacked me on section 9 as clogging the courts. I put them to the test of the fire.

I tell you, I will not accept your recommendation on section 2 or section 9 as they relate to the courts. I don't mean to say it personally or offensively, but I simply will not take your view on that. I don't believe you have discussed this with the credit unions. I don't believe you are speaking for the credit unions or for any institutions and, accordingly, to me, your making that offer amounts to absolutely zero.

Now, these are the people who purport to be in government, your friends to the right. They purport to have talked to the credit union movement. If they tell me the credit union movement has told them to move section 9 . . . Mr. Andrew tells me that, the member for Kindersley. What I said yesterday is what I said. That was the position I took. That's exactly what I said, and I shall read it again for the hon. member for Regina South.

I say to the hon. member for Kindersley, and you listen, please, member for Regina South, that I want the hon. member, when he stands up in this House, to offer to me what he will move in committee of the whole — deletion of section 9 — because I tell him that I will second it. Also, I want to tell him that . . . (inaudible interjection) . . . That's right, I will second it. I also want to tell the member for Regina South that section 9 was put in there because some financial lending institutions said they needed a safety valve, in case there was a person who was financially irresponsible and was doing what the hon. member for Kindersley was advocating, namely not paying his obligations. That's exactly what the provision was; that's exactly the suggestion that was put in there.

The hon. member opposite says that we're out there defending the credit unions. If the hon. member wants to move that this section 9 be deleted, I challenge him to get up when he follows me in this debate. I ask you, Mr. Chairman, to take particular note of his words, and note whether or not he'll make that invitation to me. I bet you a dime to a dollar that he will not make that commitment or public challenge. I tell you that because he won't. It puts the lie to the allegation that this somehow shifts the purpose of security and moratorium from the Legislative Assembly to the courts, as the member for Indian Head-Wolseley tried to argue in the question period.

Now, that's what I said yesterday. That's what I just finished saying now. That's what I will say tomorrow. That's what I will say for the next month. That is my position. I'm not going to accede to it because you say that I should accede to it, with all due respect to you, nor am I going to allow the Conservatives to get off this debate without taking even one step toward positive improvement to this bill. I am not going to allow them to go around this country saying that there are loopholes, if they're not even going to suggest one improvement to the bill. They know of loopholes, but they'll just sit back and let the people take advantage of those loopholes. They know of the loopholes, but they're not going to offer any suggestions to plug the loopholes. I say there are none.

**AN HON. MEMBER:** — There are none?

**HON. MR. ROMANOW:** — Yes, I say there are none. You say there are some? Do you say there are loopholes?

**AN HON. MEMBER:** — Yes.

**HON. MR. ROMANOW:** — All right, a member says yes. What section?

**MR. THATCHER:** — Mr. Chairman, I'll tell you what the loophole is in this bill, if that's what you want to call it for want of a better word. You know what the loophole is: there's no cash in it. There's no cash from this government, which prides itself in telling about these marvellous financial deals with the federal government, and which has money for everything — \$100 million for that broken-down air line, \$1 billion a year that's going to come in from oil. You want to know what the loophole is? There's no cash for the people who are paying the taxes. That's the loophole — nothing for them.

Mr. Chairman, I point back to the Premier's press conference. The Premier was discussing this bill with the ladies and gentlemen above, and the Premier's advice to the people of Saskatchewan was, "Use this legislation prudently. Use this legislation carefully. Don't use this legislation as a shield." I think that the Premier will confirm that I'm paraphrasing him reasonably accurately. It was the Premier who said there are pitfalls down the road for those who choose to use this legislation. Those were the Premier's words at his press conference, and I don't think the Premier is going to get up and say that I'm being all that inaccurate. It was the Premier who said there are repercussions for those who choose to use this legislation.

Mr. Chairman, there are the loopholes — the loopholes as enunciated by the leader of this government yesterday at his press conference. The pitfalls are there. You know very well there are people out there who may use this legislation, thinking that it is fail-safe, that it is their right, and that there are no repercussions at the end of the line. You know there are people out there who won't get adequate financial or legal advice. They can't afford it. They don't know how to get it. They think they're protected. The Premier said as much yesterday; he said that there are repercussions for those who choose to use it. That's the biggest loophole I know. The next biggest loophole is all this wealth that we hear about so much from members opposite; once again, it doesn't come forth to the people who need it most. That, Mr. Attorney General, is the biggest loophole in this legislation.

**HON. MR. ROMANOW:** — Mr. Chairman, it doesn't surprise me that the spokesman for the banks, the hon. member for Thunder Creek, would argue that. Cash for whom, when we're talking about mortgage payments? I want you to get up and tell me. You tell me, for whom? If we give the heritage fund money to the people, does it stay with the people or does it go to your friends, the banks? You argue about, oh, money for Norcanair, for the bathtubs, saying we have a heritage fund for that. But put the Tories in power, and the heritage fund is going to go right to the banks. They'll give it right to the banks; that's what they're going to do.

Oh, he's going to say, "What about Mr. Pawley? What about Mr. Barrett?" We'll see how they come forward in their proposals. Obviously, this is a matter to which some consideration has to be given at the appropriate time. But you conservatives are advocating that heritage fund money should go right to the banks. That's all you're advocating. That's your position. I want to tell the people of Saskatchewan that if they are worried about heritage money going to Saskair, they can be assured of one thing — heritage money ain't going to go to chartered banks as long as we're the government in this province! Never! Not so the money can come back as campaign funds for you people to advocate your Ronald Reaganomics (like the member for Indian Head-Wolseley does), so it can come back in campaign funds to argue this operation. That's what you're advocating. That's the loophole. Of course it's a loophole from your point of view. It's a big loophole from your point of view — about \$125 million maybe, or more. You would have it go to fatten the banks' profits from \$1.5 billion to \$1.7 billion this year, according to the Canadian Press story. That's your loophole. Of course, it's your loophole. I know you want that to go right to the banks. I know that, so it doesn't surprise me. And that was the position taken by the people opposite.

So I'm glad to know that there is no legislative loophole. At least we have that cleared up. I'm glad to see the Tories don't say there's anything wrong with the bill, because if any Tory did, he'd get up and tell us what was wrong with section so-and-so. We have

that cleared up . . . (inaudible interjection) . . . Well, what do you think we should do with section 12? . . . (inaudible interjection) . . . What do you want me to do with 12? Do you want me to drop it?

**MR. CHAIRMAN:** — Order, order! Let's direct comments to the Chair. Let's have questions to the Chair, stand up and don't argue back and forth. Are you finished?

**MR. THATCHER:** — Well usually it has been the procedure that when they sit down from time to time, they are finished. Mr. Attorney General, I found your comments intriguing. Mr. Attorney General, Mr. Commissar, have you seen this ad: "Great People. Great Future, Manitoba and the NDP"? Have you seen this one? Do you know what it is? It's an emergency interest rate relief program — \$23 million. Now, does the commissar of the NDP propose to tell this Assembly tonight that Premier-designate Pawley of Manitoba is sending \$23 million to the banks? I sort of doubt it. Are you telling us that the Premier-designate, using your logic, is going to send \$23 million to the Royal Bank or the Canadian Imperial Bank of Commerce? I sort of doubt it.

Mr. Attorney General, all I can say to your convoluted, warped logic is you know better. That's even more absurd. You're putting forward this nonsense and you know better. Some of the members behind you don't, but you know better than that. There's the biggest contradiction to what you are saying right here. Mr. Chairman, nobody is any more opposed to the action of the banks that we are. We don't have the power you have. Everybody in this Assembly, every politician in Canada, wants to do something about the horrible interest rates in this country today.

Mr. Chairman, I repeat to the Attorney General, we have heard too often, so many times, about our abundant resources. We have heard about our heritage fund, a heritage fund which I suggest to you does not exist except as a figment of some socialist account — there is no cash in the heritage fund. It is sitting there as a non-interest bearing loan to PCS (Potash Corporation of Saskatchewan). It is losing money in PCS; PCS today doesn't even operate at a profit. It sits in SMDC (Saskatchewan Mining and Development Corporation), in uranium mines, where suddenly the bottom has fallen out.

Mr. Chairman, I suggest to the Attorney General that with all this resource wealth you told us we have, all the money coming in, our people need cash, not promises. I defy the Attorney General to show us why the people are getting virtually no benefit from our heritage fund as it now exists. Somewhere down the road they will get all these wonderful things. Today — forget it. When they need it, it isn't there. It's way down the road. It is lost in PCS or in SMDC. Today, when the people of this province face the worst conditions they have faced since World War II, they need some tangible help. The province tells them how well it is doing, yet when it's crunch time there is no cash. I tell the Attorney General, that is the biggest thing wrong with your legislation. It is mostly talk and no cash.

**HON. MR. ROMANOW:** — Mr. Chairman, I say to the hon. member that I would be one of the most pleased people in Canada to see the Pawley government come up with a suitable plan with respect to assistance. We'll be watching that. If the Pawley government comes up with this plan, we'll obviously give it very careful consideration. That's far different from what you Conservatives are saying.

By the way, I note that you can't point to one Conservative government anywhere in Canada (there are eight or nine of them, seven or eight of them around) . . . (inaudible)

interjection) . . . You will? I'll sit down and you tell me. You can't point to one where there's an interest program or any kind of program for home-owners at all. Alberta, the member says. Okay, you tell us about Alberta because I want to hear what Premier Lougheed is doing in Alberta.

But the hon. member says maybe the people aren't getting any cash or benefits from the Potash Corporation of Saskatchewan. I deny that vehemently and strenuously. I deny that. That would be another debate. But I'll tell you one thing the debate on this bill has shown, Mr. Chairman. For sure if the Conservatives get into power, if you boys ever get into power, that heritage fund money is going to go straight to the chartered banks.

Well, you laugh. But what are you advocating? You tell me what your plan is. We're talking about a home-owner mortgage plan — payments to the bank. You know, hon. member for Bengough-Milestone, when you have a mortgage payment you have to walk down to the bank and make the payment. In the mortgage payment there is principal and there is interest. Do you know what interest is? That's the cost of using the money; and I will tell you, hon. member for Bengough-Milestone, interest now is 18 or 19 per cent. That is a lot of money, I tell the hon. member for Bengough-Milestone, and if we transfer the money from the heritage fund straight through to the bank payment that is transferring money from the heritage fund to the chartered banks of the world . . . (inaudible interjection) . . . Well, all right, I am now going to sit down. I want to hear from the member for Regina south where I'm wrong in that. Secondly, I want to hear from the member for Regina South what Alberta is doing. You tell me what your pals are doing in Alberta. Go ahead.

**MR. COLLVER:** — Mr. Chairman, it's unfortunate that the Attorney General, in his desire to avoid his responsibility, wants to change the issue. I might just comment on two things the Attorney General said. Oh, he's going to walk away now because he doesn't want to hear this.

First, heritage money is not going to the chartered banks. I challenge the Attorney General to look at the financial statements of the heritage fund in Saskatchewan, and find out how many millions of dollars are on deposit right now, today, with the chartered banks. I want him to check and find out how many debentures he presently has with the chartered banks through the heritage fund of Saskatchewan. I want him to look up each and every entry and find out how much money, right now, the Government of Saskatchewan has invested in these various and sundry horrible financial institutions.

Second, we are coming now to a vote on this amendment. I just want to mention that there are two amendments before the members. One amendment was made by me, and it will be on clause 2. It will be to delete section 9 in accordance with the Attorney General's instructions. I hope the members on the NDP side will realize that, when your constituents say to you in January and February in your home, "When we phoned the AG's office about this bill, we were referred to our lawyers. And when we go to see our lawyers to find out what our position is, they charge us a fee." When your constituents tell you that, not in the twenties or fifties, but in the hundreds, you remember how you voted on this amendment. In addition, you're going to get a House amendment.

Now think about this. Think about this, Mr. Chairman. Every time the AG bring a bill into this House, we have a House amendment correcting the English in the bill — every time! Why isn't it possible to bring forward a bill that is correct to start with? Why do we have to fool around with the House amendment changing "and's" to "or's," and striking



out subclauses that are meaningless to start with? Do they affect the bill materially? No, they don't. Has the Attorney General even discussed his housecleaning amendment? No, he has not. He hasn't even explained why he needed that one . . . (inaudible interjection) . . . Oh no, Mr. Chairman, we're going to find out, as these House amendments come up, what they mean. What they mean is that when they printed the bill, they couldn't do it right to start with, so they have to now correct it.

The Attorney General said the other day that he couldn't do it right, so he had to include clause 9 for his lawyer friends. He says he did it for the credit unions. Why would he do it for the credit unions if, as he suggests tonight, the banks have all the mortgages? This is what I don't understand. If he's doing things for the credit unions, then why is he bothering? They don't have any mortgages. The Attorney General says that all the heritage money is going to the banks. If you pay the mortgage off, it's all going to the banks. So why do anything for the credit unions?

Oh, the credit unions do have some mortgages in Saskatchewan — quite a number. I hope we vote on this amendment now and I hope the Attorney General will stand up for his word. If he breaks his word to this House, every member knows, because he's told us all kinds of things that he hasn't lived up to. But I tell you this, Mr. Chairman, now that we finally catch him with his pants down, we finally catch him with his forked tongue, the people are going to know about it.

**HON. MR. LONG:** — Mr. Chairman, I am somewhat saddened this evening by the level of debate we have seen on the opposition side. This debate this evening has turned into nothing more than a personal attack on a politician whose reputation is without question in the province of Saskatchewan.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. LONG:** — I say to you that it's not surprising, Mr. Chairman, that those people opposite are acting the way they are. They are leaderless — like a rudderless ship at sea. Where is their leader this evening? Running about the province, trying to find candidates for their party? Where is he this evening, Mr. Chairman? Why isn't he here giving them direction on how to deal with this bill? . . . (inaudible interjection) . . . That's the other leader over there.

I can tell you, Mr. Chairman, that leader came to my constituency.

**AN HON. MEMBER:** — Which one?

**HON. MR. LONG:** — It was the Devine one. He came to my constituency to a nominating convention, and he talked about defeating the socialist Goliath, and the Tories there spoke of defeating the socialist Goliath. He called on the people of my constituency of Cut Knife-Lloydminster, saying, "Come and help us defeat the socialist Goliath." But I can tell you that I think the Tories have their biblical stories twisted around a bit, because if you recall, in the Bible, David slew Goliath and he slew him with a sling.

I tell you, in Saskatchewan the Tories are going to try to slay Goliath with the jawbone of an ass. I don't think they're going to be successful, because these people across the way are supporting an economic concept that is outdated in our time — horse and buggy economics, more power for profits, more gouging of the people. The people of Saskatchewan aren't going to stand for that kind of thing. They don't go with that kind of thing any more, Mr. Chairman, because they've seen something different. They have

seen a government that has planned and set up an economy under which they have all prospered and done well, not an economy where the banks and the rich do well, but an economy where the people of Saskatchewan do well.

That's why these people oppose this bill, because they are the friends of those people who want to gouge the ordinary folk of Saskatchewan and of this country. That's why they don't support this bill and want to waffle on it. Yesterday they were opposing it; today, they're for it. It's the old flip-flop — we've seen that sort of thing before. It's because of the kind of horse and buggy economics that they believe in.

They believe in a practical, pragmatic approach to economics, they say. But I say to you that it's not a practical approach any more. We need another kind of an approach to economics, one in which there is social planning and consideration for the people of Saskatchewan and the people of Canada. I say to you, that's the way to go, not the way of supporting the banks (their friends) so that they get their big contributions for every election campaign.

Mr. Chairman, I challenge these people to get up and tell us how they really support this bill and why they support this bill, because I say to you, it is pure politics on their part. There are no principles involved at all.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. COWLEY:** — Mr. Chairman, I am pleased to enter this debate on the heritage fund. I want to say that I was very pleased that this topic came up in relation to this bill. I was watching the news tonight and I saw that another great Saskatchewan organization has established its own heritage fund — of course, I am speaking of the Saskatchewan Roughriders. It is interesting that the Saskatchewan Roughriders are applying the same kinds of principles to their heritage fund that we are . . . (inaudible interjection) . . . The member for Regina Lakeview says, "Winning." Certainly that's something we have experience with a tradition we, like the Roughriders, intend to continue. I know, of course, it is a tradition which is unknown to the members opposite. I don't think there is a member over there who is old enough to remember the last Conservative government in this province.

Mr. Speaker, I listened with some interest and watched the flip-flops done by the members opposite today on this particular piece of legislation. There was no question in my mind, and if you think I am biased there was no question on the part of the press, and if you think they are biased, there was no question in the public's mind that for the last 10 days the members opposite have been totally opposed to this bill, standing firm with their friends and financial contributors, and banks.

Why did they change? Well, I've come to the conclusion that they have changed because their leader somehow saw the light — their leader in the gallery . . . (inaudible interjection) . . . No, that's the thing. They, like us, have seen him so little that they got confused and they thought Eisler was their leader.

Mr. Speaker, I listened with great interest to the debate tonight and I think the members opposite could best be summed up this way: they're like a box of bran flakes; you take out the nuts and the fruits and all you've got left are the flakes.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. COWLEY:** — Mr. Chairman, I don't have any doubts that the people in my constituency know where we stand on this bill, and regardless of what the members opposite may say now, they know where they stand on this bill. The member for Thunder Creek knows that the people in my constituency knew where he stood on medicare. He pounded on doors in my riding for four days and my vote went up each day.

I want to invite the member for Thunder Creek back for the next election because if I can get him for four days on the home protection bill, I'll be able to take his deposit.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. COWLEY:** — Mr. Chairman, I think it's obvious now that I stand four-square with our Attorney General and the rest of our caucus in support of this bill, in support of protection for the home-owners in Saskatchewan. I know there's another reason why the members opposite are getting a little shaky and why they've changed their position. It's because they've heard that Bill Davis, who is their only hope of getting any kind of support for the next provincial election for the Tory caucus, is now considering introducing similar legislation. Thank you, Mr. Chairman.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. ROMANOW:** — Mr. Chairman, before I sit down and listen to comments other members make, I have not yet heard from the Leader of the Opposition. I have heard about the loophole, about the lack of heritage funds. I have not heard from the Leader of the Conservative Party what other suggestions he wants to make to this bill. Accordingly, Mr. Chairman, I shall sit down and ask the Chair to give an appropriate time for the Hon. Leader of the Opposition to tell the House what other specific amendments he proposes to make to this House.

Mr. Chairman, I want the record to show that neither the member for Kindersley is in his seat . . .

**AN HON. MEMBER:** — I want the record to show that the Leader of the Opposition is in his seat.

**HON. MR. ROMANOW:** — That's right, the Leader of the Opposition. I want the record to show, Mr. Chairman, that despite their obligations of loopholes, they have nothing to offer. They have filibustered this bill from 7 o'clock to 9:30. They have gone through this with probably the most shoddy form of proposals to the legislation — they have none to make. They have none to make whatsoever, no amendments to propose, no comments with respect to this at all. This is the kind of situation which the Conservatives have left themselves in. I say that they do not support this bill. I say if they supported this bill they would come forward with amendments to improve it since they have identified the loopholes.

You won't come forward with them, will you? Okay . . . (inaudible interjection) . . . No, Mr. chairman, I'm not filibustering my own bill. No, I'm not. I've sat here for almost three hours and I've heard words like four-flusher and worse, and I've heard every kind of an approach taken to this operation. I've seen the Conservatives make these kinds of attacks and I've not seen any one suggestion made by them with respect to the improvement of this bill.

Mr. Chairman, I say that they have adopted the attitude of filibustering; they've adopted the attitude of trying to destroy this bill. I say, Mr. Chairman, that they are using Gestapo-like tactics again and yelling for the question. They're trying to drown me out while I'm on the floor — Gestapo-like tactics again.

I withdraw that. I withdraw that word. That's unparliamentary. I withdraw the remark about Gestapo-like tactics. I think it is unparliamentary to make that comment, so I withdraw it.

But I say, Mr. Chairman, that we have witnessed the worst political performance by any political party in the history of this legislature, of this august Chamber. We have seen the most incredible posture taken by the Conservatives opposite. They ought to hang their heads in shame. You tell the good doctor from me, you tell Doctor Negative and the No-No's, that the people of Saskatchewan have a message waiting in the next weeks and months ahead, come the next election — a big message, Mr. Chairman. They have absolutely nothing to say or to support with respect to this bill.

Section 1 agreed to.

## Section 2

**MR. COLLVER:** — I would like to just explain this particular clause. I'm going to ask for a recorded vote on this clause. So that everyone understands what it's all about, it is necessary to go to section 2 first, if you are going to delete clause 9. This amendment is the first of several amendments that are needed to remove clause 9. We might as well take this one, I would think, as a test, if you like, of the Attorney General's fortitude and integrity in this Assembly. So, this clause is part of the removal of the lawyers' clause, clause 9, and I would ask that it be understood that this is part of the whole thing.

Amendment negated on the following recorded division.

### YEAS — 2

Collver

Ham

### NAYS — 40

Blakeney  
Romanow  
Robbins  
Rolfes  
Kowalchuk  
Byers  
Matsalla  
Poniatowski  
Nelson  
Chapman  
Birkbeck  
Pickering

Pepper  
Smishek  
Feschuk  
Mostoway  
Thompson  
Long  
Shillington  
Prebble  
Lusney  
Miner  
Thatcher  
Duncan

Kaeding  
Tchorzewski  
McArthur  
Banda  
Engel  
Cowley  
Skoberg  
Johnson  
Solomon  
Berntson  
Rousseau  
Katzman

Vickar  
Muirhead

Hammersmith

Lingenfelter

Section 2 as amended agreed to.

**MR. COLLVER:** — On a point of order, I will, having gone through the exercise on clause 9, for the expedience of the House withdraw the remainder of my amendment.

Sections 3 to 8 inclusive agreed to.

Section 9 as amended agreed to.

Sections 10 to 14 inclusive agreed to.

Section 15 as amended agreed to.

**MR. COLLVER:** — Before we go on, would the Attorney General be so kind as to tell us formally in this House that these House amendments are nothing more than housekeeping?

**HON. MR. ROMANOW:** — I have to give the hon. member for Nipawin credit at least once tonight. I will give you the answer the way I will give you the answer. At least you have the leadership ability to get up and ask what in the world these amendments mean. And that's something that your friends to the right just let go right through. So I shall tell the hon. member what these amendments do and he can judge for himself whether they're housekeeping or not. I'm not going to make that judgment call.

First of all, with respect to the amendment to section 2(c), we're clarifying . . .

**MR. CHAIRMAN:** — Does he have leave to go back to 2?

**HON. MR. ROMANOW:** — Well, Mr. Chairman, I tell the hon. member for Nipawin that the amendments are as follows. First of all, we're going to clarify that the person assuming a mortgage also receives the protection of the bill. Secondly, we're going to make sure that a trailer, if it's affixed to the land, receives the protection of the bill. If it's not affixed to the land, the law says that it is not, therefore, subject to a mortgage. With respect to section 9, there is no major change in the law here. It changes from "shall" to "may" which is, in fact, the discretionary power of the court. Section 15 corrects a printing error from "design" to "designated member."

Now, the hon. member opposite can draw whatever conclusion he wants as to whether that's housekeeping or not. Those are the amendments, and I give you credit . . . (inaudible) . . . It's a printing error from "design" to "designate." The hon. member for Nipawin at least asked, as opposed to his friends on the right.

**MR. COLLVER:** — Thank you very much, Mr. Chairman, and I thank the Attorney General for those very kind comments. But I would have thought that since he's the Attorney General, it would have been his responsibility to divulge before being asked. I would have thought that.

**HON. MR. ROMANOW:** — Of course, Mr. Chairman, I would have thought that anybody who could read and could listen would know what these amendments say. But the fact

of the matter is that the guys as exemplified by their question don't understand, nor can they read. Anyway, enough said; it doesn't matter.

Sections 16 and 17 agreed to.

The committee agreed to report the bill as amended.

### **THIRD READING**

#### **Bill No. 27 — An Act respecting the Protection of Residences in Saskatchewan**

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

Motion agreed to.

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

**MR. COLLVER:** — A point of order, please, Mr. Speaker.

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

**MR. COLLVER:** — My point of order is this: if leave is not granted, does the Attorney General give his consent that the bill be read a third time tomorrow?

**MR. SPEAKER:** — If leave is not granted, I don't think the Attorney General can give assurance to the House that it will be read a third time tomorrow. He may attempt to have it read a third time tomorrow.

**MR. COLLVER:** — I ask the Attorney General to reply to that question.

**HON. MR. ROMANOW:** — Mr. Speaker, my position is simple. I am seeking leave of the House now to read this bill a third time, and to pass it under its title now. I shall also be advising the members that I have the Lieutenant-Governor or the Administrator presently awaiting. He will be here soon to give royal assent today. If the Conservatives and the member opposite want to deny leave, it's up to them.

**MR. COLLVER:** — Mr. Speaker, is it customary to allow debate on third readings?

**MR. SPEAKER:** — Yes.

**MR. COLLVER:** — I only have three short comments. The bill in its entirety now is, in my judgment and the judgment of the member for Swift Current, a bill which is designed primarily (as I've said many times) to assist the legal profession in increasing its charges to the people of Saskatchewan. I believe every member of this Assembly will go home to his constituency in January and in February and will be deluged with calls from people complaining that they have had to go to visit their lawyer at the behest of the Attorney General's department because he's not changing the policy of his department. They will expend literally hundreds of thousands of dollars trying to find out what their position is on this bill and they will owe this to the legal profession in Saskatchewan.

I say, secondly, Mr. Speaker, that the bill could have been enacted by the NDP without section 9 and, therefore, could have been enacted by them (I don't support it) without giving all this money to the lawyers. The Attorney General of this province, in making the comments that he did during second reading of the bill, showed that he, his department and his other members are equally concerned about section 9 and about the implications that it will be bringing about to the people of the province of Saskatchewan.

Members have now passed the bill in principle. They have now gone through the exercise of the committee of the whole. They now know, but they have another opportunity now to prevent this travesty of justice, because it's only a few months. The Attorney General himself said that it could have gone in without section 9 and be re-enacted in March. They could have monitored the situation, but instead of that, during those few months hundreds of thousands of dollars of the people's money is going to go to pay legal fees.

I say to the government members of this Assembly, you're going to rue the day that you passed this bill the way it is now. You may not rue the day that you passed the principle. But is you pass this third reading and it becomes law tonight for enactment on December 31, every member of this legislative Chamber is going to rue the day that he passed it. I urge every member on third reading to reconsider. You told the people you're concerned. You passed it in second reading. Now, for goodness' sakes, don't reward the legal profession with all of these additional fees that they quite simply don't need.

**MR. THATCHER:** — Mr. Speaker, my comments are very brief, also. We believe that every politician in every legislature, and probably the House of Commons, is very deeply concerned as to the economics which mortgage holders — for that matter almost anybody in the economy — are facing in this year 1981 as we go into '82. Everyone is concerned about the future of the economy and the people who are facing the ravages of high interest rates. Everyone, and particularly those of us on this side of the House, is truly concerned about the enormous, almost obscene profits that have been made by the banks in Canada. We are terribly concerned. We are shocked that the federal government in Ottawa has seen fit to allow banks to extract profits of over 60 per cent over and above their record profits of last year. And, we wonder why our government in Ottawa can allow this to happen.

Mr. Speaker, we acknowledge that the means which are available to a provincial government are limited. Mr. Speaker, it is our belief that something is better than nothing. We believe that the government should have dipped into the vast wealth that it has spent so much time and money telling us is now available in Saskatchewan. We believe that the government should have dipped into its heritage fund to a limited extent to help the people that supposedly are to benefit.

Mr. Speaker, we are concerned about this legislation. We are concerned, and basically agree with the comments of the Premier at his press conference yesterday. We are very concerned that some members of society in Saskatchewan will take a false sense of security from this legislation. We're concerned that some people will not receive adequate advice to make the proper decision. All we can do is hope that people are aware of the pitfalls of this legislation, and we agree with the Premier. We agree when the Premier says there are probably grave repercussions for anyone who chooses to take advantage of this legislation. Mr. Speaker, all we can say is that it is a sad day in this legislature when the Premier of the province is saying there are grave repercussions for

anyone who chooses to take advantage of or use this legislation, and I think that we as lawmakers in this province have to take a look at ourselves and what sort of legislation that is.

Mr. Speaker, on this side of the House we are prevented by the rules of this Assembly from introducing what we believe would be substantial financial benefits to the people of Saskatchewan. We would introduce a bill, a specific bill, which would make funds available to subsidize, which would make funds available to bring all interest rates to some 14 per cent. If we were allowed to do so we would table that legislation. Mr. Speaker, you know very well that if we did so, you would, by the rules of this Assembly, rule it out of order. Therefore, Mr. Speaker, we must accept what the government brings forth. We don't believe that the government has come forth with nearly what is necessary and what is required to ease the terrible burden in our economy. And we're concerned that we're only seeing the tip of the iceberg as to how bad our economy may get if we don't get tangible action from governments in Ottawa and here in Regina. We may very well only be seeing the tip of the iceberg.

Mr. Speaker, as an opposition we are forced to use the tools that are available to us, and we are the first to agree that something has to be done for mortgage holders. We say to the government very pointedly, in this legislation you have chosen to ignore anyone who has renewed his mortgage at the high 1981 rate. Anyone who chose in 1981 to renew his mortgage at 20 per cent, 21 per cent, 22 per cent, some as high as 25 per cent, has been effectively ignored. They're out in the cold. Mr. Speaker, we believe very strongly that those people are just as deserving of help as are those who are fortunate enough to have their mortgages coming up in 1982.

However, Mr. Speaker, despite this very obvious discrimination in the bill we have no alternative but to take what few crumbs the government is offering — and crumbs they are. We have to accept legislation which, in the Premier's own terminology, is fraught with danger to those who choose to use it. But we are forced to take the attitude that something is better than nothing. And it is with some reservation that we on this side of the Assembly choose to support this legislation despite its pitfalls.

**HON. MR. BLAKENEY:** — Mr. Speaker, it seems to me that the member for Thunder Creek may well have been misinformed as to what comments I may have had with respect to the legislation. I don't think that there will be grave repercussions (that was not my phrase). I said that obviously there could be possible repercussions if people abuse the legislation and that, of course, is true. The member for Saskatoon Riversdale, the Attorney General, has on numerous occasions indicated the scope of the bill as we would like to see it operate — so that it would be available to people who need, because of economic circumstances, to have refuse to the bill, and so that it would not be used by people who would not have economic need to use it. That is in answer to the comments of the member for Thunder Creek on that small point.

It has now been suggested that people who have renewed in 1981 are suffering a problem and that is true. I think it is highly unlikely that people renewed in 1981 at rates of 25 per cent for a period of more than one year . . . (inaudible interjection) . . . Mr. Speaker, the member for Regina South will presumably give his speech a little later. I'm now giving mine and I am merely making the point that it is rather obvious that if someone renewed a mortgage in 1981 for one year, it's going to come up for renewal in 1982 and he gets at least some measure of benefit from the bill. This may well not be



the full advantage of the bill, but he will clearly get some advantage from the bill . . . (inaudible interjection) . . .

Mr. Speaker, I will not attempt to explain to the member for Regina South why it is true that if someone renewed something in 1981 for a period of 12 months, it will necessarily come up for renewal in 1982. If he doesn't grasp that in the first try, it's unlikely that I will have any success in getting through his head on the second try or even the third try.

Mr. Speaker, with all deference, I am in the debate. We are debating third reading of this and I propose to make a few comments. I intend to reply now to the comments of the member for Thunder Creek, who suggests that the problem with this legislation is that it does not provide cash from the heritage fund to meet the astronomic interest rates now being demanded by the banks.

May I point out that these interest rates are a result of the monetary policies carried on by the Bank of Canada. The governor of the Bank of Canada defends those policies, the governor who was appointed by the Clark government, by the Tory government in Ottawa during its brief period in office and the governor whose economic policies were, on more than one occasion, sanctioned by the minister of finance of that government.

I point out also that that government raised interest rates four times during their nine-month period in office and now their political colleagues in this House come forward and bemoan the fact that interest rates are high. Of course they are high.

Thirdly, we are called upon to act as the hon. member for Thunder Creek suggests that we should act. We cannot call upon the Tory federal government in Ottawa to act because it's no longer there. But clearly there are a number of Conservative governments in Canada which could have led the way. I don't know what the policy of the Conservative government in Ontario is; I don't have any lead from them. I don't know what the policies of the Conservative governments of Alberta or Manitoba (as it was until recently) are; I get no lead from them. I think it comes ill from the lips of Tories to say that we are not doing enough, when their federal government raised interest rates four times, when the interest rate policy of Canada is being masterminded by their appointee, and when the Conservative governments throughout Canada have offered no assistance.

May I just make one further point: the assistance they are calling upon us to make is to take the resource money that is in the heritage fund and pay it out. Pay it out to whom? To the mortgage lenders and the banks, so that their profits, which the member for Thunder Creek now characterizes as enormous and almost obscene, would be still more enormous and still more obscene. That is his proposal; that is what he offers. He suggests that any bill which, as this one does, asks the banks to bleed a bit (in the words of our current Minister of Finance) is an inadequate response, and that we, in fact, should take the money which belongs to the people of Saskatchewan and ladle it out to the chartered banks, whose profits are, as he says, already enormous and almost obscene.

Therefore, I think that, while the hon. members opposite are suggesting that they are now prepared to support the bill and maybe they will, the policies they are advocating as much preferable to the bill are policies which would put even more money in the hands of their friends, the banks — their friends, the banks, who they resolutely

supported until yesterday, and who today they have found ought not to be supported with respect to this bill, but who nevertheless ought to be supported by way of gobs of money from the heritage fund.

I think, Mr. Speaker, the people of Saskatchewan will know that, notwithstanding how members opposite may vote, they have illustrated without possibility of doubt by their arguments up until today, and indeed by their arguments on this third reading, that they stand foursquare for the banks, and that they suggest that any effort to ask the banks to bear part of the burden that is now being borne by mortgagors, by borrowers, is a pale response and the proper response is to ladle out more money to the banks. Well, Mr. Speaker, that may be their policy, but it is not our policy. We're proud of this bill. We think that it will do something for mortgage holders in this province. We believe that it will assist them. We, therefore, take great pleasure — I know my colleagues join with me in taking great pleasure — in supporting this bill on third reading.

**SOME HON. MEMBERS:** Hear, hear!

**HON. MR. ROMANOW:** — Mr. Speaker, I cannot add any more to the debate than the words of the Premier have in summing up the purpose of the bill and the nature of the debate, other than to offer, perhaps, my observation that I expected it would be a bitter and tough debate because big stakes were at issue here. The depth of the acrimony and the bitterness exhibited by the Conservatives, frankly, surprised even me somewhat. I knew that they would be out there doing everything they could to undermine the credibility of the legislation, to undermine the credibility of the sponsor of the legislation, and to, in effect, bring it down by some way or another.

I can only say, in closing, something which I didn't think up myself, but which I think summarizes the entire debate. It's been brought to my attention that the Conservatives' somersaults on this bill are almost of the kind written about by that great English writer, Samuel Johnson, many years ago, when he saw a dancing dog in the circus. He said, "The wondrous thing is not that it is done well, but rather that it is done at all." That is exactly what the somersaults represent to me and to the people of the province of Saskatchewan.

Mr. Speaker, of the many years I've been involved in politics, I want to tell you this ranks as number one among the things that I've been associated with, with the Blakeney government. I move third reading of this bill.

Motion agreed to on the following recorded division and bill read a third time.

**YEAS — 41**

Blakeney	Pepper	Allen
Kaeding	Romanow	Smishek
Tchorzewski	Robbins	Baker
Vickar	Hammersmith	Kowalchuk
Thompson	Engel	Byers
Long	Cowley	Matsalla
Lingenfelter	Nelson	Lusney
Solomon	Chapman	Miner
Berntson	Birkbeck	Taylor

Feschuk  
Mostoway  
Skoberg  
Johnson  
Katzman

McArthur  
Banda  
Poniatowski  
Thatcher  
Muirhead

Rolfes  
Shillington  
Prebble  
Duncan

## NAYS — 2

Collver

Ham

**MR. KATZMAN:** — On a point of order, if I may. Yesterday when you called 5 o'clock, the Premier was on his feet speaking and I'm afraid, from what I'm able to find in our rule book and Bourinot, there is nothing to cover the situation. But rather than start a precedent that allows a member to give a speech and then not move a motion because the clock runs out on him (I understand by Erskine May) could you rule what happened yesterday will not be a precedent so no other member can abuse the rule? We understand what happened yesterday and I would think the Premier should be allowed to finish his motion and move it as he intends to do. I understand if we don't have you rule it a non-precedent, it becomes a precedent and therefore could be misused by people in the Legislative Assembly.

**MR. SPEAKER:** — The member for Rosthern raises an interesting point and, in my view, no one has attempted to abuse the rules in any way whatsoever, I would say that at the beginning. If the members wish to make an intervention at this time with regard to the point raised by the member for Rosthern, in due course I will bring before the Assembly a statement with regard to the matter. I have examined it in a preliminary way and I find that I am in difficulty about interpreting the rules with regard to this situation that arose. If there are any interventions at this time, I would be glad to hear them.

**MR. KATZMAN:** — Mr. Speaker, just one more comment. My understanding is that if you would rule it as a non-precedent, that would solve any problems.

**MR. SPEAKER:** — I'll take what the member has said into consideration and I hope to bring back a statement to the House at the earliest opportunity.

**HON. MR. ROMANOW:** — Mr. Speaker, I wish to advise the members of the House that the Hon. Lieutenant-Governor, Mr. McIntosh, is here and will give royal assent to Bill 27.

## ROYAL ASSENT TO BILL

At 10:31 p.m. His Honour the Lieutenant-Governor entered the Chamber, took his seat upon the throne and gave royal assent to the following bill:

Bill No. 27 — An Act Respecting the Protection of Residents in Saskatchewan

His Honour retired from the Chamber at 10:32 p.m.

## MOTION

## House Adjournment

**HON. MR. ROMANOW:** — Mr. Speaker, I move, seconded by my colleague, the Minister of Urban Affairs, member for Regina North-East, by leave of the Assembly:

That when this Assembly do adjourn at the end of the sitting of the day on which this motion is adopted, it shall stand adjourned to a date set by Mr. Speaker upon the request of the government, and that Mr. Speaker shall give each member seven clear days notice, if possible, by wire and registered mail of such date.

Before we take a vote on this, it looks as though the members of the House will vote for the motion and pass it. I simply would like to extend on behalf of the Premier and the government members to my colleagues, the Leader of the Opposition and the members of the Conservative Party and the Unionist Party, and to my good friends in the press gallery a very Merry Christmas and a Happy New Year. I hope that we take the festive season as a time to renew our friendships and our relationships with family. And, we'll see you when we see you.

**MR. ANDREW:** — Mr. Speaker, on behalf of the opposition, I want to reciprocate the Attorney General's kind wishes, and to you, as well, Mr. Speaker, and of course, to all our friends in the press. A very Merry Christmas and a Happy New Year to you all.

**MR. COLLVER:** — By leave I'd like to say to the Attorney General that I, too, wish to him a very Merry Christmas and a very Happy New Year, and extend an open invitation to any member of the Legislative Assembly, who happens to wish to spend Christmas and New Year's south, to please drop down to Phoenix. I would be most happy to accommodate them and treat them to a wonderful libation in a climate that was more familiar to our Lord 2,000 years ago.

**MR. SPEAKER:** — I would like to return to the members of the Assembly greetings of the holiday season and best of luck in 1982, because I suspect I will not see many of you until 1982.

Motion agreed to.

The Assembly adjourned at 10:37 p.m.

## **CORRIGENDUM**

Pages 310 and 311 were printed in reverse order in the *Debates and Proceedings*, No. 9A, Tuesday, December 8, 1981.

[Note: The electronic version of the proceedings has been corrected.]