

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
December 13, 1982

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

MR. HAMPTON: — Mr. Deputy Speaker, with leave of the Assembly, I would like to make a statement to the House at this time.

MR. DEPUTY SPEAKER: — Is leave granted? Leave is not granted. Order.

INTRODUCTION OF GUESTS

HON. MR. BERNTSON: — Mr. Deputy Speaker, I'd like to introduce to you and through you to the Assembly two guests with us here on the floor of the Assembly this afternoon, the Hon. Bill Uruski, Minister of Agriculture from Manitoba, and the Hon. LeRoy Fjordbotten, Minister of Agriculture from Alberta. I will be meeting with both of these gentlemen this afternoon to discuss some items of common concern, and I would ask you all to join with me in welcoming them here.

HON. MEMBERS: — Hear, hear!

HON. MR. LANE: — Mr. Speaker, I am pleased to announce that sitting in the Speaker's gallery today is the Norwegian consul general, Mr. Thomas J. Ronneng from Vancouver.

HON. MEMBERS: — Hear, hear!

HON. MR. LANE: — Mr. Ronneng is in Saskatchewan to meet with government ministers and officials, as well as representatives of the private sector and the Scandinavian community. The purpose of Mr. Ronneng's visit is to become better acquainted with the trade, politics and economy of our province. Mr. Speaker, I ask all members to join with me in welcoming Mr. Ronneng to this Assembly and to the province of Saskatchewan.

HON. MEMBERS: — Hear, hear!

MR. ENGEL: — Mr. Speaker, I'd like to welcome to this Assembly and introduce to you some of the land bank tenants of this province, and wish they'll have an enjoyable stay here this afternoon.

HON. MEMBERS: — Hear, hear!

QUESTIONS

Land Bank Leases

HON. MR. BLAKENEY: — Mr. Speaker, I have a question for the Minister of Agriculture. In a press release dated November 30, 1982, on the matter of the land bank repeal act the minister is quoted as saying:

Long-term leases to age 65 will be honored, and the rights of lessees to assign their lease to family members will continue.

And the further days:

Any commitments or contracts both financial and legal made by the land bank will continue to be honored by the government.

My question to you, sir, is this. Will you then agree to bring in an amendment to Bill 46 stating simply that commitments both financial and legal made by the land bank will continue to be honored by the government?

HON. MR. BERNTSON: — Mr. Speaker, the Leader of the Opposition knows full well that those kinds of questions are raised in committee of the whole; amendments are dealt with at that time. If the member opposite will put that sort of amendment on the floor during committee of the whole, we will give it its due consideration.

HON. MR. BLAKENEY: — Mr. Speaker, a supplementary question. My question is not whether if we put an amendment forward the government would support it; my question is whether the government will put forward an amendment to carry out the pledge made by the Minister of Agriculture in his new press release on November 30.

HON. MR. BERNTSON: — Again, Mr. Speaker, this discussion is one for committee of the whole, and I'm prepared to deal with it at that time.

HON. MR. BLAKENEY: — A further question to the Minister of Agriculture, Mr. Deputy Speaker. I now deal with the provisions in The Land Bank Act, as it currently exists, providing that the government can take possession, the land bank commission can take possession of leased land only on application to a Queen's bench judge. My question is this: will the Minister of Agriculture agree to putting back that provision in the new Bill 46, which he has before the legislature?

HON. MR. BERNTSON: — Mr. Deputy Speaker, the member quite well knows that question period is not the forum for debating legislation that's tabled before this House, and I'm not prepared to deal with it in question period. Bring it to the committee.

HON. MR. BLAKENEY: — Mr. Deputy Speaker, I'll ask a new question and this will not be related to the terms of Bill 46, but about the general policy of the government contained in Bill 46.

Mr. Speaker, Bill 46 in effect vitiates, tears up leases of 2,700 land bank lessees. What I want to ask the Minister of Agriculture or the Deputy Premier is this: are there other leases which are proposed to be torn up: grazing leases, cottage leases and so on? Is this policy of the government a general one of vitiating leases with the government, or is it aimed only at land bank lessees?

HON. MR. BERNTSON: — I would just point out to the member opposite that the legislation does nothing of the sort. The policy of this government is nothing of the sort. The policy of this government is very strongly in support of the right of the citizen to own land if he so chooses.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BERNTSON: — Every one of those 2,700 contracts will be honored by this government, providing the terms of those contracts are lived up to by the tenant. Every one of those contracts we have committed to live up to, including the provision for transfer of that contract to a descendant.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BLAKENEY: — Mr. Deputy Speaker, a new question to the Minister of Agriculture. The Minister of Agriculture is stating that the government has given this commitment. My simple question to the Minister of Agriculture is: will he put that commitment in law or does he expect 2,700 people to depend upon a commitment contained in a press release?

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BERNTSON: — Again, Mr. Speaker, I would ask the Leader of the Opposition to raise it in committee at the proper time. He knows full well, with all his years and years of experience in this place, that question period is not the forum to be debating legislation. I think, quite frankly, that it's out of order to be raising questions relative to legislation that has been tabled in this House.

HON. MR. BLAKENEY: — Mr. Deputy Speaker, one more quick question. My question was directed to the commitment — not the legislation, but the commitment that the Minister of Agriculture just repeated. My simple question to him is: are you prepared to put your commitments into law? I don't care whether it's in Bill 46 or any other bill. Are you prepared to give the commitment you now just gave to the House to every citizen of this province who has a lease with the government, be it a land bank lease, a cottage lease, a grazing lease, or whatever?

HON. MR. BERNTSON: — Mr. Speaker, we gave a commitment to eliminate the road tax on gasoline; we gave a commitment to bring in interest rates at 13.25 per cent for the home-owners of Saskatchewan; we gave a commitment to bring in a farm purchase program for the people of Saskatchewan, and have lived up to every one of them, and we give the commitment that those 2,700 leases will be honored, and it will be lived up to.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BLAKENEY: — Supplementary question, Mr. Speaker. The minister pointed out that they gave a commitment to remove the gas tax, and they did — by law. He gave a commitment to put in a mortgage interest reduction program, and he lived up to it — by law. He gave a commitment to bring in a farm mortgage program, and he's living it up to it — by law. Now, what I want to ask him is: is he equally willing to live up to the commitment he has given to the land bank lessees — by law?

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BERNTSON: — Mr. Speaker, I don't think that I have to tell the member opposite. I think he knows but I'll tell him anyway that the commitment through law is in fact, whether it's in legislation or in regulation, and the member opposite knows full well that his party sits on the regulations committee. As a matter of fact, your party has a

chairman of the regulations committee, and if it is not covered in legislation it will be covered in regulation and that commitment exists. I don't know what more I can say. Bring it to the floor in committee if you ever get through your second reading debate.

MR. ENGEL: — I have a question for the Minister of Agriculture. The one statement that I caught that he made to the tenants out on the front steps of the building was that this is government that people can trust.

SOME HON. MEMBERS: — Hear, hear!

MR. ENGEL: — I think the minister got a little less than applause outside when he made that statement. I think you got a little less than applause. In view of the protest by the tenants on the land bank, are you going to withdraw Bill 46?

HON. MR. BERNTSON: — No.

MR. ENGEL: — Supplementary. Under Bill 46 the tenants no longer have a rent formula as a guide to go by. The new structure leaves it up to cabinet trust, "trust me" type of thing. How are you or your cabinet going to estimate lease rates? What is your formula for this year, for the next three years, or from now on on the rates?

HON. MR. BERNTSON: — Well, Mr. Speaker, as I have said before (obviously it keeps going over the member's head and I've said it a thousand times if I've said it once), the mechanism to set the rate of rent on land bank land will be contained in regulation. There will be no rate increase in 1982 or 1983. That commitment has been given. The mechanisms in our view should be there, because changing economic times demand the flexibility to change those rates. Not necessarily up; it could be well be down.

MR. ENGEL: — I have two questions, Mr. Minister. One question on the question that I asked on Friday regarding land bank lessees not being able to purchase their land, but being able to purchase new land . . . (inaudible) . . . because somehow that was a double subsidy? Are you saying that a land bank tenant is being subsidized by the rate he's paying now?

HON. MR. BERNTSON: — I think it's generally accepted, Mr. Speaker, that land bank rents today are less than similar situations on the private side. And you're absolutely right. I did say that land bank tenants who want to take advantage of the farm purchase program must use it to purchase the publicly held land first. Otherwise, the fact that they are getting the lower rent on the one hand, and the 8 per cent money on the other hand, seems to me to be a double injection to the detriment of someone else out here that could have been touched with the farm purchase program. I might add that land bank tenants presumably are on a viable unit, or they wouldn't have got the lease in the first place under the act.

SOME HON. MEMBERS: — Hear, hear!

MR. ENGEL: — The minister made the point that I was hoping he would — and his colleagues applauded — that the land bank tenants are being subsidized by their interest rate. The tenants I met with over the weekend don't think so. They think the rents they're paying are equitable and are a fair amount, and that the government is . . . and so on.

But how much are you going to raise the rents? Under the existing program the coming

year's rents would have decreased by the amount that the price of grain decreased from 7.25 to 4.5. That amount of decreases would have been reflected in the new rents, and you're saying the rents are staying the same. So actually you're raising them by 30 per cent according to the old formula. So how much are you going to raise the rents by?

HON. MR. BERNTSON: — Mr. Speaker, again, and I'll go slow and I'll try to keep it in monosyllables, I said the rents for 1983 will see zero increase.

MR. LUSNEY: — Mr. Deputy Speaker, I have a question for the Minister of Agriculture. The Minister of Agriculture is making some commitments here today and he's totally avoiding the questions of my colleagues; he has till now. Could the minister indicate to the people that are with us here today that he is going to maintain the lease formula that has been set out for them which is on the productive rental basis, so that they will know in the long term exactly what they are going to pay?

HON. MR. BERNTSON: — I've said it and I'll say it one more time, Mr. Speaker. The mechanism for setting the rate of rent on land bank land will be contained in regulation, and there will be no increase in rent for 1983.

MR. LUSNEY: — Mr. Deputy Speaker, again the minister refuses to answer the question. Is the minister prepared to continue with the productive rental formula not only for '83 but for current years, for the next 10 years say, so the land bank lessees would know from year to year that their rents will be regulated on a productive formula basis?

HON. MR. BERNTSON: — Mr. Speaker, one more time. The mechanism to set the rent will be contained in regulations. Your party chose the regulations committee. You will know at that time what that formula form will take.

MR. LUSNEY: — Mr. Speaker, it appears the minister will not answer many of the questions. Since he refused to answer the questions and let the farmers here know just what they can expect, can the minister then indicate to the farmers here today that if they are not happy with the formula he decided to put into the regulations eventually, they will have avenue of appeal if they feel the formula is unfair?

HON. MR. BERNTSON: — Well, the same appeal that would have existed under the land bank will exist under lands branch, because the administration of land bank will be transferred to lands branch, and the same mechanism that exists over there will exist here.

MR. LUSNEY: — Mr. Speaker, the minister indicates that they will be regulated by lands branch regulations, yet he has continuously been saying he will be putting forward regulations to govern the land bank land. If he is prepared to go with some type of an appeal process, can the minister today indicate that he will put into Bill 46 an amendment that would guarantee that the members of land bank land, the lessees of land bank land, have an avenue of appeal, be it through lands branch or the courts?

HON. MR. BERNTSON: — Mr. Chairman, I'm prepared to deal with that in committee. As I've already pointed out to the Leader of the Opposition, that's the proper forum for these kinds of questions.

MR. LUSNEY: — Mr. Speaker, again the minister says that he is going to take it into committee. This is fine. That would only indicate, it appears then, Mr. Minister, that you

are not prepared to give these farmers an avenue by which they could appeal any rentals that they may feel are unfair, or anything else contained within that act that may be unfair to them. Is that correct then, Mr. Minister?

HON. MR. BERNTSON: — I'll tell you what is correct, Mr. Speaker. What is correct is that the party opposite, for whatever reason, has gone to great lengths to spread a whole lot of misinformation about this particular program and this particular legislation. They've gone to great lengths, including sending a letter through their colleague's office, one Mr. Doug Anguish, MP for The Battlefords, requesting postage franking privileges in order to avoid paying postage, to unfairly and unnecessarily cause some concern among the tenants on land bank land. I think it's shameful and despicable that they would resort to those kinds of political dirty tricks to stir up this pot.

SOME HON. MEMBERS: — Hear, hear!

MR. LINGENFELTER: — Mr. Deputy Speaker, a question to the Minister of Agriculture, who has just gone into a great deal of detail about someone spreading rumors about what is happening to the land bank in Saskatchewan. I have here a copy of a letter from the Saskatchewan Land Bank Tenants' Association which is made up of 2,700 land bank tenants who are very concerned about the deal that is being struck between their government and themselves. This letter goes into great detail about their concerns. It is not, Mr. Speaker, being written by anyone other than land bank lessees. My question to the minister is this: in light of the fact that the bill contains absolutely no protection, will you now table the regulations that give the guarantees that you are so adamant are around and are available? Can you tell the people today whether or not you will table those regulations?

HON. MR. BERNTSON: — No, Mr. Speaker, I will not table the regulation. I don't know whether I have the same letter or not, but this letter that I have has all sorts of alarmist-type statements in it, and it came from D. Anguish. I don't know whether it went out under franking privileges or not, but it certainly has his stamp on it. If it did, that, sir, is a breach of parliamentary privilege.

MR. LINGENFELTER: — Mr. Deputy Speaker, I suppose we could debate a long time about which letter the minister has and which he doesn't, but this is an open letter to all members of the legislature from one Mr. Chris Mewhort, who is the chairman or the secretary, and who lives at Box 89, Sonningdale, Saskatchewan. Mr. Deputy Speaker, I can tell you that he is not using anyone's franking privileges other than money collected. My question to the minister is once again: in light of the fact that there are thousands of people concerned about the regulations and the lack of information in the bill, will he give a guarantee that before the bill passes he will table the regulations?

HON. MR. BERNTSON: — Normal procedures will be followed as it relates to the passage of legislation and the tabling of regulations.

HON. MR. BLAKENEY: — Mr. Speaker, the Minister of Agriculture has indicated that a good number of land bank lessees were concerned (and he says "unnecessarily concerned") about the provisions of Bill 46. Could he set many of their minds at rest by answering a relatively simply question? In the existing land bank lease with the Saskatchewan Land Bank Commission there is a provision that the lessee agrees to pay land rent based on the rental formula as set out in the regulations made under order in council no. 159/78, section 4(a)(i) and (ii). My question (and this will be known to the

Minister of Agriculture) is simple: will he give the land bank tenants an assurance that after Bill 46 is passed, assuming that it is passed, their rent will be no higher under this lease than it would have been had bill 46 not been passed? That's fairly simple.

HON. MR. BERNTSON: — What I said, I think this is the fifth time today, Mr. Speaker, is that the mechanism for setting the level of rent on land bank land will be contained in regulations. In 1983 there will be zero increase over 1982.

HON. MR. BLAKENEY: — Perhaps I didn't make my question clear. These land bank leases are not for 1983 but some of them are for 10, 20 and 30 years. They have a formula in the lease for the calculation of rent . . . (inaudible interjection) . . . No, the minister is quite wrong if he thinks that it's variable by OC. It is incorporated by reference and the rent is per the formula. What I am asking the minister is: will he give an assurance that for the life of the lease the lessee will not pay a higher rent than he would have had not Bill 46 been passed?

HON. MR. BERNTSON: — I will give no such assurance for the life of the lease. I said that the mechanism will be contained in regulation so that it can be adjusted to reflect changes in the economic times. I've also said that there will be no increase for 1983 over 1982.

MR. ENGEL: — I have just one more quick question for the Minister of Agriculture. Prior to the election you were travelling around the country and your cohorts were advocating that land bank should be selling the land bank at the price the Department of Agriculture, the land bank commission, paid for it. Have you changed your view on that policy?

HON. MR. BERNTSON: — I don't know whoever said that, number one . . . (inaudible interjection) . . . You show me lad, because I never said it. I have always said that any public lands dispersed or dispensed of or otherwise disposed of should be moved at fair market value.

MR. ENGEL: — Supplementary. You say that when the land bank land is sold, now that you are in the government, it will be sold at fair market value. How are you going to determine the price of land?

HON. MR. BERNTSON: — That's exactly what I said, the public lands will be sold at fair market value, as was the policy of the previous government . . . (inaudible interjection) . . . Show me. You are ringing a little hollow over there. Likewise, the previous government's policy relative to lands branch sales was fair market value, as it should be, and it always should be forever thus. You, sir, are ringing a little hollow with your cheap allegations.

HON. MR. BLAKENEY: — Mr. Speaker, it was my clear understanding that the Minister of Agriculture refused to give a commitment that lease rentals would not increase more than they would have had this lease been honored. And he says, "Right." It is clear that the government is not giving a commitment that rents would not be higher than they would be had this lease been honored. Well, sir, how do you square that with your press release of November 30, saying, "Any commitments or contracts . . .

MR. DEPUTY SPEAKER: — Order, order! Do you have a question?

HON. MR. BLAKENEY: — My question is this: how do you square that, Mr. Minister of Agriculture? How do you square your answer with the press release which you issued on November 30, saying that any commitments or contracts, both financial and legal, made by the land bank will continue to be honored by the government? How do you square that statement with your statement now that you will not honor the terms of this lease with respect to lease rentals?

HON. MR. BERNTSON: — Mr. Speaker, I have said time and time again, the rate of rent will be set in regulation. 1983 will be zero increase over 1982. You have said: will I give the commitment for the life of the contract? I say no, I won't. I want the flexibility to change with changing economic times. I told people that in the last election. They came back with 55 per cent popular support for this party (and it's reflected fairly well in this House), and I will stand by that, Mr. Speaker.

SOME HON. MEMBERS: — Hear, hear!

INTRODUCTION OF BILLS

Bill No. 49 — An Act to amend The Saskatchewan Telecommunications Act

HON. MR. LANE: — Mr. Speaker, I move first reading of a bill to amend The Saskatchewan Telecommunications Act.

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

Bill No. 50 — An Act to amend The Election Act

HON. MR. LANE: — Mr. Speaker, I move first reading of a bill to amend The Election Act.

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

Bill No. 51 — An Act to amend The Workers' Compensation Act, 1979

HON. MR. BERNTSON: — Mr. Speaker, on behalf of the hon. member, I move first reading of a bill to amend The Workers' Compensation Act, 1979.

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

Bill No. 52 — An Act to amend The Heritage Property Act

MR. SCHOENHALS: — Mr. Speaker, I would like to move first reading of a bill to amend The Heritage Property Act.

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

STATEMENT BY MEMBERS

Apology of Member for Canora

MR. HAMPTON: — Mr. Deputy Speaker, I wish to make a statement to the Assembly at this time.

Mr. Deputy Speaker, members of the Legislative Assembly: last Thursday, December 9,

I made some statements before the public accounts committee that were completely out of turn and that I deeply regret making. I wish to unequivocally withdraw those remarks. I have already publicly apologized for those statements, but I want to take this opportunity to also apologize to all members of this House, and in particular, to those people of native ancestry and new Canadians who I may have offended with my statements. Thank you.

HON. MEMBERS: — Hear, hear!

POINT OF PRIVILEGE

MR. YEW: — The member for Canora has apologized to this House for his statements, and the Premier has said that this racist attitude is not the attitude of this government. However, the member for Canora still sits as a member of the government caucus. Remarks of this type were not a slip of the tongue. They were not a single off-the-cuff remark. They are an attitude which permeates the entire line of questioning put by the member for Canora last week. In light of that fact, Mr. Deputy Speaker, I suggest that simple apology is not good enough. The member for Canora has slurred all native people, including myself as a fellow member of this Assembly. If the Premier refuses to consider a punishment adequate to fit this crime, then I believe that it is up to this Assembly to do more, Mr. Deputy Speaker, before orders of the day. I rise on this very serious matter. As you know, this morning I filed with your office notice that I wished to raise a point of privilege at this time.

It is my contention that remarks made by the member for Canora, Mr. Hampton, during a December 9 meeting of this legislature's public accounts committee constitute a breach of privilege. Mr. Deputy Speaker, I fully appreciate the important role which the Chair will play in determining whether or not I bring a prima facie case of breach of privilege before this Assembly. For the information of all members of this Assembly, I refer to the following citation from Beauchesne's *Parliamentary Rules and Forms*, Fifth Edition, paragraph 80(3), paragraph 84(1), and paragraph 122(1) and 122(2). All of these citations serve to specify the role of the Chair in dealing with questions of privilege. These citations appear to define the role of the Chair primarily as a determination of the answers to two questions:

1. Is the matter being raised at the earliest possible opportunity?
2. Is there a prima facie case of privilege sufficient to justify giving the matter priority over the orders of the day?

I will now put my case, Mr. Deputy Speaker, by attempting to answer those two key questions as quickly as possible.

First, am I bringing this matter to the attention of the Assembly at the earliest possible opportunity? The comments made by the member for Canora, Mr. Hampton, came at a meeting of the legislature's public accounts committee on the morning of Thursday, December 9. Some might argue that I should have raised this point of privilege Thursday or Friday in this House. However, the verbatim report of the committee meeting was not available to me until Friday afternoon. I did not wish to raise such a serious matter in this Assembly, Mr. Deputy Speaker, before the member's exact words were available.

In reaching this decision, I was mindful of Beauchesne's, paragraph 17, which reads as

follows:

A question of privilege ought rarely to come up in Parliament . . . A genuine question of privilege is a most serious matter and should be taken seriously by the House.

That is why I chose to wait, Mr. Deputy Speaker, until the verbatim report of the committee was available. In this way the member for Canora and all members of this Assembly will be able to see the exact words in question while considering such a serious matter. Therefore, Mr. Deputy Speaker, I submit that I have raised this matter at the earliest possible opportunity as required by the rules and practice of our Legislative Assembly.

The second key question that I wish to address at this time: do the comments of the member for Canora, Mr. Hampton, constitute a prima facie case of breach of privilege sufficient to justify giving the matter priority over the orders of the day? Let me begin at this point, Mr. Deputy Speaker, by referring hon. members to Beauchesne's paragraph, 16, lines 7 to 11:

The privileges of Parliament are rights which are "absolutely necessary for the due execution of its power." They are enjoyed by individual Members, because the House cannot perform its functions without unimpeded use of the services of its Members . . .

I raise that point, Mr. Deputy Speaker, because I feel that it makes one thing very clear. It is this: for this Assembly to function properly, each individual member must be free to serve his or her constituents to the very best of the member's ability, and that anything which might impede an individual member's ability to do that constitutes a breach of privilege, a breach of privilege not only against that individual member, but against the whole Assembly.

Next, I would like to refer the members of this Assembly to Beauchesne's, paragraph 48, which reads in part:

The House has occasionally taken notice of attacks on individual Members.

I raise that point only to make it clear that attacks against individual members have been acted upon by the entire House in the past. So, such a request is not unprecedented.

I would also refer the members of the Assembly to Beauchesne's, paragraph 51, which reads in part:

It is always the responsibility of the House to decide if reflections on members are sufficiently serious to justify action.

Although the example cited in this paragraph refers to a case where all members of the House were involved, I would argue that paragraph 16 makes it clear that the definition would also apply to reflections on individual members.

I would now like to address the question of whether or not a breach of privilege before a committee of this Assembly should be treated as a breach of privilege by the whole House. Mr. Deputy Speaker, I cite paragraph 17 of Beauchesne's under the heading, "Extensions of Privilege." I believe that this paragraph and paragraph 76 make it clear

that the privileges enjoyed by the House extend to the committees of this Assembly and conversely that a breach of privilege in a committee of this Assembly constitutes a breach of privilege against the entire Assembly and should rightfully be dealt with by this whole House.

Finally, I wish to refer hon. members to a question from Erskine May's *Parliamentary Practice*, 19th Edition, Chapter X, page 136. Under the heading "Contempt in General" I note the following point:

It may be stated generally that any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence.

So, I wish to argue, Mr. Deputy Speaker, that the comments made by the member for Canora, Mr. Hampton, reflect upon an individual member of this Assembly, and in so doing, constitutes a breach of privilege that can and should be acted upon by this House.

Mr. Deputy Speaker, I now wish to quote from the member's comments before the public accounts committee of this legislature Thursday last, page 410 of the verbatim report. The comments from the member of Canora came in the form of a question to the chief commissioner of the Saskatchewan Human Rights Commission, Mr. Ken Norman. His question reads as follows:

The first question I would like to ask you, Mr. Norman, is: where are my rights in this? Look at the other side of the coin for a moment. I'm on a construction job with a bunch of natives and we're in a union situation where we're all getting paid equal amounts of money. Where are my rights if I have to carry that person half of the time because of his (for a lack of a better word than this, and it's hypothetical) incompetence or his hangover or gosh knows what? If I've got to carry that, where are my rights, because of programs? It does exist.

Mr. Deputy Speaker, native people in this province thought that things had progressed to the point where racist stereotypes such as this were no longer acceptable. And the last place they thought such racist comments would originate from would be from elected representatives of this Assembly. Even worse, a government member of this Assembly, Mr. Deputy Speaker. Let us not return to the Dark Ages in Saskatchewan, to the days when racial slurs against native people were considered to be socially unacceptable, to be socially acceptable, and were even encouraged by some politicians. The policy of hate should have no place in today's society and in Saskatchewan. However, comments such as the one I have just quoted by the member for Canora I regret to say, fall clearly within that category.

One only has to read comments carefully, Mr. Deputy Speaker, to fully understand their impact. They are a clear slur upon native people. They, in fact, stereotype native people, particularly native construction workers, as being incompetent and hung over on the job. They are a stereotype based upon racial origin. To the best of my knowledge, I am the only member of this Assembly of native origin. Because Mr. Hampton's comments reflect upon all native people, attempt to stereotype all native people, they

reflect upon me as a native person. I would argue, Mr. Deputy Speaker, that the fact that the member for Canora did not refer to me by name in his remarks, or even to members of the Legislative Assembly, is irrelevant in the consideration of this point of privilege.

The member has used a derogatory stereotype based on racial lines. Such comments impose a derogatory image upon all members of that race, not just a few. Stereotypes by their very nature are not selective. I am the only member of this Assembly of the racial origin involved in the member's comments.

Just as an aside, Mr. Deputy Speaker, I have also worked as a construction worker in northern Saskatchewan. I worked for Gullickson and Benson building contractors at Meadow Lake for five years at 90 cents per hour. For another three years, I worked for a company called Simpson's Electric of Prince Albert.

Like other native people in this province, I thought that the dark days of racial slurs and the attempts to stereotype people based on race were over. If the comments by the member for Canora are allowed to go unchallenged and unpunished, Mr. Deputy Speaker, we will be proven wrong. If this Assembly does not act quickly to weed out this kind of attitude, racial hatred may once again rear its ugly head in Saskatchewan.

In summary, Mr. Deputy Speaker, my case is this. The member for Canora has uttered a derogatory stereotype about native people. I am the only member of native origin in this Assembly. The member's comments, because they reflect upon all native people, reflect upon me as a native person and as a member of this Assembly. The member's comments, therefore, obstruct and impede me as an individual member of this Assembly in the discharge of my duties. And this obstruction constitutes a prima facie case of breach of privilege, as I have earlier attempted to explain.

Mr. Deputy Speaker, should you agree that I have presented this House with a prima facie case of breach of privilege, I would be prepared to move a motion along the following lines:

That the comments by the member of the Legislative Assembly for Canora, Mr. Hampton, before the public accounts committee of this legislature on December 9, 1982 represent a shocking and disturbing attempt to stereotype native people; and that these remarks obstruct and impede the member for Cumberland in the discharge of his duties as a duly elected member of this Assembly; and that these remarks and all remarks of this type are to be condemned by all members of this Assembly; and that this House therefore resolves that the matter of the statements made to the public accounts committee by Mr. Hampton on December 9 be referred to the standing committee on privileges and elections, and that the committee on privileges and elections report to the House as to whether the statements of the member for Canora constitute a contempt of this House and whether the conduct of the member is consistent with that expected of a member of the Legislative Assembly.

With that, Mr. Deputy Speaker, I move the motion, seconded by my colleague, the member for Athabasca, Fred Thompson.

HON. MR. ANDREW: — Mr. Speaker, can I address the question of privilege? I assume the hon. member has finished his statement. If he has more to say, fine. I was only rising on the point that you cannot move the motion of privilege until the Chair has ruled

whether or not in fact it is a privilege. I didn't want to prevent him from talking further if he had more to say in his conclusion.

With regard to the question raised by the hon. member, I would refer Mr. Deputy Speaker to Beauchesne's, section 76, page 24:

Breaches of privilege in committees may be dealt with only by the House itself on report from the committee.

I think it very clearly sets out the process and the procedure by which a privilege is dealt with in this Assembly: that is that this alleged privilege was out of or flew out of the public accounts committee. It would be proper then only for the public accounts committee to deal with the question of privilege and then have a motion and refer that matter to the House, according to Beauchesne's.

I would also refer the Hon. Deputy Speaker to the question of privilege, again in Beauchesne, to page 25:

A question of privilege must be brought to the attention of the House at the first possible opportunity.

I think the member, in raising the point, alluded to the fact that he did not want to bring it because he did not hear what was in fact said. Obviously that member is not a member of the public accounts committee. I would see clarification as to whether or not he attended public accounts committee.

Clearly the question came up on Thursday. As you know a member of the opposition is chairman of the public accounts committee and by reading *Hansard* made no comment whatsoever with regard to that statement.

Now I think a question of privilege is a question of privilege for the entire House. It is not simply a question of privilege for a given individual. I think that's very important, that we never derive away from privilege. Privilege is the protection of this Assembly, not individuals.

The matter was not raised at the earliest possible opportunity, which obviously would have been before orders of the day on Thursday, one would have thought, by the chairman of the public accounts committee. It was further not raised again, Mr. Speaker, on the next opportunity (which could have been any time during Thursday), but it was not raised as well on Friday (again, prior to orders of the day), by any member of the Assembly. It seems strange that the only time it was in fact raised was after it appeared in the *Leader-Post*.

I think it is fairly incumbent upon members of the Assembly when we deal with questions of privilege that we deal with them with regard to the rules at the earliest possible time to do it.

The final argument that I would make, Mr. Deputy Speaker, in coming to your conclusion with regard to this question, is that I suggest that, having perused the statements made in the public accounts committee, there is nothing that refers to the Assembly. There is nothing that refers to a particular MLA with regard to that statement. I think that matter should also be in consideration with regard to your decision. A privilege, of course, is a direction at a particular member or at the Assembly itself. I

think those are the three important things that you must rule on: (1) the procedure, that it must come from the committee, (2) it must be brought in at the earliest possible occasion by members who are sitting there, and (3) it must address an individual, or the Assembly, and it has failed, quite frankly, on all three points.

Mr. Deputy Speaker, the other things, I think the member did apologize openly in the media. He also apologized in the House today prior to the privilege motion being brought.

MR. DEPUTY SPEAKER: — The Speaker's office received notice this morning regarding this question of privilege pursuant to rule 6 to the *Rules and Procedures of the Assembly of Saskatchewan*, and for which I thank the hon. member.

The question of privilege is based upon proceedings in the standing committee on public accounts on December 9, 1982. I wish to refer all members to *Beauchesne's Parliamentary Rules and Forms*, Fifth Edition, paragraph 76 which says, "Breaches of privilege in committee may be dealt with only by the House itself on report from the committee."

The principle here is an important one and rests upon the fact that the proceedings in the committees are guided by the committee chairman, and not by the Speaker of the House. When a point of order or a point of privilege arises in the committee, it is to be dealt with in the committee.

To support this principle, I refer all hon. members to a ruling of the Chair, on April 14, 1980, and I quote a portion of the ruling as follows:

On Friday, April 11, 1980, the member for Regina South raised a question of privilege concerning certain remarks made on Thursday in the committee of finance. I want to remind all members that all breaches of privilege arising in a committee must be raised in the committee and then can be reported to the House.

I also want to point out that questions of order arising in a committee must be dealt with in the committee. I refer members to *Beauchesne's Parliamentary Rules and Forms*, Fifth Edition, paragraph 569(3): "The Speaker has ruled on many occasions that it is not competent for him to exercise procedural control over committee. Committees are and must remain masters of their own procedures."

Also paragraph 608, "Procedural difficulties which arise in committees ought to be settled in the committee and not in the House." (*Journals of the Legislative Assembly of Saskatchewan*, April 14, 1980, page 312.

I further refer all hon. members to a similar ruling of the Chair on March 25, 1981, which dealt with a point of privilege in standing committee on crown corporations. (See *Journals of the Legislative Assembly of Saskatchewan*, page 228, March 25, 1981).

I therefore wish to inform the members that it is not competent for me to deal with the matter of privilege raised and I suggest that the matter be raised in the proper forum.

HON. MR. LANE: — I would like to raise a second matter of privilege, resulting from the remarks of the hon. member in raising his motion of privilege wherein he referred to the actions and statements of the member for Canora as being criminal. He referred to it as a “crime.” I suggest, Mr. Deputy Speaker, that the allegation by the hon. member of criminal activity by the member for Canora is a matter of privilege of this House and I would ask, Mr. Deputy Speaker, that you consider my raising this matter of privilege and rule accordingly.

MR. DEPUTY SPEAKER: — I thank the member for raising this point and I’ll take it on notice.

ORDERS OF THE DAY

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Berntson that Bill No. 46 — **An Act to repeal The Land Bank Act and to make Certain Temporary Provisions for Lessees** be now read a second time.

HON. MR. BLAKENEY: — Mr. Speaker, I wish to address some remarks to the House with respect to this bill and I wish to do it under a number of headings. I wish to deal briefly with the allegation that there has been some stalling on the part of the opposition with respect to our dispatch of Bills 45 and 46.

I then want to deal briefly with some of the arguments put forward from time to time by members opposite that somehow, following from the election, they had some sort of a mandate to proceed with Bill 46 in its present form. I want to talk about the consultation (or the lack of consultation) between the government and interested citizens with respect to the terms of this bill 46, and then I want to turn to the bill itself and deal with the broadest principle of the bill, which is a bill to repeal The Land Bank Act.

Under that heading three main issues arise. Should the land bank be discontinued for the future? Clearly that will need to be addressed. Should transactions in process at May 8 be honored? That will need to be addressed. Thirdly, should the rights of existing lessees be put at risk? That will need to be addressed.

I wish also to refer to a couple of subsidiary principles contained in the bill, principally the matter of the abrogation of existing contracts. There is no doubt that this bill does clearly say that leases are to be governed by the provisions of the act, i.e., that the leases are out and the act is in when it comes to interpreting the rights of any lessees. That is a clear abrogation of the existing contracts.

I want to deal with the question of the compensation which is being paid to these people who are having their agreements torn up. I am not aware of any compensation that’s being paid under Bill 46. So this whole question of whether or not the terms of leases can be changed in material respects . . .

AN HON. MEMBER: — We’ve torn up no leases.

HON. MR. BLAKENEY: — Members opposite say no leases have been torn up. There is in the existing lease, Mr. Deputy Speaker, a method of calculating the lease payment (the fee, the rental). That is being taken out. It's being said, "No, the lease rental will no longer be set in the lease itself but will be set by the government unilaterally." What kind of a deal is that? What kind of an arrangement is that? That is to tear up an agreement. If I lease you my house and say that it's \$500 a month to lease my house, then I come along and using the power of the government say, "Strike out the \$500 and put in whatever I want," who says that isn't tearing up the lease? That is certainly tearing up the lease and no one can deny it. No amount of fudging around with words will change the fact that if you had a lease which provided that the rental shall be calculated according to a formula, and you now have a lease which says the rental shall be whatever the landlord says, your lease is torn up. No one can deny that.

SOME HON. MEMBERS: — Hear, hear!

MR. DEPUTY SPEAKER: — Order! I must warn the people in the galleries that they are not allowed to take part in the debates at any time. This is just for the elected members who are on the floor.

HON. MR. BLAKENEY: — Mr. Speaker, I want now to deal with some of the matters which I raised at the outset. Mr. Speaker, I want to deal with the question of whether or not this matter has been dealt with adequately by this House and whether we should be rushing into votes. This, Mr. Speaker, is a question of whether or not The Land Bank Act should be repealed.

Let's look at when The Land Bank Act was passed. When The Land Bank Act was passed there were 22 speakers on the government side and nine speakers on the opposition side — 31 speakers. This was debated day in and day out until everybody in this province knew what the provisions of that act were. Now let's deal a little bit with the time elapsed. That bill was introduced on a Friday and it was not read a second time on that Friday of course, nor at any time during the next week. It was not read a second time until the following Tuesday. On and on the debate went with 31 speakers until everybody in this province had some idea of what was in that bill. Mr. Speaker, it wasn't only the debates in the House. There were meetings all over this province so that people knew what the situation was. The minister of agriculture, before he passed this bill, had gone across this province, held 13 public meetings at which 12,000 people were present.

Now that's what he did to bring in the bill. Has there been anything comparable when we kill the bill? Do people understand what is in Bill 46 in the way they understand what was in The Land Bank Act? And I say no. I say no. I say no. Members opposite (and I'll come to this) seem to think that because they were elected that somehow gives them a mandate to pass acts which aren't understood by the public.

Let's be clear. When The Land Bank Act was passed we were coming off an election victory, when we had got 55 per cent of the vote. 55 per cent of the votes. Now somebody would have thought that this gave us the right to bring in legislation without consulting with the public. No way, Mr. Speaker, no way . . . (inaudible interjection) . . . There's the member for Arm River, and I know the member for Arm River will want to get into this debate for the very reason that he knows. Mr. Deputy Speaker, I am going to shout a bit until others stop, and then I am going to carry on. I want to make the obvious point that it's the role of an opposition in this legislature not to obstruct legislation but

to debate the issues and to debate the issues until we are convinced the people across this province understand what the issues are.

SOME HON. MEMBERS: — Hear, hear!

MR. DEPUTY SPEAKER: — Order. I must warn the people in the gallery again that they cannot take part in the debate on the floor of the legislature. The member for Regina Elphinstone.

HON. MR. BLAKENEY: — Mr. Deputy Speaker . . .

MR. DEPUTY SPEAKER: — Order. I'd like a little order on the floor too.

HON. MR. BLAKENEY: — Mr. Deputy Speaker, I am directing my remarks to those who suggest that somehow this bill and the bill prior to it were being stalled. I say the bills — both of them, but I'll refer to this one — were being rushed through. They are being rushed through when members move them on a Monday and expect second reading on Wednesday, sitting down all their members. What's the point of having 50 plus members if none of them speak on a bill as vital as farm leases in Saskatchewan? But they did not speak. There was nothing like the number of speeches given on repealing the land bank as were given on setting up the land bank.

Mr. Deputy Speaker, I was convinced and members on this side were convinced that last week the public did not understand what was intended, or what was implied, indeed what was contained in Bill 46 . . . (inaudible interjection) . . . Mr. Deputy Speaker, the member for Regina North West is making a number of remarks from his seat. I know that when I sit down he will have the courage to stand up and make his remarks on the record where they can be combatted.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BLAKENEY: — Mr. Deputy Speaker, we are of the opinion that the public should know what is in this bill, and we're only now finding out. We're only now getting admissions from the government that they do intend to honor the provisions of the lease. They have said, as late as November 30 in press releases, that all financial commitments would be honored, and you and I and everybody in this House heard the Minister of Agriculture, the Deputy Premier, say today that financial commitments would not be honored. That's pretty important, pretty important if you've built your life around a land bank lease, pretty important if you thought you had a firm deal. And the government is coming in and saying, "You don't have a firm deal. We're taking away your deal, and we're not giving you any compensation." And that's what's being said.

Mr. Speaker, there has been some suggestion that in the election campaign there was a great deal of consultation about this, and that they have a mandate to deal with this matter as they see fit. Well, Mr. Speaker, I have looked at any number of the Conservative ads. I've looked at a lot of them, and I saw that they had a mandate to cut the gas tax, and they did it. They had a mandate to deal with the mortgage interest reduction program, and they did that. They had a mandate to bring in a farm mortgage program, no doubt about that. Maybe they had a mandate to discontinue land bank, maybe. But when it comes to taking away existing rights of lessees, no mandate at all, no mandate at all. And if you feel you have a mandate, I ask you where it is. When did you tell the public that you were going to take away the rights of existing land bank lessees?

Mr. Deputy Speaker, I just happen to have . . . I see Mr. Domotor here, I've got some, I'll select his — the member for Humboldt — I've got a couple of his ads here, and I'll tell you what he ran on because here they are. He ran on a proposal to eliminate the 20 per cent gasoline tax; improve and revitalize health care; eliminate the 5 per cent sales tax; freeze utility rates; a 13 per cent mortgage interest reduction program; protecting and preserving the family farm.

Now do you get in there any idea that they were going to abrogate the rights of land bank lessees? Did you pick that out of that list?

Here's another list of his: reduce gasoline tax by 40 cents a gallon (I won't press that point); mortgage assistance at 13.25 per cent; reduce provincial income tax by 10 per cent; reduce utility rates; eliminate the 5 per cent E&H tax; 8 per cent interest for farmers; 9.625 per cent interest for business.

Mr. Speaker, if it had been my ad, I would not claim that it gave me any right to abrogate land bank lessees' rights, I'll tell you that. There is not anything in there — and it was the clear program of members opposite — which even hints that existing rights of land bank lessees would be abrogated. Not a hint. Therefore there is no mandate to do that, no mandate to do that.

I don't dispute that you have a mandate for a farm credit program — none whatever — because I could find lots and lots of Tory ads that said you were going to have mortgage program for young farmers. While I don't like your bill, as you know, I voted for it because you have that mandate. We will be proposing some changes in committee. But when it comes to Bill 46, not a shred of a mandate at all to take away the rights of land bank lessees.

Mr. Speaker, let's proceed a bit more. In 1971 when, as I say, we were elected with 55 per cent of the vote, we said we had a mandate to bring in land bank, and we brought it in. But we didn't believe that we had a mandate to write all the details without consultation, and we didn't believe we had a mandate to take away anybody's rights. We went out there and we consulted 12,000 people, and we didn't take away anybody's rights under The Land Bank Act. We think that is responsible government. We think that a bill like Bill 46, which does take away existing rights, is not justified by any mandate that was achieved by any party in the last election.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BLAKENEY: — Mr. Speaker, the member for Regina North West is again stating that under the potash industry we took away rights without compensation, and he is flatly wrong.

AN HON. MEMBER: — I didn't say that, Al. I did not say that.

HON. MR. BLAKENEY: — I'm sorry, I'm sorry . . . (inaudible interjection) . . . All right. Mr. Speaker, I'll just carry on.

Mr. Speaker, I want now to turn to the bill itself. I want to consider it under the three headings which I had indicated. The bill essentially repeals The Land Bank Act. I start with that supposition. If it repeals The Land Bank Act, you have to ask yourself three questions: (1) should The Land Bank Act be repealed for the future? (2) should the

transactions which were in process at May 8 or May 1 — pick your date — be honored? (3) should the rights of existing lessees be put at risk?

I want to consider those three heads. I want to consider number 3 first: should rights of lessees under existing land bank leases be taken away without compensation? That, Mr. Speaker, is what we're dealing with. Please understand, this bill takes away rights of land bank lessees without compensation, and if members opposite don't believe that . . . And for every one lawyer in Saskatchewan they can get to say that this bill does not take away rights without compensation, I can get them 10 lawyers who will say this bill does take away rights without compensation. There is no question about it.

One cannot, Mr. Deputy Speaker, look at this bill and consider it without realizing that it does take away rights; it does take away rights of existing lessees; and it does not provide compensation. I say that this is not justified.

What possible justification could there be for taking away the rights of 2,700 citizens and their families? . . . (inaudible interjection) . . . Members opposite are busy asking me to discuss everything but the land bank, and I well understand that. But let me now talk about just two or three things that are in this lease, just two or three, Mr. Speaker. If I talked about all of them it would take a long time. But let me just touch on three or four then.

The rent provisions: I ask you whether there is anything much more vital to a lease agreement than how much rent you have to pay. Now this lease says: Thou shall pay rent according to the formula. That's what this lease says. The effect of Bill 46 will be to say the formula is out; it will now be what the government puts in regulations. And that's a very different thing. I invite any hon. member to look at this lease. It is signed by the lessee, but it is also signed by the land bank commission. Surely they have got some right to live up to the documents they sign, some obligation to live up to the documents they sign. If they don't, then what is the purpose of any citizen signing any document with the government? The citizen has to live up to it; the government should have to live up to it.

I am not now saying, Mr. Deputy Speaker, that this government doesn't have the right to change land bank for the future. That's a matter of policy and that's what legislatures are for, to decide policy. But only on the rarest of occasions should legislatures decide they are going to pass laws taking away existing rights of citizens — only on the rarest of occasions, and only then after a very careful consideration of whether or not compensation should be paid. So this one is being taken away. Let's not quibble about it. Let's not deny it. The member for Souris-Cannington, the Deputy Premier, has made that clear.

Now, let's talk about improvements. And I want to ask all hon. members to get a hold of one of these leases and look at part 5, and they will see that under this bill, under this lease, people have an opportunity, who have land bank leases, if they vacate the land for any reason, to be paid for their improvements — not only an opportunity, but they have a contractual right to be paid for their improvements. My interpretation is that (and I would like anyone to challenge it, including any lawyer on the other side) when Bill 46 is passed they no longer have a contractual right to be paid for their improvements. If these people can get any lawyer in Saskatchewan to say that after that bill is passed you have a right to get paid for your improvements, bring him along, bring him along. Give us a change. But I say that that right is not there; the right is gone . . . (inaudible interjection) . . .

MR. DEPUTY SPEAKER: — Order! Let the member speak.

HON. MR. BLAKENEY: — Mr. Deputy Speaker, I want to go back to deal with what is clearly a misconception on the part of some members. Some members evidently believe that because this lease set the formula by reference to an order in council, the order in council could have been changed by the government. That's not true. That is not my legal interpretation, and I don't know what lawyer interprets it that way. I say, and I've heard the Minister of Agriculture admit, that under this lease, the formula set out in that particular document is part of this lease and can't be changed without both parties agreeing. That's a very far cry, a very different thing than saying that your lease rate is set by order in council which only one party can make, I want to underline that because I think some hon. members really don't understand what they are doing here. They believe that under this lease it was a lease rate set by order in council; they believe that when the Minister of Agriculture says the new lease rate is going to be set by order in council there's no difference. But that's false, Mr. Deputy Speaker.

The facts are that under this lease no order in council could change the lease rate without the consent of the lessee. That will be gone. I talked about improvements, and I say that under this lease, a lessee who vacates has a right to be paid for improvements. When Bill 46 is passed he won't have a right to be paid for improvements. I say that when The Land Bank Act is repealed the provisions by which the government can get possession are radically changed.

Under the current Land Bank Act there is no doubt, Mr. Deputy Speaker, that before the land bank can move in and take possession, they have to go before a judge and justify their case. There is no doubt in my mind that after this bill 46 is passed, that provision will be eliminated from the law.

Let's turn to the land bank appeals to the court from the land bank appeal committee. That is clearly spelled out in The Land Bank Act; it is not in Bill 46. There is no appeal to the court. They have eliminated all reference to courts because courts are trouble. You've got to prove your case in court, and members opposite wish to take the position that land bank lessees should not have rights that they can take to court. And that is the effect of Bill 46.

I could give other examples, Mr. Deputy Speaker, but anyone who wishes to read the back of that lease can find them. They can find rights which lessees had which will be abrogated by this act . . . (inaudible interjection) . . . Members opposite obviously don't agree with that. I wish they would mount their arguments and tell us where we're wrong, and I wish they would get a legal opinion to support their arguments. We have had some legal consultations (I don't say that I've had an opinion, because it isn't written down, but I've had some consultations), and those consultations support my view that this Bill 46 does in fact take away rights and substantial rights. I'm not talking about quibbles; I'm talking about gut rights, like the rate of rent that you pay.

There is some argument, I gather, that . . . And I hear the Minister of Agriculture from time to time say that land bank lessees have nothing to fear. I wonder, Mr. Deputy Speaker, if you had a lease for 25 or 30 years on a building where you had a business and that building was absolutely essential to the conduct of your business and the landlord said, "Well, from here on in, I'm going to set the rental rates and I have no commitment to live up to any formula for setting those rental rates," would you feel a bit

uneasy? Of course you would, and any businessman who was building his life would feel uneasy. And so any farmer who is building his life around a land bank lease has every right to feel uneasy.

I take the position, Mr. Speaker, that members opposite promised land bank lessees that their leases would not be touched. I say they have not done that and I say that members opposite should consider this point. I want particularly to say this. I am not now arguing that you should withdraw Bill 46. Obviously I would wish that, but I am not saying that you should be deflected from your policy of having no land bank land for the future — buying no land bank land. That's obviously the policy of your party and you were elected and you have a right to make that policy.

I am asking you to direct your attention to what you are doing to the rights of existing lessees. It is not in any way a backdown by the Conservative Party or by the government to protect more fully the rights of existing lessees. It wouldn't be a backdown from your policy of not buying any more land for lease, of dismantling the land bank. And while I would wish that wasn't the case, I am not . . . You have every right, if you wish, to dismantle the land bank commission and put it over into another agency of government. What I am asking you to do is consider the rights of existing lessees and whether or not you are not, in fact, putting them in jeopardy, because my bet is that you didn't intend to put them in jeopardy, and my belief is that you have put them in jeopardy. I think that the intention of the government was made clear by Mr. Berntson, the Minister of Agriculture, when he said that any commitments or contracts, both financial and legal, made by the land bank will continue to be honored. I think you should do that, and I ask you very seriously to consider that narrow aspect of Bill 46.

It may well be, however, that your program is different. It may well be that, in fact, you intend to raise lease rates and thereby pressure existing lessees into buying their land. I'm not asserting that to be the intention; I'm just saying that it is easily possible to draw that conclusion. If no commitment will be given beyond 1983 as to lease rates, not even any commitment that the formula in the lease will be followed for two or three years, then there is a nasty suspicion in people's minds that the purpose is to see whether the lease rates cannot be raised sufficiently to pressure lessees into buying. It may not be so, but I wish that the government would not only speak but act in order to dispel that suspicion, because nothing that you've done up to now, members of the government, dispels that suspicion.

I point out to you what I'm sure you already know: a very large number of land bank lessees will not qualify under the Bill 45 program; another bunch couldn't undertake to purchase under bill 45 because they are already buying deeded land, and they've already got interest commitments that they don't feel they can add to. And that's understandable. If, Mr. Deputy Speaker, any substantial rent increase is levied on these land bank lessees, then a fair number of them are, in fact, on the road to bankruptcy.

Mr. Deputy Speaker, members opposite are asserting that these are scare tactics and members opposite are also using the word "propaganda." I am trying to put this case as fairly as I can and I am saying that a good number of land bank lessees, if forced to buy their land, would be placed in grave financial jeopardy by the increased interest payments, which their current operation at current prices for wheat and current expenses could not stand. If members opposite don't agree with that, I invite them to talk to some of the land bank lessees. I am not suggesting that all of them would be pressed to the wall, but I am suggesting a lot of them would be in trouble if they had to buy their current land bank land and pay interest. Particularly would they be troubled if

they couldn't qualify for 8 per cent money and had to pay current interest rates. Lots of them simply could not buy the existing land bank land at current market prices and pay current interest rates. If members opposite don't believe that I wish they would talk to some of their farm friends, take out their little calculator and the books, and I'm sure any number of farmers would show them that many land bank lessees cannot afford to buy the land now with current income levels, current market prices for land, and current interest rates.

Mr. Speaker, yes, it is true that governments have in the past introduced bills which took away people's rights under contract. No doubt about that. I think of the Athabasca pulp mill deal where deals had been signed by a previous government within a very few days of the election. Indeed, the deals were signed in May. The election was going to be in June and it was in June. It was a deal which was hotly objected to by our party, and we voted against it at every stage and said it was bad for Saskatchewan. We came to power and we said that deal will not stand. But we said that this citizen — indeed he wasn't a citizen, it was an out-of-province company, but never mind, we said this man, this company signed a deal with the Government of Saskatchewan in good faith, and we are going to abrogate that deal but we are going to pay him compensation. And we did; we paid him over \$4 million in compensation because we tore up a deal using this legislature to tear up a deal, a deal which was made, as I say, on the eve of an election with the full knowledge that our party hotly opposed it.

Here we have land bank lessees, some of them on the land 6, 7, 8 years, some of them even more, who are having their deal torn up without any indication from members opposite that they believe that deal should be torn up, and they are not being offered any compensation. We believed we were acting properly when we said to a foreign company, "We don't want your deal but you signed it with the Government of Saskatchewan. We're the new government but we've got to honor commitments made by the old government. That's the only way society can work."

I say to the government opposite, you have every right not to buy any more land bank land, but with respect to existing deals, if you use this legislature to tear them up (which I think you shouldn't do, but if you do), then you owe compensation to those land bank lessees just as surely as we owed compensation to the New York group which was going to build the Athabasca pulp mill. Can anything be clear than that?

If you are not prepared to agree that those leases be honored, then what is the situation with respect to a whole lot of other people who have leased with this government? What about grazing leases? My colleague for Shaunavon has any number of constituents who have grazing leases. Are their leases (and some of them are for 33 years and that sort of thing) not to be honored? Members sometimes say that the government shouldn't be owning farmland. Well, the government owns tens of thousands, hundreds of thousands, millions of acres of grazing land.

Well, Mr. Speaker, nothing could be clearer than that the Government of Saskatchewan owns hundreds of thousands of acres of grazing land. It's given it to ranchers under lease, some of them 33-year leases and the like. Whole ranch operations are built on those leases. Are we now to be told that those leases can be torn up, that new lease rates can be set arbitrarily by the government on crown land just like land bank land? It's all owned by the Government of Saskatchewan. It's all leased to people who use it for agricultural purposes. I say that it ought not to make any difference whether the lease is signed at the bottom of the government under the name "lands branch," or "land bank," surely the rights of the citizen are the same. He has signed the lease and he has a

right to that lease.

What about cottage leases? People build cottages on 21-year leases or whatever they are, but they are longer term leases. Are we to be told that those leases are not valid? Are we to be told that the Government of Saskatchewan can tear up those leases or set any lease rate they like, and if you don't like it move your cottage? Is that what we are being told? Mr. Deputy Speaker, look at the bill and you will see that what is being done is that these leases are being torn up for land bank lessees.

Mr. Speaker, I am going to turn to the next subject. It's not so clear, and I admit that. It is the question of whether or not if a deal was halfway through the mill at May 1 it should be honored. Here there may be some doubt as to the legal obligation of the government. There is, I suggest, no doubt about the legal obligation of the government on the land bank lessee leases, none whatsoever. But with these deals half in progress with letters going back and forth, you would need an analysis of each file to know for sure whether the land bank commission was committed.

In any case, there is no doubt that people dealt with the land bank commission in good faith. People had deals where the land bank commission said, "Yes, we'll buy that land at that price." People acted on those deals, and acted on those letters of commitment. Indeed those were so firm in many people's minds that financial institutions, banks and credit unions throughout this province advanced money on the basis of those letters. I say that the government should consider, and consider very carefully, whether or not those deals should be honored. People, once again, dealt with their government in good faith. They made their personal commitments in good faith, and unless there is a very strong reason for not doing so the government should honor the commitments. To fail to do so is going to mean that at least a small number of farmers are going to be forced off the land. I don't know how many. I haven't done an analysis of all those files. Members opposite would have the material available to them.

A number of cases have been brought to my attention of people who have committed themselves on the basis of commitments from the land bank who now do not have those commitments fulfilled and who cannot pick up any comparable money under the loan program because it doesn't cover the period. There is in fact a hiatus between May and whenever the new program comes into effect, and people who were in the process of transacting land transfers during that period cannot use the land bank and cannot use the new mortgage program. Some of them are high and dry. I ask the government to look at their situation. I ask the government to look at their situation because some farmers, usually young farmers, are going to be driven to the wall, and we can afford to lose as few young farmers as possible. We simply ought not to be putting more pressure on people who want to go into farming.

Mr. Speaker, I said that I was going to deal with this broad topic under three heads: the rights of existing land bank lessees, the rights and obligations of people who were in the process of transferring land when the election came, and then the broader question of whether or not as a matter of public policy the land bank should be discontinued.

Now, here I'm not going to talk about the rights of citizens on an individual basis. I'm talking about any policy that ought to be pursued by a government which is trying to get as many young people on the land as possible. In order to do this, I want to talk a little bit about why the land bank was set up in the first place; what its objectives were; what problems it tried to solve (and are some of these problems still with us?), and if the land bank was well received.

I could quote in detail, Mr. Deputy Speaker, the reasons why the land bank was set up, but let me try to touch upon the reasons why the land bank was set up and its objectives by quoting, very briefly, from a pamphlet which was issued at the time the land bank was set up, and from the remarks by the minister who introduced the bill on April 21, 1972.

First, "What will the land bank do for Saskatchewan?" as the pamphlet said.

The land bank will provide the retiring farmer with an opportunity to retire with dignity and financial security at a time of his own choosing. The land bank will create an opportunity for young, capable farmers to lease farmland, thus eliminating the necessity to raise large amounts of capital and to make commitments to burdensome payments over long periods. This will permit young farmers to use the capital they would have put into land for investment in livestock, livestock facilities and other productive assets which will become the basis for the growth and development of farms in rural Saskatchewan.

An important objective of the land bank is to create an opportunity for young farm people whom might not otherwise have the chance to establish and operate an effective farm but who are capable of successfully farming.

The land bank is just one of a number of programs planned by the provincial government to make farm areas more attractive to people as places to live and work.

Now that, in layman's language, sets out what was aimed at. Let me try to quote from what the minister had to say about objectives of land bank. It was a long speech and a detailed speech, and I recommend it to hon. member because it does set out in quite a dispassionate way what was aimed at. It was not a polemic. I invite all hon. members to look at it and to read it and make their own assessment of whether or not the objectives were laudatory, and whether they were achieved. And I'll quote a bit:

We are concerned about the inability of many smaller and beginning farmers wishing to obtain land, while larger farmers grow even larger. We're concerned that in many areas older farmers at retirement age are not able to find acceptable buyers of their land. One of the great problems in the area of land transfer and land tenure is that there are not enough alternatives available.

And I think we want to underline this. There was no suggestion that land bank was the only way. It was a different alternative. Government programs have been predominant in the whole area of land transfer, with the farm credit corporation being the only agency of any significance in this province. Now as everyone knows, Mr. Speaker, farm credit corporation being the only agency of any significance in this province. Now as everyone knows, Mr. Speaker, farm credit corporation is in fact a mortgage company. Land can only be acquired through it providing one purchases the land. Under the farm credit corporation program, one can only obtain land provided that he has substantial equity in land already, and the whole of this land must often be encumbered by a mortgage. This is itself creates problems.

First, it means that a farmer who purchases land must risk loss of all of his own lands should he be in a position where he cannot meet his obligations under the mortgage.

Many farmers in just this position have consulted my department during the last year. There's absolutely nothing we can do. These people bought land in the mid and late 1960s, mortgaging their total farm in the process. They now find themselves in a position where they cannot meet the payments, and they can only clear themselves of their obligations under the mortgage by allowing foreclosure to take place, in which case they will lose the whole farm. This illustrates one of the major problems with this type of system of land transfer, mainly that the purchaser assumes all the risk. And I think that's a point which was being aimed at.

The second problem with land bank acquisitions through the farm credit corporation and other mortgage companies is that a farmer must often put up all his own assets as security, not only his land but his other assets, leaving him with no security for loans needed for investment in machinery and equipment and livestock and the like. Farmers are forced to overconcentrate on an expanded land base when developing their farms. They have to put all their money into land, as the minister is saying, and too little for other things.

Mr. Speaker, a survey was recently completed in Moose Jaw. It indicates that only 10 per cent of the farm operators are under 35 years of age.

Now that was the situation in 1971, Mr. Speaker.

I won't press on by reading large sections of this speech, but I'll read one portion.

Farmers wishing to purchase land to establish a farming operation or to expand a small-scale farming operation find it difficult, if not impossible, to compete with owners of large farm units or persons with off-farm income.

Farmers trying to establish a farming operation under our present system must acquire land, machinery and, in many cases, livestock buildings and all other implements necessary for agricultural production. To achieve these assets he must borrow large sums of money. Such a farmer faces a tremendous cash shortage during the first years of the operation. Such a farmer must pay all operating costs, such as taxes and fuel. He must provide himself and his family with the necessities of life, a decent home, transportation. He must pay interest on the large amount of money he must borrow, and in addition to that, Mr. Speaker, he must make payments on principle.

That's the situation which was aimed at. The land bank was introduced, not in any way to reduce anybody's options, but to add another option. It provided a lease option, Mr. Speaker, some people are very, very critical of the idea of anybody leasing farmland. They suggest that anyone who leases farmland is somehow something less than a full farmer.

Let me try to deal with that aspect of the matter in the words of the then minister:

Mr. Speaker, members opposite have criticized the land bank saying that it will create a tenant society, that farmers will become sharecroppers and have no security of tenure. I should like to refer again to the study recently completed in the Moose Jaw area which indicates that one-third of the land farmed in the area, comprising 14 municipalities, is now rented land. Some of this is rented from the provincial government, but the largest portion of it

is owned by absentee landlords and corporations.

That's a point which we should take note of. Perhaps as many as one in four, perhaps even as many as one in three farmers, already lease land. They don't lease it all from the land bank. Only a relatively small number from the land bank, but a whole lot of people lease from other people — from Credit Foncier or from their brother Jim or whoever — but a whole lot of people lease land now. All these people are not sharecroppers; all these people are not tenant farmers. They lease land, but they have other land, and they round out their unit by leasing land.

Surely members opposite know this and surely members opposite therefore know that to dub everybody who leases land as somehow a sharecropper and a second-rate farmer is to deny the facts of rural Saskatchewan; there's all sorts of leased land out there and it's leased from a whole lot of people. Yes, land bank, but yes, Credit Foncier, and yes, CPR or Marathon Realty, and yes, a whole lot of people.

This government makes provisions in this act for leases to be transferred from one generation to the next. I ask you, Mr. Speaker, where farmers can obtain such leases from private individuals? If it is true, as members opposite know, that a good number of people lease land, then what is wrong with giving them an opportunity to lease land with a lease which gives them more security than a lease from Credit Foncier? I have nothing against Credit Foncier, I'm just saying that they will never sign a lease which give the lessee as much protection as a land bank lease does. And if we know people are going to lease land, then what is wrong with them having the option of leasing some from the crown if they can't afford to buy?

Let's move on to one other aspect of the speech, and then I will, by and large, turn to other matters. The fact that the land bank program is completely voluntary will be one of the most important features of the program. If the program is not acceptable to the public, there will be no participation. This government is convinced the farmers of Saskatchewan were serious in their request for a program such as this and will use it to the fullest extent.

Mr. Deputy Speaker, those points need to be made and underlined. Those were the objectives of the land bank program. It was never intended to be the be-all and end-all. Far, far from it. It was meant as another option for people who lease land. I invite hon. members who represent farm constituencies to do a little census in their areas to find out how many people lease. It's part of the warp and woof of rural Saskatchewan to lease land, and there is no particular reason why some of it — a relatively tiny proportion of it — couldn't be leased from land bank where land bank has the opportunity to buy it when it comes on the market.

Those were the objectives. Now, how did land bank work? What was its performance, and what was its acceptability? Well, let me make the first obvious point. The farm credit corporation was always available. The farm credit corporation's phase-in provisions referred to by the Minister of Agriculture here a few days ago were presumably always available. And you people who represent farm ridings can tell me how many young farmers you know who ever used section 33 of the farm credit corporation act and got a loan under the phase-in provisions.

AN HON. MEMBER: — Thousands, thousands.

HON. MR. BLAKENEY: — Thousands, I'm told that thousands got farm credit

corporation loans under the phase-in provisions. Well I am delighted to hear it, and this underlines the point I'm going to make. I don't happen to believe that figure, but if this is so, then why did so many people come to land bank? What was land bank offering that farm credit corporation didn't? If everybody who wished to farm land could have available to him, under section 33, of the Farm Credit Act, land readily available through farm credit corporation, why did anyone show up at land bank? Why did anyone show up at land bank? And I think the answer is that some people couldn't qualify under farm credit corporation. And it was particularly the low-asset farmer we were aiming at. I know people used to come to me and say, "Look, I don't like your land bank program. The farm credit corporation is better; I can own the land." And I'd say to them, you're dead right. You're dead right. If you can qualify for farm credit corporation, don't even look at land bank. You are not the sort of person we are trying to help. If you can get a loan from farm credit corporation, good luck to you."

Mr. Deputy Speaker, I was saying what was happening in '73-74, that period. And the farm credit corporation rate in 1973-74 was 6 per cent. I took the opportunity to look it up and it was a 6 per cent rate that was in place at the farm credit corporation in 1973-74. And therefore, again, look at how many people came to land bank because they couldn't qualify for the farm credit corporation loan in 1973-74 at 6 per cent. And if anyone denies these figures please hop up after me and correct me, because these are the figures I've gathered. So obviously there was a group of people out there for whom land bank meant something.

Now I don't have the figures for that period of how many applicants, but I picked out some figures for other years. In 1978 there were 234 parcels to be handed out on long-term leases, and 1,347 applicants. In 1979, 128 parcels and 1,011 applicants. And you can see that there are six or eight applicants for each parcel. In 1980 it was 73 parcels and 748 applicants, over 10 applicants per parcel. In 1981 it got still worse, 74 parcels and 914 applicants. So there never was any doubt at least for some people land bank offered an option which wasn't otherwise available. No I don't deny for a minute what many people say: that almost every farmer you ever saw would sooner own his land than lease it. I don't deny that for a minute. But for some of them the option of owning the land wasn't there.

Mr. Deputy Speaker, the farm credit corporation was offering loans at 6 per cent. There was no early way the Government of Saskatchewan could get into the business of competing with the farm credit corporation offering loans at 6 per cent. And it was pretty clear then that if a person couldn't afford to buy land and pay a 6 per cent rate of interest, then there were a lot of people out there who wanted to enter farming who had low assets. These were the low-asset farmers we were aiming at.

Mr. Speaker, there is another sort of perception about that somehow all these land bank farmers are somehow tenant farmers, sharecroppers. I want to refer hon. members to the land bank report of 1976. You can look at the others, but let me look at this one, because I think it illustrates it. In that year there were 368 long-term lease agreements: 62 of them went to people who had no other land; 43 more went to people who farmed some land but not more than a quarter-section; 68 of them went to people who farmed more than a quarter-section but not more than a half; and 195 of them went to people who farmed over a half-section.

Now, the point I want to make, Mr. Speaker, is that the great bulk of people who got land bank leases had deeded land and they wanted to round out their unit, the same as

anybody else does who leases land from Credit Foncier. The suggestion that somehow there was being created by the land bank a group of tenant farmers . . . True there was the odd person and a few who didn't have any land of their own, but the great bulk of land bank lessees had deeded land as well.

The picture of the tenant farmer is totally false, just as it would be false if I said, "Oh, look at those people in the Moose Jaw area, one in three of them lease land, one in three of them are tenant farmers." That's nonsense! We all know it's nonsense, because most of that leased land is held by people who have three or four quarters of deeded land of their own, and have another lease of one quarter or another half. That is the common pattern. It's the common pattern whether they lease from Credit Foncier or the common pattern whether they lease from the land bank commission. I say neither is a tenant farmer.

The idea was to allow low-asset farmers to expand their land base by leasing some land and owning some, and that's as valid today as it was in 1972.

Mr. Speaker, I have reviewed the objectives of the land bank commission. I am saying that some of them are as valid today as they were then. Some of them have been achieved (there are a great many younger farmers on the land now than there were in 1972), but some of them have not been achieved. It is still a tough job for a low-asset farmer to get himself a viable economic unit. Certainly he wants to own as much land as he can, but if he can't get enough deeded land then he wants to lease some, and he'll lease it from whoever he can get it from. I am suggesting that the land bank has provided a very, very useful place for many of these people to get leased land, and if they couldn't get it from the land bank, they wouldn't have an economic unit and they wouldn't be farming today.

That I think is the issue. The members opposite believe they can achieve the same results by having a mortgage program. I frankly believe that it will be aimed at a group of farmers whose assets are one cut above the people who have benefited primarily from land bank. Maybe not; we will see; but in any case, Mr. Speaker, there is no reason why both options shouldn't operate. No one is quarrelling with a mortgage program. Indeed, the farm credit corporation has had one for years. If the government opposite wants to lower the interest rates on farm credit corporation loans, fair enough, but this is no answer to the person who needs to round out an economic unit without taking on at this time any additional interest-to-principal payments.

That, I think, is what we are talking about; that is why we should consider very, very carefully, on a policy manner, whether or not we should be repealing The Land Bank Act.

I conclude, Mr. Speaker, by making my three main points again. Firstly, as a matter of policy the land bank provided a method of people rounding out their land bank base in a way that cannot be done by the new mortgage program. Secondly, there was a small group of farmers who were caught in the transition period, between May 1 and when the new mortgage programs comes into effect, when there was no program, no land bank and no mortgage program. And their problems, problems which were created by them dealing with their government in good faith, those problems should be addressed. Thirdly, Mr. Speaker, I say that this government has no mandate and no right to deprive a citizen of this province of his existing rights under a lease which he signed with his government in good faith. And I say this bill ought to be amended to make sure that the rights of existing land bank lessees are fully protected.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BLAKENEY: — Now, Mr. Speaker, I still believe that there are a good number of aspects of this bill which are not fully understood. I believe that they could be more fully understood if people could present their case to a legislative committee and could call witnesses, call lawyers who could say what the rights of land bank lessees are under the old position or under the new position, and everyone would understand. Because of that, Mr. Speaker, I think the bill ought to be referred to the select standing committee on agriculture, and I will move, seconded by my colleague, the member for Cumberland that the motion before us be amended by deleting all the words after “That” and that the following be substituted therefor:

Bill 46 not now be read a second time, but that the subject matter thereof be referred to the standing committee on agriculture in order that representations can be received by interested organization and individuals.

Mr. Deputy Speaker, I so move, and with that I conclude my remarks.

SOME HON. MEMBERS: — Hear, hear!

MR. HEPWORTH: — Mr. Speaker, it is a pleasure and an honor once again for me to rise in this House in debate on Bill No. 46. It is a pleasure and honor for me to rise on behalf of the farming community in the constituency of Weyburn which I represent and be part of the legislation that enacts the very first deed this government performed on its election last April 26. It is, if you like, the technical fulfilment of events that occurred right after the election. It fulfils our promise to the people, Mr. Deputy Speaker, that promise that we will not be buying any more farmland as the Government of Saskatchewan.

SOME HON. MEMBERS: — Hear, hear!

MR. HEPWORTH: — And, I would suggest to the very eloquent former premier and Leader of the Opposition that, in fact, he must remember that (because he is the former premier and the Leader of the Opposition) the majority will and wishes of the people must be reflected in this legislature. And, that majority wish is that we do not buy any more farmland in this province.

The government stopped buying farmland effective April 26, 1982. The cessation of buying farmland was, in fact, the very first event the Devine administration undertook upon its election. It occurred instantly. It even preceded the elimination of the gas tax. The most ruthless land grab in the history of the province is officially over.

SOME HON. MEMBERS: — Hear, hear!

MR. HEPWORTH: — No longer do young farmers have to go into the market place for land and bid against the biggest landowner in the province. Young farmers can go out into the market place now and bid in confidence and with security knowing that they don't have to bid against their own tax dollars, or worse, Mr. Deputy Speaker, be bid up by their own tax dollars.

Mr. Speaker, we have heard a great deal of drivel during the debate on this bill. The

official opposition has wassailed about how this bill breaks the leases and forces the tenants to buy or be off. What hogwash. I want to go on the record, Mr. Speaker, with the real facts. I think, Mr. Deputy Speaker, to do that I would like to read into the record a letter that the Hon. Eric Berntson this afternoon read and is sending to all the land bank lessees in this province. It is dated December 11, 1982:

Dear Land Bank Lessee: A lot of misinformation is being circulated about our government's Land Bank Repeal and Temporary Provisions Act. This misinformation is causing a lot of apprehension and worry. Because I am concerned about this, I'm writing to you personally to assure you on several points.

First of all, I would like to say that our government plans to honor the contracts you have signed. Contrary to what certain people have been saying, our government has no plans whatsoever to break those contracts or to force you off your land.

Generally speaking the Land Bank Repeal and Temporary Provisions Act is a housekeeping piece of legislation. Since we are closing down the commission as such, we have to have new legislation to ensure that the day to day administration of current contracts can be carried on. That administration is being transferred to the lands branch of the Department of Agriculture. No new leases will be offered, but no leases already signed will be cancelled, as long as the lessee continues to meet his or her obligations under the lease, as is the case now. I want to (assure) you most strongly of that.

In the legislation itself are very explicit guarantees for your security of tenure of the land you are now leasing. We are so determined that current lessees are protected that we are actually having the Legislative Assembly write into law this protection. As part of this protection, we are also writing into law that the right to transfer land to a direct descendant will remain. This right, I feel, is very, very important.

You may have been told, too, that we have plans for raising land bank rents. One of the people who has been generating misinformation, for reasons only he knows, actually said, "Your government plans to raise rents 33 per cent." This is absolute nonsense. No discussions have been held on this matter. The legislation does make provision for a rent adjustment mechanism. A similar mechanism already exists. Rents, like everything else from an ice cream cone to a car, may go up in the future, but none are planned.

Almost all the points contained in the legislation now before the Legislative Assembly already exist in current legislation. The new legislation is before the Assembly because of legal and technical necessity. Nothing more.

I hope I have reassured you and eased any worries you may have. In closing, might I say I am sorry that certain individuals appear to have circulated misinformation and caused you apprehension for their own political reasons. They have done this without thinking of your welfare and peace of mind, but only advancing their own interests. This is a government you can trust. This is not a government that will let you down. Yours sincerely, Eric Berntson, Minister of Agriculture.

SOME HON. MEMBERS: — Hear, hear!

MR. HEPWORTH: — How much clearer can you get than that, Mr. Speaker? It states fairly clearly, Mr. Deputy Speaker, that we will honor all existing leases. It states clearly that this is what we have always said and this is what we will do. We will honor the length of leases. We will honor the right to assign the lease to a family member. We will honor the leases, period. Can the opposition not understand this simple statement?

I will make it simpler for the members of the legislature. I will make it simpler for them, Mr. Deputy Speaker. Sometime in the next few weeks or months, at any rate before April 1, 1983, all the files with the contracts in the land bank offices on 3211 Albert Street will be loaded up into a truck. They will be carried out of the file cabinets there, loaded onto this truck and the truck will be driven . . . Are you guys still with me? You seem to be preoccupied with papers in opposition. We are going to drive the truck down Albert Street to the Walter Scott Building, the head administration building of Saskatchewan agriculture. The truck will back up and the lease files will be put into the file cabinets in room 228 of the lands branch office. How clear, how simple. These 2,650 or so lease files will be nestled in amongst the 10,500 lease files that already exist there. It's just that simple.

The files will be transferred and the contracts will be transferred from the land bank to the lands branch. With that transfer, Mr. Deputy Speaker, all assets, liabilities, and legal obligations will be transferred from land bank to lands branch. This is simple common sense. Because you see, Mr. Deputy Speaker, if we are not buying any more land we don't need a land bank commission.

SOME HON. MEMBERS: — Hear, hear!

MR. HEPWORTH: — That just leaves us with the leases. We have the leases. We have leases in land bank then and we have leases in lands branch. It just seems to make really good sense to just have one branch in agriculture administering leases. Instead of sending your cheque to land bank, you send it to lands branch. It's just that simple. Now granted, Mr. Speaker, some administrations would probably have set up another branch of government to do the leasing. We believe in common sense in this government.

While I'm on the subject matter, Mr. Speaker, the opposition have made much noise about having the rent set in regulations and how the rent being set in regulations would in fact provide the government with a method of effectively curtailing leases by driving up the rents as they have wrongly suggested. Are they trying to tell us, Mr. Deputy Speaker, that what they were doing with the 10,500 leases in lands branch is all of a sudden wrong? The mechanism for setting rents in lands branch has always been in regulation. Were they doing it wrong for the last 40 years? Rents being set in regulation is not something new. What a bunch of hypocrites. As it turns out, Mr. Deputy Speaker, at this very moment the rent formula for lands branch cultivation leases is exactly the same as it is in land bank. Exactly, the formula is the same. The only difference, Mr. Speaker, is land bank was based on 1981 wheat crop prices, whereas in lands branch it is one year older, 1980.

Mr. Speaker, I wonder what the opposition has been wassailing about all this time? I think it has been clearly established that we will be honoring the leases. Some administrations might have set up another branch to do it — needless duplication. We

will not. All we're saying is that we're going to have roughly 13,000 leases all in one place, all safe, all being honored.

Mr. Deputy Speaker, I submit that the why of this bill is twofold. Number one, we stop buying farmland. Secondly, the why of the bill is to provide a mechanism for honoring these existing leases.

We have heard a great deal from the opposition benches about the leasing and whether or not the government will honor those leases. Once again, Mr. Deputy Speaker, they have missed the issue here. The fundamental issue in this debate is whether or not the government should continue to buy farmland. That was, Mr. Deputy Speaker, the "hooker" in The Land Bank Act. And they never seem to refer to this part of The Land Bank Act when they talk about the purposes of the land bank. It says, Mr. Deputy Speaker, and I quote from page 2516 of the statutes: "The commission may purchase, lease, accept by way of gift," etc. But the key word is "purchase." The commission buys farmland from the farmers. They never want to talk about that. Mr. Deputy Speaker, the Progressive Conservative government, in reflecting the majority wishes of the people, have heard and have seen and have been told that in no uncertain terms: they do not want the Saskatchewan government out there bidding against their young sons and daughters for prime agricultural land. And for sure they don't want them out there bidding the price up in the market place.

It is the people in the country, Mr. Deputy Speaker, who should own farmland, not some head office in Regina. The people overwhelmingly have said, "Please don't buy any more farmland." This was the issue in the last election, Mr. Deputy Speaker. The opposition have never figured out what the issues were in the last election, and I would suggest that it is time that they started listening because this was the issue in rural Saskatchewan: state ownership of the farms.

It seems, Mr. Deputy Speaker, as if no one was happy with land bank. As the hon. member for Shaunavon has pointed out in these debates, nobody seemed to like land bank. The people, the tenants on land bank, voted Tory. Obviously they weren't happy. That was his observation and it was mine. Because in fact, Mr. Deputy Speaker, many of these tenants are friends of mine. They were saying to me during this election, "I have a land bank lease, I can live with it, and if I had my druthers I wouldn't mind buying some of this land. At least I would like to get a handle on some of the land, but how can I do it with interest rates at 18 or 20 per cent?" And I would say, "How about interest at 8 per cent?" And they'd say, "That would sure help. It's not easy at 8 per cent, but it would certainly get us started to buying and owning our own farm."

And I would submit, Mr. Deputy Speaker, that what land bank lessees are being offered today is a combination of the best of both worlds through Bill 45 and 46. It's the best of both worlds, Mr. Deputy Speaker, because if they want to continue leasing, fine. If they want to assign their lease at age 65 or whenever, fine. But if they want to buy it and own it, there is a mechanism to do that now.

If they want to buy it and are eligible for 8 per cent money, the 8 per cent rebate, so much the better. And I have every reason to expect that they will be eligible for the rebate. The hon. member for Assiniboia-Gravelbourg, the agricultural critic in the opposition has told us in these debates that the average net worth of the 1981 lessee through land bank was \$88,000, and I have no reason to doubt his words. The \$88,000 . . . In fact, I could probably read them for you, Mr. Speaker. The hon. member for Assiniboia-Gravelbourg, speaking in debate on December 9 on Bill 46 said on page 1558:

The average net worth of a farmer, from statistics that were available in 1981, was about \$88,000. With that net worth, if they turn around and go to a farm credit corporation, they're lucky (they can go ahead and borrow).

I would submit, Mr. Speaker, Mr. Deputy Speaker, that the \$88,000 figure is well below the \$300,000 net worth ceiling for rebate eligibility. So in fact as the member for Assiniboia-Gravelbourg has pointed out, the land bank lessees will in fact be eligible for the farm purchase program in large measure.

Now the opposition have advanced a number of arguments, mostly as I said earlier, Mr. Deputy Speaker, drivel. They've continually skirted the issue, the issue being here one of whether or not the state should continue to buy farmland. They tell us that we should keep land bank because the security requirements of farm credit corporation are too tough. Another example of hogwash, Mr. Deputy Speaker. And the hon. member for Assiniboia-Gravelbourg raised this in debate on the evening of December 9. It's unfortunate that he wasn't current in the provisions in farm credit corporation. Fortunately, the Minister of Agriculture has corrected him, and has pointed out to him in debate that there is provision for the phase-in farmer, and as the Minister of Agriculture has stated, and this is on page 1529 of the debates:

. . . farm credit may loan up to 100 per cent of appraised value on land, chattels, machinery, with in fact a growth factor (being) built into the policy as well.

Now you tell me, Mr. Deputy Speaker, how that means the security requirements of farm credit corporation are too tough? They have an enviable track record in the area of farm credit, Mr. Deputy Speaker. Their record speaks for themselves. They have 22,000 clients in Saskatchewan — 22,000. Almost one out of every three farmers in this province.

The opposition has assailed us with arguments about the size of farms, Mr. Deputy Speaker. They have said if we don't keep land bank, all we'll see is large farms springing up in the country, and in fact (once again I believe it was) the hon. member for Assiniboia-Gravelbourg said, and I quote on page 1555, as he was referring to our government, he said and I quote:

Eventually their policies in the long run will turn Saskatchewan into a group of industrial farm factories . . .

We've seen all kinds of talk in other places of the debate about the 50- and 60-quarter farmer. But I ask you, Mr. Deputy Speaker, I ask you, who has the biggest farm in the province of Saskatchewan? Who has the biggest farm in the province of Saskatchewan? Who has a farm totalling in size of all quarters, or 160 acres (which they probably aren't but for the sake of ease of comparison), who has the biggest farm in Saskatchewan? Who has a farm with over 7,200 quarters, Mr. Deputy Speaker? The land bank commission, acting for the Government of Saskatchewan — the biggest land grabbers in the province, Mr. Deputy Speaker. So now, who should be complaining about the size of farms when it was their creation who had the biggest farm in the country, Mr. Deputy Speaker?

And now we come to the sweetheart of them all, the sweetheart issue of them all. Land

bank should stay because they didn't push land prices up. The hon. member for Regina Centre used a couple of numbers in these debates. How could they be pushing up land prices when they only own 2.7 per cent of the arable farmland and they were only involved in 4 per cent of the transactions in 1981? He says, Mr. Deputy Speaker, "How could we drive up land prices?" Well, Mr. Speaker, let's look at what somebody else had to say in these debates about land bank and how it drives up farm prices. And I refer hon. members of this Assembly to the debates of *Hansard*, March 17, 1982, page 640 and in fact 641. The hon. member for Arm River was speaking this day, and I'll pick it up here, Mr. Speaker, and I quote:

I have a constituent who purchases X amount of acres for approximately \$90,000. He had to meet the land bank appraisal to purchase the land. This was in 1975. (And I'll skip down a little bit, Mr. Deputy Speaker, and pick it up again here.) This farmer had to meet the land bank appraisal to purchase the land. In 1980, (that was in 1975, at \$90,000) he advertised the land for sale. He listed it, advertised it in the *Western Producer*. The bids came in. This land is close to where I own land. I put in a bid which I thought was a reasonable offer of \$200,000 for this land. I was outbid by a neighbor who bid \$265,000. (At this point, Mr. Deputy Speaker, an hon. member interjected, "Did he get it?" and Mr. Muirhead said:)

No, he did not get it, Mr. Speaker. Another buyer offered to pay land bank appraisal price.

An interjection here if you don't mind, Mr. Deputy Speaker. Is that suggesting that land bank was setting the floor prices in the area? But I will continue:

The constituent applied to land bank to sell. For a \$300 appraisal fee, the offer was made. The offer was so ridiculously high that this constituent had to consider selling to the land bank. The man who said he would go by the appraisal fee laughed when he saw the figure. Not wanting to sell the land to the land bank, the constituent again advertised for someone to meet the land bank offer. Mr. Speaker, the land bank offer was nearly \$400,000. The closest bid was the neighbor who outbid me at \$265,000. The difference being well over \$100,00, the constituent had no choice but to sell to the land bank, especially when they offered a leaseback of \$1,220 per quarter.

Now how can the opposition stand here and be so ludicrous as to suggest to us that the land bank, first of all, wasn't out there setting floor prices and, secondly, wasn't out there driving up the land prices so that the young farmers in the community who should have been buying this land couldn't buy it for over \$130,000 above the nearest bid, Mr. Deputy Speaker — \$130,000, a 50 per cent inflation. Disgusting, Mr. Deputy Speaker.

Well, I think Mr. Deputy Speaker, you can see that it did push up land prices. Why did it push up land prices? Well, first of all, Mr. Deputy Speaker, they had the biggest wallet in the province. In fact, if I recall the figures correctly, in 1981 they had something like \$28 million to go out and bid with — \$28 million, the biggest wallet in the province. Who could compete with that? But land bank, I would suggest and submit, Mr. Deputy Speaker, was happy to see land prices go up; they got the capital gain. They were happy to see the prices go up, because land bank was predicated on the fact that the cost of ownership was too excessive, and even if you had a capital gain it would be too small to outweigh the money to be saved by renting. That was what the land bank, Mr. Deputy Speaker, was predicated upon. In fact, Mr. Messer said . . . I was very happy to see the

hon. former premier and Leader of the Opposition raise Mr. Messer's comments in the debate today. They were most interesting, I can assure you, Mr. Deputy Speaker, if one goes back to them, but let's really check out what the former premier and Leader of the Opposition failed to point out in the debate today, especially as it relates to capital gains. I read from page 1874 of the April 21, 1972, *Hansard*, Mr. Deputy Speaker. Mr. Messer is speaking and he starts like this, and I quote:

I ask you, Mr. Speaker, and members of this Assembly, does this sound like a program to reduce farmers' opportunities to own and farm land? On the contrary, I feel the land bank will be of assistance to those farmers who choose to lease land as a stepping stone to the eventual ownership of a farm unit. No doubt the members opposite will claim that the lessee does not have an opportunity to benefit from capital gains in farmland.

I must interject here once again, Mr. Deputy Speaker, because here comes a clincher. Here's what Mr. Messer, speaking in 1972 on the land bank debate, had to say about capital gains. I continue and I quote again:

The benefits of capital gains are largely a myth, Mr. Speaker.

I will repeat that one, Mr. Speaker, for the record: "The benefits of capital gains are largely a myth, Mr. Speaker." I will continue now with the quotation.

In the 40-year period, 1920 to 1960 the average annual capital gain was seven-twenty-fourths of 1 per cent, only slightly higher than one-quarter of 1 per cent. Only in the mid-1960s were there significant capital gains in farmland. In the years 1968 to the present time, there have been significant capital losses in farmland and it is unlikely that we will ever experience another period in which land values are inflated at the rate experienced in the mid-1960s. These examples clearly indicate that the land bank can offer cost advantages to farmers.

End of quotation, Mr. Speaker. As I said, this clearly indicates that they predicated land bank on the basis that the cost of ownership was too excessive, and that any benefit that may be accrued due to capital gains would more than be offset by the small cost of renting.

Well, let's see what happened, Mr. Deputy Speaker. Are capital gains a myth? Did inflation and land prices continue at seven-twenty-fourths of 1 per cent? I would have liked to see the researcher the day he dug that number up — seven-twenty-fourths.

Well, we had only to look in the debates of 1982, Mr. Deputy Speaker, to see what land prices had done as it related to the land bank. For that, we have to thank the hon. member for Assiniboia-Gravelbourg. Speaking in debate on the evening of December 9, 1982, he reviewed for us (and I thank him very much) what has happened out in the land market with land bank.

He pointed out to us that in 1972 the average price paid per acre was \$53.50. Then he went onto explain how in the next year it went up 29.2 per cent and then 7.4 per cent the next year. And he was looking at the annual report. So I have taken it upon myself to continue, Mr. Deputy Speaker, where he left off, or at least in part where he left off. In 1975 land prices went up by another 15.4 per cent and in '76 by 33. Somewhere along the way I think the hon. member realized the argument he was building and he dropped

it rather quickly.

But let's look what this record says (the 1981 annual land bank report), Mr. Deputy Speaker, about this myth called capital gain. To put it short and simple, in 1972-73, \$53.50 was the average price paid per acre. In 1981 it was \$387.37. That's over 700 per cent capital gain, Mr. Deputy Speaker. Yet they told the farmers of Saskatchewan that they were bringing this in. Capital gains is a myth. Don't worry about it; it's a myth. Well, that's a 700 per cent myth, Mr. Deputy Speaker, I would submit.

I will tell you, Mr. Deputy Speaker, and I will tell the members of this legislature and anyone else who cares to listen out there, because it has been told to me by many, many a land bank lessee, that they've got some sour grapes over this one. They would dearly have loved to have had some government facilitate ownership at \$53.50 an acre, when today that land bank price has gone up to nearly \$400 an acre. They have some sour grapes, Mr. Deputy Speaker, and I would suggest to you that that's why this little band of eight with hate is sitting in a little corner here.

SOME HON. MEMBERS: — Hear, hear!

MR. HEPWORTH: — And I would like to suggest another thing to this Assembly, Mr. Deputy Speaker, that we can turn those sour grapes into wine for those people out there, because we are going to help with an 8 per cent program buy that farmland.

SOME HON. MEMBERS: — Hear, hear!

MR. HEPWORTH: — We are going to turn sour grapes into wine.

I ask you, Mr. Deputy Speaker, where was the farm purchase program when the people of Saskatchewan, the farmers of Saskatchewan, needed it? It should have been in place years ago.

I think, Mr. Deputy Speaker, on this matter . . . The hon. member for Shaunavon, I can only think that some of his favorite buzz phrases are "profiteering" and "fulfilling our campaign promises on the backs of the young and the old and the disadvantaged." Well, I will tell you, if a 700 per cent capital gain isn't profiteering on the poor backs of our poor farmers in this province, I don't know what profiteering is then. That has got to be the crassest example of profiteering this province has ever known.

SOME HON. MEMBERS: — Hear, hear!

MR. DEPUTY SPEAKER: — Order, order! Let the member speak.

MR. HEPWORTH: — Thank you, Mr. Deputy Speaker. I will address the finger-pointing comments which the hon. member for Assiniboia-Gravelbourg was making. There are two things that one can adjust for these folks out on the farm. The one is interest rates. That's what has been killing them out there, and that's what we have adjusted. That's what will enable them to buy their farmland.

As I started out to say, Mr. Deputy Speaker, before I was interrupted. I am sure that the former member for Weyburn constituency would have been most upset with this kind of profiteering on the backs of the poor farmers, I think of none other, Mr. Deputy Speaker, than the former premier of this province, Hon. Tommy Douglas. The story was often told. I guess I'll share it again with this legislature, Mr. Deputy

Speaker, then the former premier of this province, Hon. Tommy Douglas. The story was often told. I guess I'll share it again with this legislature, Mr. Deputy Speaker, as I read it into the record on June 24, 1982, referring to the stories which the Hon. Tommy Douglas used to tell as he travelled about rural Saskatchewan. The record starts on page 263.

In fact, for some 17 years he represented Weyburn provincially, and as he visited farms and farm homes there was a story he often told which came to be known as the cream separator story. He would share it often with his constituents. In it he drew a comparison between the cream separator and the capitalist economic system. He likened the farmer with his pail of whole milk to the primary producer, and the farmer's daughter or son or wife, or whoever turned the cream separator handle, to the worker. For their input of labor in the case of the worker, or product in the case of the farmer, they got to take turns at the skimpy skim spout. And the owner of the machine — according to Mr. Douglas, the corporate elite — sat at a stool in front of the separator with the cream spout in his mouth getting all that thick, rich cream for himself. Now, Mr. Douglas reckoned, as a democratic socialist, that what was needed was for the worker and the primary producer to get their hands on the regulator of the machine so that everyone got homogenized milk — a little cream for everyone.

Mr. Deputy Speaker, I would suggest that in Saskatchewan over the past few years, the chubby little fellow sitting on the stool with the cream spout in his mouth was the former NDP government.

I went on to say, Mr. Speaker, and I quote again:

They sucked up all the revenue — that is to say all the cream they could get into their fat little tummies — and rather than redistribute some of this to the people, they went on buying more and more cream separators, uranium mines, potash mines, and worst of all, farmland.

That was the worst of all. They took the cream; they sat there in front of that little spout and just sucked it up. Inexcusable, Mr. Deputy Speaker.

Well, a fourth argument that the venerable opposition has introduced in these debates was predicated on the fact that land bank should be kept because it was going to prevent a decline of rural Saskatchewan, maintain viability of rural farms in Saskatchewan.

Well, what's the record, Mr. Deputy Speaker? I have already introduced in debate here in this House what the census figures show, the 1971 census farms for Saskatchewan versus 1981 census farms for Saskatchewan. What do they show, Mr. Deputy Speaker? Do they show that the number of census farms in rural Saskatchewan went up by 1,000 or 5,000 or 10,000? No. What do they show? They show that census farms in rural Saskatchewan went down, not by one thousand, Mr. Deputy Speaker, not by two, not by five. Do you want to know how many, Mr. Deputy Speaker? 9,832. How is that consistent with land bank's goal of preventing the decline of the rural populations? If that's their answer to keeping farms viable in rural Saskatchewan, Mr. Deputy Speaker, praise the lord that it's being stopped. We've lost a whole generation. How tragic. Down 12.8 per cent in 10 years.

They've also wassailed about the fact there's no protection in this bill. They are worried about clauses like the one, and I won't get into a debate on the clauses because I realize that's best kept for committee, Mr. Deputy Speaker, but it's already been introduced in debate here. They are worried about clauses that read like defining, enlarging, or restricting the meaning of any word or expression used in this act, Mr. Deputy Speaker, what a bunch of hypocrites. Shall I read them the same words, the exact same words, Mr. Deputy Speaker, from The Beef Stabilization Act? What a bunch of hypocrites. It's okay when they are doing it. It's a term of the legal beagles anyways I would submit. But it isn't okay when we're doing it. What a bunch of hypocrites.

As I said, Mr. Deputy Speaker, I won't get into the clauses that have been picked out in debate. I realize that's best left to committee, but since it had been raised in debate I did want to demonstrate the ludicrousness of some of these arguments. There are other clauses. I could go on.

They never bothered to talk about the ones that are important in so far as the protection conferred in this act. They never point out sections that quite clearly show that we will honor our legal obligations. I read into the record that letter of the minister showing quite clearly our legal obligations being transferred from land bank to the Queen or better known as lands branch. They would be responsible for all debts, liabilities, obligations, etc., related to the land transferred; and that any court case in process may continue, Mr. Deputy Speaker.

No talk of that from the opposition. No talk of the fact that the protection is there as we said it would be. No talk of the clauses, Mr. Deputy Speaker, that point out explicitly that the lessees will be permitted to continue leasing the land. None of that talk. They must only read certain sections of the act, I believe, Mr. Deputy Speaker.

And the one they really seem to want to avoid, Mr. Deputy Speaker, is: there's no talk about the fact that this bill will waive the five year wait period — the five year wait period that the former government felt lessees should tolerate. And then when they were ready they felt we were going to pat them on the head and say, okay now you can own it. We're waiving that. They can own it as soon as this bill is passed. They'll have the right to have a go at ownership on that land. Nothing about that, Mr. Deputy Speaker. But of course, a party who is interested in profiteering on the backs of the poor farmers, no wonder there is no mention of that clause.

It boils down to this, Mr. Deputy Speaker, and we've just seen it here now: they say, hold the process, hold the fort boys. They need more talk. We need more review. I would submit, Mr. Deputy Speaker, that this amendment is totally out of line with all the talking that went on this spring in this province. There was lots of review on this issue. Unfortunately the opposition hasn't recognized it as an issue. But the people of Saskatchewan did all the reviewing of this issue in that giant plebiscite called an election, Mr. Deputy Speaker.

And yet the opposition tells us: stay the course, keep land bank. Obviously the waffle movement has taken over the party again, Mr. Deputy Speaker. Well waffle movement is in full control of these fellows, Mr. Deputy Speaker. Stay the course they say. Stay the course, I say, Mr. Deputy Speaker, they can stay the course and I've said it in this House before. They can stay the course and they'll become part of the six and four solution — 64 of us and none of them.

SOME HON. MEMBERS: — Hear, hear!

MR. HEPWORTH: — The message was clear, Mr. Deputy Speaker. The vast majority of the people in April said, “We don’t want the government buying any more farmland. Leave it to the farmers.” Leave it to the farmers, Mr. Deputy Speaker. Unlike some administrations, Mr. Speaker, we are here to reflect the wishes and the will of the majority of the people. If they can’t figure out that 55 seats on the government side and the little gang of eight in the other corner doesn’t give them some indication of what the majority is out there, then they better go back and get some arithmetic schooling.

I have come back in closing, Mr. Deputy Speaker, to the basic issue here. I have talked on the basic issue in a couple of bills here, and unfortunately the opposition has never been able to figure out what the issues are. The issue here is whether or not there should be state farms. Not one member of the opposition has addressed that issue. They continue to try and create confusion — talk about leases, failure to honor leases.

The question was simply this, Mr. Deputy Speaker: should the Government of Saskatchewan continue to buy land? Should they continue to buy land that pioneers made entry on, that they homesteaded in the early 1900s, land that these pioneers took title to from the crown, Mr. Deputy Speaker? After proving up and turning this raw land into fine productive land, 70 years later along came land bank and said, “I’ll take that. You can’t afford to own it; I will help you own it.” While I’m at it, Mr. Speaker, they said, “And I will take the capital gains, too, thanks.”

Essentially, Mr. Deputy Speaker, it went from the crown to the pioneer. That pioneer, I submit, Mr. Deputy Speaker, sweat bullets breaking that land and he suffered anguish like none of us probably in this House knew while he sweated out the Dirty ‘30s, but he persisted. Then in the ‘70s the government, this land bank commission, now that this pioneer had that land, that prime agricultural land, with the stones picked and the roots picked and the bushes cleared, along comes land bank and says, “I’ll take it, thanks. I know you got it from the crown in the first place, but I am going to take it back.”

The hon. member for Regina Elphinstone, the former premier of the province, said leasing land is nothing new. Leasing land from the crown is nothing new. But he once again missed the issue, Mr. Deputy Speaker. The difference here was that the crown land the province had been leasing prior to the land bank commission had always been crown land. From the ‘30s it had never been given to pioneers as part of the homestead.

The difference here, Mr. Deputy Speaker, was that this was farmland owned by farmers and the government took it over. The intergenerational transfer was broken — 152 owners in 10 years. What a dismal failure. Okay, there are 2,650 lessees. You break that record down and it’s not much better — 220, 250 people a year. The important point here, Mr. Deputy Speaker, is the biggest land grab in the history of Saskatchewan is and must come to an end.

SOME HON. MEMBERS: — Hear, hear!

MR. HEPWORTH: — There are those in opposition, Mr. Speaker, who have tried to argue that the issue is leasing. They have wrongly stated that this government is against leasing and will break leases. We are not against leasing, Mr. Deputy Speaker. I have addressed my comments on that at great length already in this debate. It has been going on in the province for years, long before the advent of land bank. Farmers have been leasing and renting from other farmers. Farmers have rented from neighbors, and

dads, and uncles, and in fact the crown for years.

The issue is not leasing versus non-leasing. The government has honored leases in the past and it will continue to do so. The debate the opposition pursues about pushing rents up so high as to effectively force the lessee off his land is absolutely ludicrous. It is absolutely ludicrous; rents have been set in regulation for years in government. Rents set by this government will be fair for lessees whether they be land bank, lands branch or whoever.

But the smoke screen and the paranoia that the opposition is trying to create is merely that. They are politicians, and if you look at the record, back in 1971 when the Hon. Gordon Snyder was moving An Act to Repeal The Essential Services Emergency Act, he made this statement, page 230:

A statement has been made, I believe, Mr. Speaker, that a politician is a man who can rock the boat himself and persuade everyone that there is a terrible storm at sea.

Mr. Speaker, that's not my definition. That was the Hon. Gordon Snyder's reference to a politician when he was speaking in debate on a repeal motion.

In these debates today and in the days previous, Mr. Speaker, the opposition is doing nothing more than trying to rock the boat, and I say: sit down before you fall out and drown in your own waves. You are creating paranoia and confusion. There is no terrible storm at sea, nor is there one coming. I would have hoped you would have been a responsible opposition. Obviously that was not to be forthcoming.

As has been pointed out by the Minister of Finance in his first budget — the first of many to come — this government is pursuing a mid-course correction. That correction, Mr. Deputy Speaker, is away from state ownership of farmland and right on course as far as honoring leases is concerned. Mr. Deputy Speaker, I will be supporting the original act, and I urge all other members of the legislature to do the same.

SOME HON. MEMBERS: — Hear, hear!

MR. TUSA: — Mr. Deputy Speaker, I am pleased to rise in the House this afternoon to speak briefly on Bill 46, the motion before the House. Before I begin, Mr. Deputy Speaker, I would just like to say that the hon. members opposite have not changed their tactics since April 26, at which time they should have learned their lesson abundantly clearly.

Prior to that election, Mr. Deputy Speaker, the hon. members opposite, the merchants of fear in this province, went throughout Saskatchewan talking about medicare and how the Progressive Conservatives were going to take it away. Another thing they did, Mr. Deputy Speaker, which wasn't readily evident to the electorate was visit the old age pensioners of this province and spread the irresponsible statement and belief among them that the Progressive Conservatives were going to eliminate old age pensions, Mr. Deputy Speaker.

Those were the tactics they used in a desperate attempt to regain election, and those desperate tactics have been amply displayed in this House for the past few days, when once again they play upon the fear of individuals here in this province. And, once again, they misrepresent the true facts in this issue. Let me say this, Mr. Deputy Speaker, that

as the people of Saskatchewan judge the misrepresentation of the members opposite on April 26, 1986, the people of Saskatchewan, including the land bank lessees who these people opposite pretend to protect, will pass judgment on them again. And in 1986 the members opposite will not hold one rural riding in this province.

SOME HON. MEMBERS: — Hear, hear!

MR. TUSA: — Mr. Speaker, I am proud to say that we in the Progressive Conservative Party did not deceive the people anywhere in this debate including prior to April 26. We told the people of Saskatchewan that on April 26 after 8 o'clock when the polls close, the returns come in, and we are elected, we will stop buying land. And that, Mr. Speaker, was exactly what we did. Mr. Speaker, I'd just like to say that Bill 46, contrary to the illusions that the members opposite are under, does not repeal the leases. Bill 46 honors the leases, and it doesn't matter what type of lease the individual has: a one-year lease, a five-year lease, a lease to age 65, a lease to age 65 with a roll-over clause, Bill 46 will honor each and every one of those leases.

So, Mr. Speaker, having said that, I would like to suggest that land bank lessees will in fact have the best of both worlds. They will be able to have two choices. They will be able to continue leasing the land under the terms of their lease, or number two, they will be able to begin to buy the land. They will be able to buy the land immediately, not one, two, or five years from now, but immediately upon the bill becoming law. I can say this with assurance, Mr. Speaker, because in the 1981 land bank report it is noted that the average net worth of the land bank lessee in Saskatchewan was \$88,980. Consequently, land bank lessees by and large will qualify to begin purchasing their land, and they will be able to do this immediately. As a matter of fact I would like to inform the members opposite that though they go about trying to spread fear I have had several phone calls in the last few days from land bank lessees asking when the act will be passed so they can make applications to start buying.

So, Mr. Speaker, the people of Saskatchewan want intergenerational transfer of land. Nobody will argue about that. However, to facilitate the intergenerational transfer of land there are two methods. One method is for the state to buy the land with the taxpayers' money, to bid against the young farmer, and then like Big Brother, say, "Now we will lease it to you; we'll be good guys." The other method, Mr. Speaker, is for the state to assist the individual to purchase the land for himself. Mr. Speaker, it's very clear where we stand on that issue, and where the hon. members opposite stand on that issue.

The hon. member for Assiniboia-Gravelbourg stood up in the House last week and said, "Why don't you allow the land bank to stay in place alongside your farm purchase program?" That was the question he posed, Mr. Speaker, and I would like to address that question for the hon. Member for Assiniboia-Gravelbourg at this moment.

Let me remind the hon. member that in 1972, that infamous year in Saskatchewan's history, the hon. members brought in the land bank. Let me also remind the hon. member opposite who suggested that we should have two programs in place. They had one program. The program was, Mr. Speaker, for the state to buy land. Nowhere did they have a program to assist the individual to buy the land. Nowhere. The only assistance the hon. members opposite ever gave the farmers in Saskatchewan was that of grants to buy a few fence pickets. That's the closest they came to assisting the farmers of Saskatchewan.

Mr. Speaker, I see it's close to 5 o'clock so in conclusion I would like to say that the people of Saskatchewan have heard both sides of the argument. The people of Saskatchewan, the land bank lessees, have the assurance from this government that their leases will be honored. That assurance will be valid, and four years from now the people in this province and the land bank lessees will have the opportunity to pass judgment. I predict, Mr. Speaker, because of the unwarranted fears the opposition has raised here in this province, that their very own supporters will not support them come '86. In 1986, Mr. Speaker, Saskatchewan will have a total Progressive Conservative government with no rural ridings represented by the NDP. That's for sure. No question.

SOME HON. MEMBERS: — Hear, hear!

MR. TUSA: — Mr. Speaker, in conclusion, I would just like to say that I've been very happy to speak to this bill, and I will be supporting the original motion.

SOME HON. MEMBERS: — Hear, hear!

MR. ENGEL: — I wish to address my remarks toward the amendment that is before this House today. I have several remarks to make . . . (inaudible interjection) . . . No, I didn't. There are some new areas that need to be covered. I think we have 1,200 reasons today why this bill should be moved into the committee . . .

The Assembly recessed until 7 p.m.