LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
June 16, 1983

EVENING SESSION

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. McLaren that Bill NO. 104 – **An Act to amend The Trade Union Act** be now read a second time.

HON. MR. BLAKENEY: – Mr. Speaker, just before I took my seat when you called it 5:30, I had given a . . . (inaudible interjection) . . . 5 o'clock, quite right . . . I had given a brief outline of labour history in Canada, and then had attempted to deal with three of the arguments put forward by the minister in support of the bill: the argument that it would improve labour-management relations in Saskatchewan; that it would bring Saskatchewan and its legislation into the mainstream of labour legislation across the country; and thirdly, that it would restore investor confidence. I attempted to deal with each of those three items.

I would now like to turn to the principles contain in the legislation itself and to the speech given by the Minister of Labour when he introduced the legislation. I will not deal with all of the principles which he enunciated; I will try to deal with a half a dozen of them There were perhaps 15 or 20 new ideas in the bill; almost all regressive ideas. We will have an opportunity to deal with many of them more fully when we consider the bill in committee, but some of them are of the kind which I would like to deal with in this second reading debate.

Firstly, I would like to turn to his proposal that the way that we define "employee" in the act be significantly widened. Now the minister, so far as I am aware, advanced no arguments to suggest that this would improve business efficiency. He stated that, but I read his speech with care, and saw no evidence to support his statement, I wish he would have advanced his arguments other than by way simply of assertion, and I would invite him when he closes the debate to outline to the House how changing the definition of employee, as he suggest, will in any way improve business efficiency. It, in fact, will not. In fact it will make it more difficult for employers and employees to know who is to be included in the bargaining unit and who is not to be included in the bargaining unit. It will go one step further. It will remove from the labour relations board some of their existing authority to deal with uncertainties and will place some of these matters for decision by the courts. This will not speed the process of collective bargaining. In fact it will impede it.

If one looks at these provisions, I think you reach the conclusion that the real purpose is to allow the employer to have more out-of-scope persons in his operations so that he will have a larger group to call upon in the case of work stoppage.

The concept sought to be legislated, of those people to be out-of-scope who are an integral part of management, is a very vague concept – a concept far less clear than that which now exists in the act – and which I suggest will be a fruitful source of litigation and controversy.

Furthermore, the striking from the act of the power of the labour relations board to deal with the situations of contracting out will open up another fruitful source of litigation. As I read the proposals put forward by the Minister, there will no longer be a power in the labour relations board to deal with situations where an employee may be in the grey area between the status of an employee and the status of an independent contractors.

And I can assure you, Mr. Speaker, in this House, that that will not contribute to labour peace. The sensible thing to do is to allow these grey areas to be dealt with by the labour relations board who have before them the parties and who have before them the evidence on which they can make a rational decision. There is, I think, no doubt that people who are employees should be covered by the act and people who are independent contractors should not be covered by the act. But there is a good deal of doubt as to whether or not a particular employee falls within the category of an independent contractor or not.

And while I was trying to bring forward some sort of an example, which might appeal to hon. members, I thought of the Premier and his staff and I thought of Mr. Dave Tkachuck. Mr. Dave Tkachuck is the chief of staff of the Premier and he works every days at that and yet he is on some sort of a contract. And I would ask the house whether or not they would think that Mr. Tkachuck is an employee of the Executive Council? And that would be a very, very interesting issue. It would not arise, strictly speaking, in this case because would probably be ruled out-of-scope in any case, but an employer who will enter into contracts of employment in order to disguise the fact that he is employing persons so that they will not appear in the estimates (and that's surely the reason) will similarly enter in to disguises with people who are within the scope, the ordinary scope of a collective bargaining agreement, and will open up an area which will lead to significant uncertainties.

This is not speculation. Anybody who had done any work in the field of labour relations knows that these areas are constantly coming up. Indeed some of the first work that I ever did in this area arose with respect to whether or not people who worked on a fishing craft, on a fishing ship, were in fact independent contractors or employees. They were paid by a share of the catch. An argument could be mounted that they were independent contractors; an argument could be mounted that they were employees. And this was the debate under the then existing federal legislation which governed fisheries. But anyone who has been a practitioner in this field can cite similar instances with respect to delivery men or taxi employees and the like.

What is needed is a power in the labour relations board to deal with those grey areas. What is being removed from the act is that very power. What will result is that this issue will have to be decided on the basis of the common law principles of employee or independent contractors and we will see more litigation, not less, and we will see more labour turmoil, not less.

The proposal that all those who are an integral part of management be excluded from the scope of the union agreement I think will have interesting overtones for teachers. I know this act does not deal specifically with teacher collective bargaining, but if I were a teacher I would be very interested in noting that the government feels that anybody who is an "integral part of management" should be excluded from a bargaining unit, presumably the teacher collective bargaining unit as well as any other collective bargaining unit. And as I say, if I were a teacher, I would be very interested in this definition of who ought to be excluded from a collective bargaining unit – not the old

definition about whether you were in a management position to hire and fire or in a confidential capacity, but now this vague concept of an integral part of management. As I say, it is not definitive. It will lead to controversy and litigation. And for other person s such as teachers it introduces quite a new and difficult concept to define who should be excluded from the benefits of the union contract.

I now want to touch upon some other principles which the minister referred to in his second reading speech. He talked about a number of provisions which were designed for the protection of employee rights. These provisions, or his comments on these provisions, seem to have been made, and I suspect the provisions were included, because of an apparent ignorance of the existing provisions of the act. The minister in his remarks and in the background notes circulated by the department suggests that these provisions will give extra protection against intimidation. This is not true. Protection of employees against intimidations by unions or employers is fully covered now by section 11 of the existing act. And a little later I will want to show that the changes he proposes to make will in fact remove protections from employees and not add to the protections of employees. So much for his wish to protect employees.

Now let's consider his proposals in defence of the so-called free speech provisions. And he seems to advance these on the grounds that unions are in a position adversarial to management, and whether or not a union should be formed should be a matter of as much interest and importance to management as it is to employees. That is a new and novel principle. That is a denial of the basis upon which trade unions are organized. The right to organize a trade union is one of those rights, those freedoms of association, which we have talked about in Canada for many years; have included in Mr. Diefenbaker's bill of rights, in the Saskatchewan Human Rights Code, and now in the charter of rights and freedoms. Now this right has long been recognized. It is not a part of Canada's constitution and it was no small victory, no small victory won by working people decades ago.

In the days of the last century, trade unions were held to be illegal as an improper and illegal restraint of trade. And unions fought that principle. And they established the fact that individual employees had the right to band together to bargain with their employer. They were not to be left as single employees to bargain with an employer, but they could band together to bargain in the process which we have come to know as collective bargaining. And that principle was hard won. The idea has been that working people should be able to make that decision as to whether or not they come together to bargain collectively or whether they stay singly to bargain with their employer on a one-to-one basis. And it is the employees' decisions to make as to whether they exercise their freedom to associate or whether they do not exercise that freedom. And while they decision may affect an employer, it is in no sense his decision because it is the decisions of the employees to decide whether or not to associate.

And members of the New Democratic Party might be affected by whether or not Conservatives decide to come together in a party to put forward their particular political beliefs, but although it will affect people who don't share their beliefs, the decision is solely with the people who share those beliefs, solely with the Conservatives who decide to come together to associate. In the same way employees are entitled to come together and organize themselves for the purpose of bargaining collectively.

Now, Mr. Speaker, I want to reiterate that principle again, because that's what freedom

of association means. It has nothing to do with whether or not somebody believes that a union is needed. I may feel that the Conservative Party is not needed, but that does not in any way reduce the right of Conservatives to come together – it is their decision, not mine. And similarly an employer may feel that a union is not needed, but it is not his decision to make as to whether employees come together and associate. It is theirs, to be made by employees. If they think their cause is advanced by coming together in a union, they have that right. And similarly nobody has the right to attempt to cause them to answer why it is necessary to give to employers the right to, in effect, intimidate what some employers do. Members opposite are fond of equating in this context, employers to so-called union bosses. Employers are not part of the picture of whether employees exercise their right to associate. The right to come together as employees is a right which is not one which is properly affected by employers, or by people who do not work in that plant, or do not work in that workplace.

Mr. Speaker, if you don't mind, I'll just wait a moment until the members decided to compose themselves because while . . . (inaudible interjection) . . . Thank you. I want again to say this because members opposite very, very clearly do not accept the principle that employees have the right to come together and organize without intimidation, without any outside force, be it somebody outside their plant, or be it the employer attempting to argue them out of it. That is their right, and of course people can convey information. No one has ever denied that. But the idea of trying to coerce them into failing to exercise their right is something which ought not to be done.

Now let me go on, Mr. Speaker, to the next point. The next point has to do with whether or not it is wise to put in legislation a provision for fair representation. Now, that is already part of the common law in a general way, but the results of those provisions – which by the way, are in no other act in Canada – have had a very difficult result in the United States. And if the minister is not acknowledging this I would like him to tell me whether he feels that the application of that principle in the United States has produced a desirable situation so far as labour-management relations are concerned. I want him to stand up and discuss the issues which have been raised by this principle in the United States, because that's where he got it. It isn't anywhere in Canada, and it has not worked well in the United States.

This concept of industrial due process, this concept of the duty of fair representation has not worked well. It has not worked well, because in the face of possible allegations by an individual member that their trade union is not representing them properly, trade unions have presented every grievance brought forward by every employee, even though it may be frivolous – and the minister will know this.

The minister will know the case in the United States where a postal employee sued his union and collected $30,000 because in the opinion of the court, the union had not gone to bat with sufficient vigour for this employee when he got fired for being in what was called an altercation. The result in the United States is that unions are in effect unwilling and practically unable to say to their members, "That is a frivolous grievance. I will not process it because it has no merit." Whenever a union says that to its member now, it runs the risk of being sued, and of being mulct in damages as was the case with this particular employee in the United States who succeeded in recovering $30,0000 in damages from his union for not processing a grievance.

As one other union officer is quoted as saying, "It's almost as if we have to protect bad workers." It's almost as if we have to protect bad workers. And that will be the result. What union is going to gamble on and decline to process a grievance, however, frivolous, faced with the statutory obligation of fair representation, and faced with the possibility that an individual member may take legal action against the union?

Those are some of the reasons why this cause has never found favour in Canada – in any province of Canada. The minister has got it from – I suppose, from Georgia – from some place in the United States, and he ought to explain to this House how it's worked there and why he believes it it's a good move. Certainly a case can be made for it. But equally a case can be made against it and I suggest that on the evidence, a better case can be made against it than for it, and that's why no province in Canada has adopted it up to now.

Now I'll just touch on one or two of the other principles contained in the bill. There are a couple of provisions which are innocent looking when you first read them but they have some hidden fangs. He provides in the bill for what is known as the build-up principle. That is a provision whereby if an employer expects that he will have more employees in the near future, he can resist an application for certification which is supported by a majority of his existing employees on the ground that the board ought to wait until the enterprise is staffed up so that all employees can get a vote. Well, that's not denying the right of a majority of employees to have a union on the grounds that some as yet undetermined employees in the future may not like it. But assuming that there's going to be a fairly rapid build-up, a case can be made for that. But the minister then couples this with another provision, unique in Canada I may say, and that is that there must be a six-months period between the application for certification by a union and the next application that that union can make to be the bargaining agent in a similar or substantially similar bargaining unit.

Combine those together and see what you get. You get an application by a trade union for certification believing that the employer is pretty well staffed up. And after all, employers don't sit down and check with their union as to how many they expect to have on staff three months later or six months later. And believing that the shop is pretty well staffed up, they apply. And the employer comes in and says, "Oh, no. I'm going to have lots more employees in four weeks time." And he may well be right. And on the basis of that evidence by the employer, which the employee cannot effectively rebut, the application is turned down by the labour relations board.

Suppose the employer is telling the whole truth. And suppose in four weeks time his shop is staffed up. Now the unions says, "Well, we're staffed up now. We'll apply. Because that's what the employer wanted. He wanted to wait for the four weeks until we're staffed up." But the employer now says, "Oh, no, no, no. Haven't you read this other provisions? Haven't you read this other provision that you have to wait for six months? Yes, yes, four weeks ago I was saying we should wait four weeks until the shop is staffed up. But now I'm not saying that at all. I'm saying you've got to wait six months." And that is very, very iniquitous provision because there is no way a union can know when the shop is staffed up, and if the board accepts the employer's view that there should be a four weeks delay, then there should be a four weeks delay and not a six months delay as the minister is trying to build into his legislation. As I say, there is no place in Canada, which has six month delay provision built in.

There's another provision which looks halfway reasonable if you look at it quickly. And that is that on a certification vote when there is an application that a union be formed, everybody who might be affected by the union contract, or perhaps a union contract, should have the vote. But a case, perhaps, can be made for that, although the minister hasn't made it.

But consider what is permitted under that provision: anybody who was an employee at the time of the vote – not a union member, but an employee. So far as I am aware, nothing stops the employer from going out and gathering in 30 or 40 or 50 employees three days before the vote. They all, apparently, then have a right to vote, and they, with some careful selection, can be counted upon to vote the employer's way.

There are companies in Canada who provide people like that. It's a straight rent-a-vote proposition. They don't have to stay on staff for any more than a few days after the vote. There is no suggestion that they have to be there 30 days, or have to be members of the union, or have to be permanent employees, or in any way have to be what one would call ordinarily a permanent employee. They will be affected by the vote, and under the minister's provisions, they can vote or can be given the right to vote. That's not reasonable; it's not fair; it's not just.

And there are a good number of other provisions that are neither fair nor just. Take the section 11 and the proposed changes that he is putting forward to this House.

The present act says that if an employee wishes to exercise his rights under the act, he can do so and he shall not be discriminated against by employer or union . . .And that's what should be there, "in any way by the employer." He cannot be threatened that some of his existing rights will be taken away. Surely that is right and just. And for some totally unexplained reason, the minister proposed to change that. He proposes to acknowledge that the employer cannot threaten to take away pension rights; he proposes to acknowledge that the employer cannot take away health or welfare benefits; but he proposes to leave anything else open. He proposes to open the door for the employer to intimidate an employee by threatening to take away his seniority rights, his holiday rights, a great number of other rights – without any right on the part of the employee to pursue an unfair labour practice on that basis. And that is neither right not just; nor has any argument been advanced to indicate that it is right or just.

It is downright unfair and no case can be made for it. No case can be made for that particular provision, as it now exists, ever having brought a hardship to any employer or union person in this province who was by reason of it not permitted to intimidate an individual employee.

Another provision which is downright unfair, Mr. Speaker, is the proposals for changes in section 11(8). Now this is one which says that where there is a strike vote, the labour relations board can authorize people – somebody – to scrutinize the vote, to supervise the vote, and even to conduct the vote. And the act allows that the labour relations board can authorise the employer – the employer – to conduct, not only to scrutinize and supervise, but to conduct the strike vote by the employees.

Now that is downright unfair, and ought to be changed . . . (inaudible interjection) . . . No case can be made for that, and no case has been made for that.

Now, Mr. Speaker I could go on and outline a goodly number of other provisions of this bill, which are unfair and unjust, or which have hooks in them which will poison the climate of labour-management relations in this province. I will have an opportunity to raise some of them, and I and my colleagues will have an opportunity to raise some of them when we consider this bill in committee.

I just want to close by suggesting to the minister that Bill No. 104 and all of its provisions look in the wrong direction. We've had pretty good labour relations in Saskatchewan and they will only get better if we attempt to build a climate of co-operation. They will only get better if we don't try to hedge around labour-management relations with more rules and more regulations. The government opposite is fond of claiming that it believes in deregulation, that it does not believe that we should hedge around relations between citizens with more government-made rules as to how they shall bargain their contracts of make their deals. But this bill introduced by the minister does just that. It is a backward-looking bill believing that you can get good labour relations on the basis of a multitude of rules that governments make to govern the conduct of the bargaining between employers and unions.

In fact, the changes in the bill and all of its provisions do not address the industrial relations issues of the future, of the 1980s and beyond. Instead they all face backward; they're all repressive; they all try to return to the dead days of the past. The assumptions on which the bill are based . . . The assumptions on which the provisions of the bill are based are on skewed version of some pretty narrow theories which have been extant in the past and which are by and large being abandoned by people who have any enlightened views of labour-management relations. The rhetoric which the minister uses is from the right-wing governments of the Thatcher era; the provisions which he includes are some of the same provisions included in those pieces of legislation which did nothing to build labour-management relations in this province.

I ask the minister to look at this bill. I ask him to study it and my challenge to him is this: don't look at the past, but instead build on the positive strengths of the present. Build on the existing strengths of the comprehensive and complementary labour legislation we already have in this province: The Labour Standards Act; The Workers' Compensation Act; The Occupational Health and Safety Act; and The Trade Union Act. No one will argue that all of these acts are perfect or that our labour relations in this province are perfect. Far from it. And that's why it is necessary to review this legislation pretty regularly. That was the view of our government and I suspect it ought to be the view of any government because we need to make improvements, but when we make changes we should move forward and to backward – Not backward as this bill does. If the minister is sincere in his statements that he is seeking labour peace and productivity and co-operation, I would invite him to move to achieve those goals by restoring some of the positive things that have already been destroyed.

I would ask him to appoint labour representatives to the board of crown corporations – which he has struck out. I would ask him to restore the environmental board at PCS which builds a positive relationship between labour and management. I would ask to restore the life and vigour of the occupational health and safety program which was a trail blazer in Canada and which did build good solid relations between workers and employers in this province. I don't think anyone can deny that nor do I think that anyone can deny that the steps taken by this government have not enhanced that relationship, but have retarded it.

I suggest that the minister look to the issues of the future and to the approaches successfully adopted elsewhere, instead of turning his mind presumably southward to Georgia or wherever he's getting these changes and moving backward to a state of labour relations which would do not credit to this province. That's why the minister should be challenged to abandon this bill; challenged to build on the positive strengths of many years of successful labour-management relations measured by any test you can apply in North America; build on those positive strengths and improve them so far we can all face up to the very real issue of building solid labour-management relations for the future. Because, Mr. Speaker, I do not believe that bill No. 104 does this, because this bill is flawed, because this bill is hopelessly flawed, I will be voting against the minister's motion. I will be opposing his bill.

SOME HON. MEMBERS: — Hear, hear!

MR. SCHMIDT: – Mr. Speaker, I think must rise to speak and I note the comments of the members opposite that I'm speaking because I'm affordable. Yes I am . . . (inaudible interjection) . . . Expendable? Yes I am, because I'm not 'feard to stand up and tell the truth. And I have principles, and I'll follow them. And if that means I lose my seat, I will lose it, but I will follow those principles.

SOME HON. MEMBERS: — Hear, hear!

MR. SCHMIDT: – Mr. Speaker, I rose to speak because I understand more than the narrow view taken by the members of the opposition. I speak for all the people of Saskatchewan, and not a small segment that pays me to speak for them. Mr. Speaker, I speak from my experience as a lawyer, I speak from my experience as a former farmer . . . (inaudible interjection) . . . And yes, I was a very poor farmer, and that was in dollars and cents. And the farmers in my constituency are still poor, and they know what it is to go without money. I speak from experience as a labourer. And I speak from my experience as a former member of the New Democratic Party. And one of the reasons that I left that party, Mr. Speaker, was because that party had no intention, no desire, whatsoever, to represent all of the people of Saskatchewan or to take care of all the province. But they became a special interest group.

The members opposite suggest they represent 37 per cent of the population of Saskatchewan. I advise them that is temporary because they're forgetting about the farmers they used to represent, and the senior citizens they used to represent, and the ordinary people they use to represent, and the ordinary people they used to represent. They're forgetting these people because they're compromising their principles and they're speaking as mercenaries. And you think lawyers are mercenaries? The members opposite are mercenaries because they're speaking according to the speeches that have been written fro them by the people who paid them to be here. And I'm telling you . . .

HON. MR. BLAKENEY: – Mr. Speaker, I rise on a point of order.

MR. SPEAKER: — State your point of order.

HON. MR. BLAKENEY: – I rise on a point of order. I think it is unparliamentary for any member to suggest that another member's delivering a speech which he was paid to deliver and which was written to him.

MR. SPEAKER: — Your point of order is well taken, and I would ask the member not to make those statements.

MR. SCHMIDT: – Mr. Speaker, I have no hesitation in withdrawing the words insofar as they might suggest an improper act. I was merely referring to them in a general political purpose. I withdraw them. I do not suggest that the members opposite would be bribed. And I withdraw those words if they mean that. But I will clarify the matter further in my speech, Mr. Speaker.

Mr. Speaker, the NDP are not giving us an accurate representation of the facts on this particular bill. They are taking a narrow point of view. When the members opposite suggest that this matter affects teachers. I indicate that teachers are not unionized, that teachers are professionals – my wife is a teacher – and that teachers operate as a professional association, and The Trade Union Act has nothing to do with teachers. So I want to clarify for them they should stick to the topic at hand: that is The Trade Union Act and its purpose to protect employees. I suggest that they have not given a clear indication to the employees and people of this province.

I went through the petitions that have been filed, and I note that they have a very limited sphere of people who signed those petitions.

AN HON. MEMBER: — From Ontario.

MR. SCHMIDT: – Yes, there are some out of province people who have some interest in Saskatchewan. I think they are employed by unions and operate out of Ontario, that these petitions are not representative of the people of Saskatchewan. And I further point out that I, as a member in Melville, have had no telephone calls, have had no letters, and have had no complaint whatsoever on the streets in the city of Melville with respect to this amendment to The Trade Union Act. And I know by saying that publicly that tomorrow I will have at least 100 calls. I'm sure they will all be from the heart.

No, Mr. Speaker, the real motive of the NDP here is to suppress democracy, to oppose secret votes. They oppose a secret vote. It was the opinion of the people on this side that secret ballots were an important part of democracy. They oppose notice of union meetings. I suggest what is wrong with having notice of a union meeting? The members opposite are looking after on segment of the working class of people in this province, and it's the upper crust. It's the big union bosses that they intend to look after and take care of, and that is why they are resisting this bill. Their only desire is to look after their friends, the big union bosses, and it is not denied – and I know it's a fact – that they party opposite receives donations from the big unions in this province. And accordingly, what would you expect them to do when called upon to defend their friends, the big union bosses . . . (inaudible interjection) . . . The members opposite suggest that the big union bosses are here. They're not our bosses; they may be their bosses, but they're not our bosses.

SOME HON. MEMBERS: — Hear, hear!

MR. SCHMIDT: – Fortunately in this province most of our unions, and even many of our leaders, are very responsible. We do not have a Seafarers' International Union in Saskatchewan. I don't know if that's because we're land-locked, or that's because our union people are more democratic in their operations.

But we do have, in certain cases, abuses of the system in Saskatchewan. It is my opinion that these abuses need to be corrected. It is the opinion of myself, and many members on this side of the House, that union members should not be fined in excess of

$10,000, and that in effect, this is preventing them from obtaining a job and earning a livelihood. There must be some balance and there must be some protection for the average worker. It is my submission that this bill put some balance in to the rules with respect to the operations of unions.

Now the members opposite have clearly admitted to us that they are subservient to the big union bosses, and at the same time, they stand up in this House and complain about the plight of those people on minimum wages. Well, it's common knowledge that I get paid $32,000 a year as a member of the backbenches of this government. And it's common knowledge that the minimum wage is 4.25 an hour. It's common knowledge that wage settlements are usually indicated in the papers as to how much the employees got in the settlement, and how large their increase will be. Teacher's wages are public. But I ask you, Mr. Speaker, does anyone in Saskatchewan know how much a union leader is paid? Mr. Speaker, I don't know . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please. I would caution the members in the gallery that the only people who are allowed to participate in this Chamber are those who are elected. If there are any more outbreaks in the gallery, we will have to clear the gallery.

MR. SCHMIDT: – Mr. Speaker, there has been some suggestion that I will not be re-elected in three years or whenever the time comes. Mr. Speaker, the members opposite have suggested that I could easily be defeated. Well, Mr. Speaker, if there is anyone who is . . . (inaudible) . . . this House and wishes to come and run – because there is no NDP candidate in my seat – they are welcome to come and replace me in this seat, and I challenge anyone who wishes to run against me to be free to do so in the next election.

In event, Mr. Speaker, I was indicating that you can walk down the streets of Regina, or any other city, town, village, hamlet, or any farm in this province, and you can say to anyone, "how much does the head or a particular union make?" And they will not know. You can ask a worker in my constituency, "How much does a head of your union make?" And he or she will not know. And therefore those people who speak for the poor should be open to the same scrutiny and operate under the same rules as other people in this society. And therefore, Mr. Speaker, I'm in favour of this act and these amendments.

I do not indicate, Mr. Speaker, that these amendments are perfect. We, Mr. Speaker, are not the wisest people on earth; we just try to do the best we can, and what we are doing on this bill is doing the best that can be done. If it turns out that something is not workable, we have a very open mind, and we will be government for a very long time, and we will be open to change any law in this province that needs changing. So therefore, Mr. Speaker, it is my submission that we should proceed with this bill and give it a fair chance to see how it does work. And accordingly, I would be voting in favour.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – Mr. Speaker, from the outset I want to let you and the Assembly know that my remarks will be brief. I stated in my second reading speech the way I felt about our amendments – and nothing has happened in the last few days that is going to change my mind – and that what we are talking about can and will happen.

Secondly, I've had some personal attack and I also want to advise the Assembly that I

am not going to be taking up the time of the Assembly to even address that issue. I can talk to anyone afterwards if they want the other side of this story.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – And I guess the other point I would like to make is that I garnered 2,300 votes more than the previous candidate did and took an NDP seat that had been in there for a number of years. And maybe that tell us something else.

Mr. Speaker, I want to make one thing very, very, very clear. Nowhere in our amendments are we denying the employees, the workers of this province, to go and organize and become a member of a union of their choice – nowhere. Nowhere in our amendments are we saying to employees that you cannot participate in the free collective bargaining system. Nowhere in the amendments do we say that you do not have the right to strike. And the reason I say that is section 3 of the existing Grade Union Act. And I'm going to read it to you.

> Employees have the right to organize in and to form, join or assist trade unions and to bargain collectively through a trade union of their own choosing; and the trade union designated or selected for the purpose of bargaining collectively by the Majority of the employees in a unit appropriate for that purpose shall be the exclusive representative of all employees in that unit for the purposes of bargaining collectively.

Now, Mr. Speaker, that section is the hub of the whole Trade Union Act and we have not changed one word.

Besides that, section 36, number (1):

> Every employee who is now or hereafter becomes a member of the union shall maintain his membership in the union as a condition of his employment and every new employee whose employment commences hereafter shall, within 30 days after the commencement in his employment, apply for and maintain membership in the union and maintain membership in the union as a condition of his employment, provided that any employee in the appropriate bargaining unit who is not required to maintain his membership or apply for and maintain his membership in the union shall, as a condition of his employment, tender to the union the periodic dues uniformly required to be paid by the members of the union;

Here again, Mr. Speaker, not one word has been changed in section 36, the union security clause.

The other section, Mr. Speaker, that we are concentrating on, and I believe totally that it is the wishes of the workers of Saskatchewan, and that's the employee rights clauses that we have implemented. We've had employees coming to us for the last eight or nine months requesting some help and suggestions as to how they can best be represented in their unions. And we have come out with the amendments of natural justice. And we have heard about the communication with the employers and we'll get into that in committee of the whole.

And we're saying, to participate fully in the secret ballot votes as much as possible – nothing mandatory; it's their option. The right to be . . . unreasonably be denied

membership in a trade union, the right to be given reasonable notice of all union meetings he is entitled to attend. We are also saying that he is interested in work stability. We also are also saying, Mr. Speaker, that we want a labour climate in this province that's going to encourage the investment which I mentioned in my speech to give businesses in this province the stimulation to expand, to bring in other businesses from out of the province, to create the jobs that everyone in this province is looking for. And to me jobs is the number one priority and if we can accomplish that by some minor amendments to The Trade Union Act, I can't see anybody arguing against that.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – I heard comments from the members opposite about the great job of increasing the work-force and the jobs over the last 10 years, the member from the Quill Lakes saying 8,000 in one year and 12,000 in another year and so no. I'd like to just read the last 10 years. In 1972 our labour force was 351,000 in this province. In 1973, 355,000; in 1974, 360,000; 1975, 376,000; 1976, 394,000; 1977, 410,000; 1978, 421,000; 1979, 433,000; 1980, 443,000; 1981, 453,000; 1982, 462,000. Mr. Speaker, since January 1 to the end of May 1983 our work-force has jumped 25,000 people . . .

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – . . . the biggest jump in that whole 10-year history. And when you look at 25,000 people in a five-month period – a winter period – and the times that we are in, I would say that our open for business policy is working.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – Besides that, Mr. Speaker, in May our unemployment figure dropped from 39,000 to 34,00 – a drop of 5,000 people.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – We were just advised today in a news release that the Cluff Lake uranium development has been given the go-ahead on an expansion – a $450 million expansion that is going to create 500 jobs in construction with another 300 jobs after the mill is in operation. So the remarks, Mr. Speaker, of us not caring about the workers, not worrying about the unemployment figure, to me, is rubbish. We are working on this constantly and to see that kind of increase in that short period of time is enough to me.

The amendments, Mr. Speaker, are designed, as I said originally, to zero in on employee rights. The other thing we are aiming for is some responsibility of all: employers, unions, and employees. We have carried on too long . . . And it amuses me to hear of the wonderful record that we have had in worker-days lost and stoppages. It still adds up to a non-productive period of time and those costs have to be added to the goods and services that the manufacturer or whoever is providing those services to go out and sell his product. And I'm saying to the members opposite that we are becoming non-competitive in our markets and the reasons – the consumer just can't afford to pay any more. And naturally all the goods are being said no to, or doing without, and that all creates the lay-off picture and so on. So all we're asking is for some responsibility, some co-operation, and I feel certain that that is going to happen.

We have a number of good unions in our province – responsible unions. We've got responsible employers. We've got responsible employees. But there are, in some areas, where we are irresponsible in all those areas also, and all we're tying to do is get those groups together, and let's build a legislative framework that we can look after industrial peace and productivity and jobs for people, and that's number one.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – Mr. Speaker, I've sensed, over the last number of months, that there is an attitudinal change in our work-force in the province. I have offered my door open at any time that the people want to come to me and that is happening. I'm even meeting with the union leader. They're coming in. I had one at 5 o'clock this afternoon. We had four hours with the building trades the other day, and that's exactly what we're wanting. The reason I say that is because the work stoppage picture, the co-operation in that, seems to be starting to work.

In January of last year there was 1,300 days lost to work stoppages, 700 this January; 1,900 under your administration, we're down to 400 in February; 33,700 under your administration in March, we had 200 days in March of 1983.

Mr. Speaker, my feeling of the amendments is that it's a moderate and middle-of-the-road approach. I can see anyone going against secret ballot votes, employee rights, and that's exactly what you people are telling me from across the way – that you do not believe in that. I could have gone right-to-work. There was enough and a lot of support out there to be considering it and I chose not to because I feel that we can accomplish with our amendments, with the co-operation and responsibility of everyone involved, that we can do that.

In closing, Mr. Speaker, I'd just like to . . . I had some letters read to me this afternoon. I get letters, too.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – And I might say that we're getting a lot of letters. We are getting a lot of phone calls. And we're not worrying about the petitions that are coming in here because there are lots of them out there.

This is from Saskatoon:

> Congratulations on your new trade union legislation. Do not listen to the barking from the union leaders. The vast silent majority (and I like that phrase) of all Saskatchewan people are 100 per cent behind you and it's about time legislation of this nature was brought in after 11 years of NDP rule.
>
> Also, (and I heard minimum wage today) re the minimum wage question: 1983 nor 1984 is the time, not the time to increase the minimum wage. Things still really aren't that good for business. Interest rates are still too high and even though interest rates have come down from last year, a lot of people still aren't buying or spending on consumer goods because of fear for their jobs, re for example, losing them. And if the minimum wage is increased even in 1984 or 1985, we will have no alternative but to add to the increase in the unemployment lines.

> I don't see other provinces rushing out to increase their minimum wages, so why should Saskatchewan, when already we have the highest minimum wage in North America.
>
> Congratulations again. You and your government are doing an excellent job. With this new union legislation you'll get even more votes from the silent majority. Regards.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – Mr. Speaker, as long as I am the Minister of Labour I wan to assure the employees – the workers of this province – that I am going to go to bat for them any time that they want me to . . .

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – I'm sick and tired of this phrase of labour-management relationship. To me, we are all employees. Having a title doesn't mean anything. I started out as a parts man and in 31 years I became a president, but even when I was president I was still an employee of that company. I still had a boss.

And this bridge or wall that gets built between labour and management is nothing but rubbish as far as I'm concerned. We have to lower that wall, be able to talk together with your unions and your employers and your employees. And if we can accomplish that we're going to be number one in Saskatchewan.

SOME HON. MEMBERS: — Hear, hear!

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

Yeas – 36

Muller	Katzman	Martens
Birkbeck	Currie	Rybchuk
Taylor	Duncan	Young
Andrew	Schoenhals	Gerich
Lane	Smith (Swift Current)	Domotor
Muirhead	Weiman	Embury
Sandberg	Bacon	Dirks
Hardy	Tusa	Hepworth
McLeod	Sveinson	Myers
McLarent	Glauser	Johnson
Garner	Schmidt	Baker
Klein	Smith (Moose Jaw South)	Folk

Nays – 7

Blakeney	Koskie	Shillington
Thompson	Lusney	Yew
Engel		

ADJOURNED DEBATES

SECOND READINGS

The Assembly resume the adjourned debate on the proposed motion by the Hon. Mr. Lane that Bill No. 96 – **An Act respecting the Provision of Legal Services to certain Persons in Saskatchewan** be now read a second time.

HON. MR. BLAKENEY: – Mr. Speaker, I just want to add a few words on this debate. I will not detain the House long, except to say that this bill changes the legal aid system and changes it in the wrong direction. The legal aid system of Saskatchewan that was set up under the guidance of a report prepared by Dean Carter, the former dean of law at the University of Saskatchewan. And he outlined the principles upon which a sound legal aid system would be established, and the legal aid system by and large was set up on those principles. And the legal aid system is now being made into a centralized legal aid system where all of the lawyers will be de facto employees of the Government of Saskatchewan. And that is an undesirable legal aid system.

Let me just comment on two or three aspects of the bill. Firstly, under the legal aid system as envisaged by Dean Carter, and as enacted in the legislation, there would be boards chosen by the communities who would engage the lawyers and set the rules under which the lawyers operated. Under this system there was some possibility that you would be able to develop a sense among the client group, among those who are consumers of legal aid services, among the poor and the disadvantaged, that they had some voice in the legal aid system and that the lawyers who spoke for them were their lawyers. Even though they were out of funds provided by the Government of Saskatchewan, by the Crown, you had some opportunity of convincing people of that client group that their lawyers were not employees of the Crown, but rather advocates for their clients in a totally unreserved and undivided states. It is going to be exceedingly difficult to convince the client group that this is the case where the lawyers are not chosen, paid for, and in a general way supervised by the legal aid board selected from the community, but rather the lawyers are going to be ones who work directly for the Crown in the right of Saskatchewan. They will be salaried employees of the legal aid commission, a commission appointed entirely by the Government of Saskatchewan from some nominees . . . In some cases by the Government of Canada, or the Law Society of Saskatchewan, but none the less, effectively controlled by the Government of Saskatchewan. And while it may not have a great deal of effect on the way the lawyers operate, it will have a profound effect on the perception that the client group has of the impartiality of the lawyers as between the Crown and themselves.

There is no point in saying to a person who needs a defence against a Crown prosecutor that he is going to be defended by someone who is a Crown defender. It is simply not possible to build and maintain confidence in the client group that the Crown defender is solely dedicated to the interest of the client and is not influenced by the fact that he is a paid employee of the Crown.

Now as I say, I'm not suggesting that the lawyers will act that way. I am suggesting that they will be the perception of the clients, and I think that's most unfortunate. So we have a system which will not provide that sense in the client group that they have independent representation the same as anybody else who may be engaging paying their own lawyer. That will be eroded. And I don't think any amount of argument by the Minister of Justice can vouchsafe the fact that that will be eroded.

The second point I want to make is this: that some of the jobs to be done by the local society boards were not directly related to individual cases for individual clients, but were in the nature of client group advocacy functions. And if they're going to do any of these functions – want to perform any of these functions – if they are going to do any advocacy work for their client groups, then it is absolutely imperative that the client group feel that they are directly associated with the board and with the solicitors of counsel who do the advocacy work.

Now the arrangement put forward by the Minister of Justice is that there will be advisory boards appointed by him. They will be ineffective – and I suggest totally ineffective – in convincing any client group that they should be interacting with the minister's advisory board to indicate what type of client group advocacy functions ought to be performed. And I think what will happen is that none of that will be done. None of it will be done and the system will be reduced solely to representing individual clients with no class action or general advocacy group functions whatever. And that will be undesirable. The system did not develop as a system which provided that type of service to any great extent, but to the extent that it went on at all, it was good. To the extent that we provided some sort of legal voice for groups of people, it was highly desirable in removing from their mind a sense of powerlessness in the community and in giving them a sense of full participation in being full partners in this province of Saskatchewan.

There's a third point I want to make, and that is the particular provision of the bill which says that the private bar will not be used except in cases where the minimum sentence is life imprisonment. When the legal aid system was set up, the Canadian Bar association and the Law Society of Saskatchewan expressed very considerable reservations about any system wherein a person without means had to accept a salaried Crown lawyer as his defender. They acknowledged that with respect to relatively minor cases, this was not perhaps a major problem. And I remember having discussion with the then president of the Canadian Bar Association, a Mr. Neil McKelvey, Q.C., from St. John, New Brunswick and saying to him that it was the intention, I was sure, of the Government of Saskatchewan to do its best to see that in major cases, clients had some choice of counsel. And that hasn't always worked. Money restraints have sometimes limited the amount of farming out, as the phrase has developed, the amount of opportunities for individual clients to use members of the private bar in their defence. But I think it was always felt that in serious cases, something like armed robbery where the maximum sentence is life imprisonment, there ought to be a choice, that citizens who are charged with very serious offences such as

that, particularly if someone has a criminal record and is charged with armed robbery: he has got a major problem, no question of that. Any lawyer practising at the criminal bar would acknowledge that forthwith. Under those circumstances it was hoped that the system would permit the client to have some choice of counsel. And at times what has been a successful hope which was realized, at times it was not, but I would be of the view that we ought to include in the legislation that opportunity, an opportunity which it would be hoped that funds would permit to be exercised as often as possible, and hopefully on an ongoing basis.

I was, therefore, very disappointed to see in the legislation provisions which barred that by statute and said that the farming out, as the phrase goes, the access to the private bar would be confined effectively to murder cases. That is a regressive step, one which will be unacceptable in the private bar, in principle, at least, will be going back on what was indicated to the Canadian Bar Association, and will, incidentally, be in opposition to the recommendations of the MacPherson report. Judge MacPherson put particular stress on the opportunity for the use by clients of the private bar. There isn't much in the MacPherson report that I felt was desirable from the point of view of overruling the two previous reports by Judge McClelland and Dean Carter, but this was a point that he made, that there should be access to the private bar. I think we all acknowledge that on occasion there will be problems with that because of financial constraints, but the constraints ought to be that and not legal constraints, and we ought to try to widen that access and not narrow it. So that, Mr. Speaker, from my point of view the changes proposed by the Minister of Justice, if I understand them correctly, are undesirable changes amounting as they do to the elimination of the free-standing, community sleeted boards; the amalgamation so far as the organization of the legal staff is concerned of all the legal staff into one group; and the limitation of access to the private bar.

I have one further comment, and that is that there are some real problems in providing counsel for people, not only in criminal matters, as I have indicated, but in civil matters. In effect, all the lawyers will be employees of the commission. We will have the instance of a person being prosecuted in the criminal courts, the Crown being represented by an employee of the Minister of Justice in many cases; and the defence being represented by an employee of the commission appointed by the Minister of Justice in most cases – in virtually all cases – and the problems that that creates in the mind of anyone as to whether or not there's going to be a true adversarial relationship and the accused can feel that he is being fully represented and in no case is the Crown in an overbearing position. This is all taking place before a judge of the magistrates' court appointed by the Minister of Justice.

So there is the perception in the criminal cases that I've already referred to. But coming to the civil cases, suppose there is a problem with respect to custody of children, and we have both parties being represented by legal aid lawyers, which is quite possible. We have both lawyers being employed by the commission. Now I know that they have attempted to deal with the legal ethics problems that . . . Without the legal ethics provisions of that bill the law society would say that's a straight violation of The Legal Profession Act. Two people who are effectively operating as a partnership or as members of a partnership – a multitudinous partnership – cannot take positions one on each side of an issue. Understandably so, again, because the public will not perceive this is to be the full adversarial relationship. I suggest the same problem is going to arise on these civil cases where we have each side represented by a commission lawyer.

An effort has been made to say that the commission lawyers must live in two different places. But I don't think that does the job. If we had law firms, as we do, with offices in Regina and Saskatoon, and if a partner of the MacPherson Leslie firm from Regina showed up on one side of the case and a partner from MacPherson Leslie from Saskatoon showed up on another side of the case, the judge would make short work of that. He would say that, "That can't be; not before me it can't." And so he should.

I think that this situation will arise with respect to commission council, and it is an undesirable situation, and was must more desirable when the lawyers were, in effect, employees of free-standing community boards. It was much easier to represent this as a true adversarial relationship, with each side being independently represented.

Mr. Speaker, I could raise other issues concerning this bill, but I think I have raised the main points which exercise me. Others, I will raise in committee of the whole. I think from the comments I have made it will be clear that I will not be supporting the bill, but will be opposing it.

HON. MR. LANE – Thank you, Mr. Speaker. I'd just like to take a few minutes to both respond to the Leader of the Opposition and to put into perspective the legal aid situation in Saskatchewan that has been much discussed.

I doubt that any member would argue with the proposition that the long-standing differences between the Saskatchewan legal aid commission and the local boards that existed with a difficult situation. It had been a matter of some concern on pervious public studies. It was certainly a matter of concern with the MacPherson report.

The contradictory or anomalous position that the boards found themselves in vis-à-vis the commission was an ongoing source of difficulty. The commission had some responsibilities, but the only action that it could take with a local board that was not performing was to cut the funds, which was rather Draconian action to be taken.

They had the situation as I have mentioned where I, as Attorney-General, had to cancel one commission, transfer its operations over to another, because it wasn't performing. I think that all members will accept that the existing situation was less than desirable and had been addressed on numerous occasions. We took the position that there should be a coherent plan that applies equally to all areas of the province and I believe that we have addressed that.

I believe that all members will agree that the rule of the local boards in the past as employers was most uneven, and that was not in the best interest of the legal aid system, the legal aid plan, and those serviced by it. The unevenness of the services was a matter of some concern that I think perhaps had detrimental effect to those receiving legal aid in the province. We believe that the changes will address that concern and try and improve, across the province, the quality of legal services.

I could get into many details. I will, as the Hon. Leader of the Opposition has done, indicate we will discuss many of those during committee. I would like to deal however with the general criticism given by the Leader of the Opposition that the public will perceive that the lawyers are working for the government. There's not any difference in terms of the position of the Saskatchewan legal aid commission as it existed prior to this legislation. How that now creates a perception that these people are working for the government, I have difficulty accepting.

I believe that the actual perception in the past has been that this was a government agency. By most of the people who aware recipients of legal aid, it was a government agency. It was funded by the government. Certainly it needed service supplied, but I think it fair to say that the vast majority of recipients of legal aid believed that this was an arm of government and that perception existed. And I suggest to the hon. member that that perception was compounded by a criticism raised by the MacPherson report. Too many of the legal aid local offices were in government buildings. So I suggest to the hon. member to criticize this bill because it may leave the perception that the lawyers are working for the government is unfair in relation to the situation that existed under the previous bill.

I believe the MacPherson criticism is a valid one, that they shouldn't be in government offices; they should be back out in areas where they have a better chance of relating to their recipients. I think that will do more to create the actuality as opposed to the perception that this agency and that this commission is there to serve their best interests.

I believe, as well, that the type of service that's supplied and the quality of advice given will do more to create satisfaction within those receiving legal aid than any forum that we may create.

With regard to the allegation that the government is appointing the commission, I believe that the government in fairness has taken an appropriate position to not take a majority position:

> The commission shall consist of (and I'm referring to section 3): (a) three members appointed by the chairman of the advisory committees . . .

Certainly, those can be appointed by Executive Council. It is our intention that where those commissions were acting well to basically reappoint. The member may have a valid criticism at that point, but I don't think it is one that will hold up in actual practice.

> (b) two members of the Law Society . . .

(c) one member . . . of the Law Society . . . appointed by the Attorney General of Canada . . .

(d) four members who are not members of the Law Society . . . appointed by the (Government of Saskatchewan);

(e) one member who is an employee . . .

So I think in fairness, we can argue back and forth but I believe that the actuality will be that the government in fact has a minority.

Finally, I would like to deal with the matter raised by the Leader of the Opposition that it will rescue the action, the ability of the private bar to supply legal services. I think our interpretation of section 29, which is the operative clause under discussion, is that the commission will be able to broaden and allow the private bar to supply. It is only in those circumstances set out in 29(2) that a person who is charged with an offence under the Criminal Code, punishable by a minimum sentence of life, many selection any qualified member. AT that point, the choice is the clients only, not the commission's. Our interpretation is that the commission can, in fact, expand and utilize the private bar. It is only in those narrow circumstances that the client has the choice, not the commission.

I will check with my officials. That is our interpretation; that is our intention. I think I'm correct in what I say. If there's any doubt in committee, I would be quite prepared to entertain a House amendment, but our interpretation is to the contrary. I hope that clarifies at least that part of it for the hon. member.

Mr. Speaker, I move second reading of Bill No. 96, An Act respecting the Provision of Legal Services to Certain Persons in Saskatchewan.

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

Yeas – 34

Devine	Schoenhals	Rybchuk
Muller	Smith (Swift Current)	Young
Birkbeck	Weiman	Gerich
Lane	Bacon	Domotor
Muirhead	Tusa	Embury
Sandberg	Hodgins	Dirks
Hardy	Sveinson	Hepworth
McLeod	Glauser	Myers
McLaren	Schmidt	Johnson
Garner	Smith (Moose Jaw)	Baker
Klein	Martens	Folk
Katzman		

Nays – 7

Blakeney	Koskie	Shillington
Thompson	Lusney	Yes
Engel		

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Sandberg that Bill No. 93 – **An Act to amend The Liquor Licensing Act** be now read a second time.

MR. ENGEL: – Mr. Speaker, I propose to talk about Bills 92 and 93 together and have remarks together on both bills. Mr. Speaker, the remarks I make on 92 would apply to 93.

MR. SPEAKER: — Order, please. The only bill on the order paper that you can speak to is 93.

MR. ENGEL: – Thank you, Mr. Speaker. I should have looked at the blues, but it'll just be 93. And I think there's two things that I'd like to say at the outset, Mr. Speaker. Since my memory in this House . . . (inaudible interjection) . . . It's short, as short as the member from Lumsden-Qu'Appelle, because we both started at the same time. We both started at the same time . . . (inaudible interjection) . . . and when bills were introduced that would arouse the interest of church groups and bills that related to conscience, if I may call them that, ever since 1971, Mr. Speaker – and that's as long as I can testify to – we had what we called a free vote. I can remember one time when I was sitting on that side. I was sitting behind Ed Whelan, and a private member's resolution was introduced to change The Lord's Day Act. The bill was discussed and when noses were counted, it sounded like this bill would pass. But when different members raised some objections to it, the bill was defeated. The government wasn't embarrassed. Another time I can remember when a bill was introduced and at least 17 or the members present here that are in the government now were around. We discussed the bill, and when those that had some strong convictions against horse-racing and betting and thinking that that is just going to degenerate or add further to the moral fibre of Saskatchewan, we had the vote and we defeated that bill.

Today we've got a bill that's altogether different than those two bills are. Today we're discussing a bill that is not going to affect somebody – just a conscience vote – whether we should be doing it on Sunday or not. It is going to affect the very welfare and health of many people. It's going to make a difference whether some young people are going to be active, productive citizens or are going to be toted away because of car accidents because of additional consumption of alcohol. I feel very strongly about this, Mr. Speaker. And I think any measure, any measure that would increase the consumption of alcohol, any measure that would increase the consumption . . . There are those in this House that I would really expect would stand up and let their colours be seen and would demand of their caucuses a free vote. Tonight I want to register the fact that I'm sorry . . . I am sorry tonight that we had the member as Speaker that is Speaker, because I feel sure, I feel positive, that if he were sitting in one of those seats there, he would stand up and speak on this issue. I'm so disappointed in some of the other members. I'm not going to name them, because they know who I'm talking about, and all three of them are sitting in this House. I'm very, very disappointed that none of you stood up during the debate to this point – and maybe you will still tonight – but why you didn't stand up in your caucus and say, "On this issue we have a free vote and I'm going to vote according to my conscience". . . (inaudible interjections) . . .

I'm not talking about the member from Weyburn; I'm talking about his seat-mate. I know where his seat-mate stands on the use of alcohol. I know that he doesn't use a drop of it and he doesn't believe in it and he's preached against the use of alcohol. I haven't heard him give his declaring sermon. I've heard him talk in this House about the Reds that sit over in this corner and that churches were going to burn down. But when it comes to issues that affect the lives of young people, he's misusing his calling. He's misusing his calling by not standing up and speaking for what he believes. I could do the same message about my friend from Arm River or the member from Morse.

I think it is terrible that we have to stand here and argue with the government that is only using a dollar sign; that is only a using a dollar sign to measure whether we should proceed with Bill 93 or not. I don't know of another measure that is an advantage to proceeding with Bill 93 or not. I don't know of another measure that is an advantage to proceeding with Bill 93 other than that almighty dollar sign. And you'd sell your souls and the soul of the young people of this province for the almighty dollar. I think it is terrible; I think it is terrible. I think that we're dealing with the bill tonight . . . We are dealing with the bill tonight that is going to rain heavy on the hearts and conscience of many of the members that are sitting in this House, because this party was led by a man, when he was chosen as leader, that counted his fingers. I watched him on my TV set, and I thought, "Here we've got a guy that's got a conscience. Here we've got a party leader of the second party in Saskatchewan that's got a conscience, " and he stood up and the first one he counted, he said is "God first."

God first – and if you'd talk about any religious inclination at all, and you measure this bill on any standard at all . . . I wonder what standard he used when he was measuring whether we should proceed with opening up and more liquor sales. Opening up more liquor sales, opening up the sale of liquor and connecting liquor with young people in sports, and giving that opportunity to open up sale of liquor in sporting events. That is supposed to be a moral issue from a party that chose to say and advertise in campaign, and their leader did, that, "Number one, we're going to look after your moral issues of this province." That's looking after the moral issues, Mr. Minister. That's looking after the moral issues. Weigh it by a dollar. Weight it by a dollar – we'll pay for our sporting events if we sell liquor, but we're not gong to be concerned with what it does to our young people and what kind of an example we set to our young people.

I have before me here a special resolution from the United Church of Canada, at their conference on May 30, 1983, just past. They brought this resolution forward as a special resolution – wasn't in the ordinary resolutions – and to do that they had to have unanimous consent. There were 500 delegates supported this resolution unanimously on May 30. And they talked about alcohol advertising and sales:

> Whereas alcohol, as it continues to be Saskatchewan's number one drug problem, and whereas alcohol is directly involved in over 50 per cent of the accidents and suicides which are the leading cause of death of teenagers and whereas alcohol sales at sporting events is certain to increase alcoholic consumption because it:
>
> (1) falsely attempts to identify alcohol with the health image of sports; and
>
> (2) makes it more difficult for young people to see athletics as an alternative high; and

(3) will further expose those under the age of 19 to public consumption of alcohol; and

(4) will in no way stop those who prefer wine or spirits from bringing their own, but will rather encourage this action due to the permissive atmosphere created; and

(5) will result in more accidents as fans drive home.

And then they've got a second section, Mr. Speaker, that I will refer to a little later on.

These delegates that gathered on May 30 to represent all the United Churches in this province of ours unanimously agreed that this is the kind of resolution they wanted to bring forward as their resolution number one as a substitute motion.

Here we have a party that says they're going to listen to the people, are prepared to jam and ramrod this thing through in the dark hours and the closing hours of this session. They waited till the last to bring it in. And, Mr. Member from Regina – the little fellow, I don't remember his riding – has a big laugh, and thinks that's a great joke to bring it in. This bill was before the House at the last session. Why couldn't it have been brought in earlier? And yet they have to ram it through. I can't see the big rush that this thing has to be passed now.

Mr. Speaker, the people of Saskatchewan who can't read their papers and follow them very closely . . . On May 28, "Beer and football, Never on a Sunday, " is the headline in the *Leader-Post*, May 28, 1983.

> Selling beer in Saskatchewan? Never on a Sunday, not even at Taylor Field.
>
> Consumer and Corporate Affairs Minister Jack Sandberg said not allowing beer to be sold at the football stadium on Sundays complies wit the regulations that government all other bars that don't serve full-course meals . . .
>
> We have 56 members with many and varied viewpoints. Some say there should be no proliferation of liquor sales, while others say we should bring the province in line with others," he said.
>
> Taylor Field will be used as a test case. If it works, Sandberg said the government will consider bringing in enabling legislation for referendums for other sports facilities such as race tracks in Regina and Saskatoon, and hockey stadiums.

So this bill, as it stands before us today, is exactly what it is – it's just a wedge in the wall; it's just opening up the door a little bit, I believe, also, that his statement that "Never on a Sunday" is a misleading statement, and I think maybe even misleading his colleagues intentionally, so they would support and go along with it. That is not quite as bad as it could be. So, if it works in Taylor Field and if they get it passed without too much trouble, then the next move is to . . . as he goes on, the article . . .

And I'm wondering why, when you have all this information before you, why would you be interested in promoting further sales, and even using the media to promote your

sales. I have here . . .

AN HON. MEMBER: — Stick to the bill. Come on now – stick to the bill.

MR. ENGEL: – I'm sticking to the bill. I have here an article that maybe many of you have read. It's from the January 31 issue of *Sports Illustrated* and it talks about violence out of hand in the stands. I wonder if the minister might indicate if he's read this article or not. I really think it would be well worth your while reading it. It's in *Sports Illustrated*, the January 31 edition. Let me turn to page 67 and just read a short section into the record, Mr. Speaker:

> Pat Sullivan's family operates the Patriots and he's a club officer concerned with crown control. Having listened to various theories about why spectators are so unruly, Sullivan says, in effect, that while the ideas are interesting, "the main thing is so many of the fans are drunk." (Pat Sullivan says, the rowdiness in the stands is because so many of the fans are drunk.)
>
> Many other sport officials have made the same observation. Buffalo's Don Guenther, the manager of Rich Stadium, home of the Bills, says he thinks 99 per cent of the arrests at games are related to alcohol.
>
> Dick Vertlieb now is an entertainment and financial consultant in Seattle, but in the past has been a general manager of three of the NBA teams – the Warriors, the Pacers, and the Sonics, and of baseball's Seattle Mariners. "The problem," he said, speaking of fan violence, "is (and here I'd have to use a little word "beep") . . . beer, beer. All the teams do is push beer and push beer, and then when someone gets out of line, they send the cops after the guy. When I was with the Sonics," he says, "there was no beer in the Coliseum and it was a family event; now it's difficult even to take your wife – it's an outrage."

He was involved with four stadiums down in the States . . . (inaudible interjection) . . . Pardon? Yeah. Foul language and beer and brawls and the rest.

> The connection between guzzling and fan violence needs very little explanation. Nobody's ever suggested that a good way to calm down a crown is to fill it to the gills with strong drink to a greater degree than at any other assembly, except perhaps stag conventions. Alcohol is made available to sports spectators and they are encouraged to use it freely. There are 63 stadiums and arenas in the United States that serve major pro teams. Beer is sold in 61 of them and hard liquor in 24. Only a handful of colleges sell beer at their games. This is almost universally accepted as a principal reason why collegiate crowds, despite their youth and exuberance, present fewer serious security problems than do professional ones.

I'd just like to stop here and indicate that my daughter was attending university in Bozeman, Montana, a college team that was at the top of the league. I went to a game when I was down in Bozeman, and it was a mild crowd. And if you think you can get any fans more loyal than college fans are, you've got another thing coming. And yet those fans weren't rowdy because no liquor was sold there.

> Why beer and booze, despite being named – and many executives – as a main cause of fan violence are so readily available is also fairly obvious. They are profitable. (They are profitable.) How profitable can't be precisely

> determined because teams and concessionaires don't routinely divulge sales figures. However, it seems likely that where beer is sold, it accounts for about half of the overall concession take. This would work out to about $500,000 a season generated by a team such as the Sonics.

So that's why you want to sell liquor in Taylor Field and at the sporting events – so you can make some money.

> Beyond the retail income, the alcohol business is profitable sports organizations in many other ways. Radio and TV broadcasts of virtually every major league game are sponsored in whole or part by breweries. According to a 1982 survey conducted by Simon Marketing Research Bureau, the heavy beer drinker is a sports lover. Male heavy beer drinkers represent 30 per cent of the total beer-drinking public and are responsible for nearly 80 per cent of the volume of beer sales. The relationship of beers and booze to sports is so profitable that managerial types are loath to finger, in part, sales as a contributing cause of fan violence. Invariably, they say the real problem is with contraband stuff, i.e., alcohol that's brought to the ballpark by fans and tourists. Brown bags are their bloodstreams.

And that's the argument our minister's going to stand up and make, Mr. Speaker.

I think it is obvious from the history that they have in the United States that booze and sports don't mix.

What about increasing the sales and in general, the additional increase? I have an article here from the WHO Assembly who wants to clamp down on alcohol, and for those of you that don't know who WHO is, it's the World Health Organization. They had a conference in Geneva:

> Alcohol-related problems have emerged as among the most serious public health concerns throughout the world placing intolerable strain on the home, on health services, and industry.

Says a study prepared for Untied Nations World Health Assembly. The assembly determines policies of world health organizations. The article goes on to say:

> In virtually all countries for which statistics are available, cirrhosis of the liver, often used as an index of the extent of general alcohol abuse, now ranks among the five leading causes of death among males aged between 25 and 64 years in the world.

Mr. Speaker, it admits that a complete elimination of the alcohol problem is nowhere feasible, and adds that a more realistic goal would be the reduction of its extent, gravity and duration. It recommends regulation of alcohol production, control of imports, and reduction of sales through limiting sales outlets and banning advertisement – just the opposite approach to what the minister's doing. Let me read that recommendation again. It recommends regulation of alcohol production, control of imports, and reduction of sales through limiting sales outlets." Can you hear that, Mr. Minister? Limiting sales outlets – that's not what we're doing here – and banning advertisement. And opening up this Bill 93 encouraged just completely the opposite of that, Mr. Speaker.

I mentioned this resolution that the United Church passed at their convention at the end of May. The next four points deal with alcohol advertising on radio and television.

> Whereas alcohol advertising on radio and televisions will inevitably attempt to show alcohol as necessary for a happy and full life, (2) will be aimed at increasing sales to young people and women, who are the two growing markets (the *Journal of Drugs*, issue fall 1978), (3) has been shown to increase long-term alcohol sales, and not only to promote one brand, but to boost industry-wide sales, (Harvard Business Review, 1978, did a study on that), (4) has been shown . . . (inaudible) . . . to increase overall alcohol consumption – most particularly among young people and whereas advertising on radio, television and print media, alcohol sales at sporting events had been consistently opposed by the Saskatchewan government's own alcoholism commission, which is charged with the responsibility of guarding the public health, therefore be it resolved that Saskatchewan Council of United Church of Canada strongly (1) oppose the sale of alcohol beverages at sporting events, (2) strongly opposes the advertising of any form of alcohol on radio, televisions and print media and (3) urge our church members to write letters opposing these moves to Premier Grant Devine, the Leader of the Opposition, Allan Blakeney, and local MLAs.

And I think that at that point, let me just read into the record a couple of letters that we received copies of. And one is from Grace United Church. And I wonder if the member of Weyburn knows where this church is from. It's on 210 3rd Street, Weyburn, Saskatchewan.

> Dear Premier Devine:
>
> In January 1983 the official board of Grace United Church . . . (this is January '83, mind you. That resolution and motion where they said to write letters to the Premier was passed on May 30, '83. This is January '83.) In January '83 the official board of Grace United Church forwarded a letter to MLA Dr. Lorne Hepworth. We are concerned about increasing the number of liquor outlets in the province, also the proposed sale of beer at Taylor Field. (Apparently Lorne Hepworth didn't do . . . or the member from Weyburn didn't do anything about it, and so they wrote this letter to the Premier.) . . . but now that the issue has just recently because a matter for public debate, editorial comments, letters to the editor, etc., I personally am writing to urge you to lend your influence to discourage the sale of alcoholic beverages at sporting events in the province as is being proposed for Taylor Field. Surely anything we can do re advertising and sale to lessen the potential for the abuse of alcohol can only serve our best interests health-wise and family-wise.
>
> Yours sincerely (and he signs it by his first name the minister of Grace United Church at Weyburn), Rev. Ross D. McMurtry.

I have another letter here from St. Paul's United Church in Estevan, Saskatchewan.

> Hon. Grant Devine, Premier
>
> Dear Sir:

> . . . from recent items in the public media. I gain the impression that very shortly your government is about to make announcements concerning, number one, the permitting of advertising related to alcoholic beverages in various forms of media in the province of Saskatchewan and number two, permitting of alcoholic beverages at Taylor Field and/or other sporting events of a similar later. As a concerned citizen, and one who has worked extensively with those addicted to these substances for many years, I write to protest this further availability and increased pressure regarding its social acceptance. May I also point out the great inconsistency of this proposed action and the statements of your Minister of Highways, Hon. Jim Garner. I support his proposed crack-down on drinking driving and those who drink and drive while suspended.
>
> I am concerned the increased availability and opportunities to drink only lead in the long run to greater social abuse and more people being afflicted with the disease alcoholism. Thus I write to express opposition to any loosening of the law regarding these matters. To approve these changes will benefit the few at the expense of the many.

And you know who Rev. Pullam is referring to when he talks about the benefit of the few. I have many more letter where, but I'm only going to refer to two more, and this one's addressed to our leader, Allan Blakeney.

> Dear Sir:
>
> I wish to register my opposition to sale of beer for any function at Taylor Field.

And another one that writes about Taylor Field says:

> Hon. Grant Devine
>
> Dear Sir:
>
> As a Saskatchewan Roughrider season ticket holder, I wish to voice my opposition to the sale of beer at Taylor Field. The implication of such a move are numerous: extra policing of sales, i.e. minors; more checking for drinking drivers; more rowdiness . . . (and she goes on). What about the benefits – a few dollars for the city coffers? Furthermore, I seriously question the results of the so-called polls of fans claimed by Mr. Rendek. I have not been able to find one season ticket holder who was questioned. On what does he base his statement that the majority favour this move? Our football games are family affairs. Let's keep them that way.

I give a hearty endorsement to that letter.

The one other argument that I want to develop, Mr. Deputy Speaker, is the argument contrary to what the minister told us when we were questioning them in question period. His argument was that advertising will improve the sale of a particular product, but not the overall. I have here a photostatic copy from the *Journal of Drug Issues*, Volume 8, No. 4, pages 339: "Alcoholic beverage advertisement and consumption. " A study was done and they say:

> Rather than competing for shares of an existing market, the alcohol beverage companies appear to be introducing new product lines, planning

> for overall expansion of the older products, and targeting new markets such as heavy drinkers, women and teenagers.

So rather than just improve the sale of one particular . . . (inaudible) . . . I think the last time I spoke on this in the other session I was referring to the advertisement campaign that Budweiser had when they were introducing a new product, "Bud," in Ontario. And the minister responded by saying that they maybe improved the sale of one product, but not necessarily the overall consumption.

The articles that I have found since . . . And North Dakota was assessing the long-term value of advertising, and as copied in the *Harvard Business Review*, January-February issue:

> The results are based on an exhaustive study conducted by William S. Comanor and Thomas A. Wilson, and can be of use to several industry-wide organizations. It is interesting that while the main determinants of industry demand are income and price, the influence of advertising is not inconsequential for certain private groups like canning, drugs, distilled liquor, and wine. In fact for the last two categories, that is, distilled liquor and wine, a one percentage point rise in advertising expenditures leads to a greater increase in sales than a one percentage point growth in income or a one percentage point decline in price.
>
> This calls into question the widely held belief that advertising never has any influence at the industry level, its main function being merely to affect the selection of brands within a market.

So they substantiate that argument that I made earlier that advertising doesn't influence one brand or another, but actually affects the level of consumption.

I think when we look at the problem with consumption of alcohol that we have . . . I picked up a copy of a sermon that a person made that I think a lot of you people know here and he titled his sermon, "The Heavenly Vision," and he made it at the Wesley United Church here in Regina, and it's Dr. Don Faris. I want to just quote, because of the intensive study Don did and how he devoted practically his entire time as a private member when he was a chairman of the special liquor committee. If anyone became, or knows and is aware of the problem of alcohol that's ever been a member, I would credit him as being one that is very concerned citizen. I'm just going to read a paragraph into the record of what Don said, and itemized so concisely as the major problem with increasing the consumption of alcohol.

> The leading causes of death of teenagers in Canada are accidents and suicides, and in both instances, alcohol is involved in over 50 per cent of the cases. A study of sudden death of Canadian Indians revealed that alcohol was involved in 66 per cent of all fatal accidents, 83 per cent of all suicides, and 100 per cent of murders.

That's interesting. Of all the murders that took place in that study that was conducted called "Sudden death of Canadian Indians," every murder was associated or connected where alcohol was involved. Alcohol is involved in 50 per cent of fatal accidents, 20 per cent of personal injury accidents, 20 per cent of sex crimes, 34 per cent of forceful rapes, 41 per cents of assaults, and 64 per cent of all murders involve alcohol, 38 per

cent of deaths from cirrhosis of the liver, 22 per cent of deaths from peptic ulcer, 15 per ten of pneumonia deaths, 32 per cent of deaths from cancer of the larynx, 20 per cent of all cancer, and 12 per cent of deaths from cancer of the buccal cavity and pharynx are involved with alcohol. That's a . . . When you take alcohol out of society, look at the tremendous death that's related to alcohol.

The other argument that I want to raise tonight, Mr. Deputy Speaker, is a person that's as known and as popular as far as his genuine concern about the consumption of alcohol and that's Dr. Saul Cohen. And he presented a brief to this special liquor laws and regulations review committee, and I don't see the chairman of that committee in here . . . (inaudible interjection) . . . No, no, no, this is the one you guys set up. The recommendations that Dr. Saul Cohen makes are as follows: "Recommendations on the basis of the foregoing information: . . . I'm not going to go through it because the government commissioned this study and has it. But did you consider these recommendations when you agreed to your caucus to promote the additional sale of alcohol? Dr. Cohen's committee – Alcohol Commission of Saskatchewan, he's the chairman – they made the following recommendations: one, that the present legislation and regulations prohibiting the print and broadcast media advertising of alcoholic beverages be maintained; two, that there be no change in the existing legislation and policies which strictly regulate the liquor industry's promotion and advertising of alcoholic beverages in this province. I wonder why he's so concerned about advertising, Mr. Speaker. Do you suppose that advertising maybe does affect the consumption anyhow, contrary to what the minister believes?

Number three, that there be no relaxation of existing policies concerning the licensing of liquor outlets or the establishment of liquor board stores and special vendors. Do you hear that one? There be no relaxation of existing polices concerning the licensing of liquor outlets or establishment of special vendors. Four, that no licence be granted to sporting events to permit the sale of alcoholic beverages. This government has just flown in the face of the Alcohol Commission of Saskatchewan. They have disregarded their work completely. They don't take into account the true facts of life. They don't take into their fact.

Maybe there's just one other area that I haven't touched on that might be an answer to why this government is so determined to move ahead. Maybe there's another reason why the government is so determined to move ahead and broaden the scope of sale of liquor and make liquor more easily accessible, move it into the sporting events so it's popular for young people to use – that's a target group; target studies in the United States have shown that – move it into an area where it's acceptable to people when they get enthused during a game and can pour down an extra glass or two. Maybe if I'd look at . . . Here's a list of some breweries and distiller: Carling O'Keefe, Distillers Corporation Ltd., FBM Distilling Co., Hiram Walker and Son, John Labatt Ltd., Labatt Brewing Co., and Molson's Breweries. I'm listening these seven for a reason, Mr. Deputy Speaker, because in 1981, these seven breweries contributed forty-four thousand, eight hundred and thirty-four thousand and eighty dollars to the Progressive Conservative Party.

AN HON. MEMBER: — How many to the NDP?

MR. ENGEL: – Not one cent to the NDP from these breweries – not one cent. In 1980 . . . (inaudible interjection) . . . I wish the Minister of Finance would get the records. In 1980, Carling O'Keefe put up $6,200; Distillers Corp., $10,000; FBM Distilleries, 6,600; this Walker and Sons outfit – I'd have never knew that it existed — $36,000; a

total of $80,183. In 1979, 61,000, and in 1978, a lesser amount. Maybe that's why you're so anxious to move ahead. Maybe that's why you're so anxious to move ahead with the liquor advertising, opening up of liquor sales. Because as I started my remarks earlier, for a buck you would sell the lives of the young people – for a buck you'd sell their characters and sell away their chances of making success of life, because the grabby thing about alcohol is that once they're hooked, they want more, and that's what these breweries are making their dollars on. And you're opening up the opportunities to sell it at sporting events where it's popular to go. You're creating an atmosphere that will create rowdiness like they had in the sporting scenes. I'd recommend all of you get yourself the January 3 issue of Sports Illustrated and read this article, "Violence Out of Hand In the Stands." Read it—read it and see why you would sit by, why all of you would sit by.

I urge some of my colleagues that are colleagues through church affiliation to stand up and be counted, but the rest of you, I say, think of the decency of what you're trying to do, think of the implications that's going to be down the road. How are you going to turn it back once it's done? How are you ever going to take it out? Here are these people that are spending millions of dollars on crowd control. It talks about mobs that got so violent that stadiums broke down in Mexico in their drunken brawls, and thousands of people were killed.

And you want to . . . When you have a chance for violence – to control it – you would bring alcohol into the stands. I think it's ridiculous; I think you're moving too far on this one; I think you should take a second look at it and do the wise thing like you did in the last session and leave it die on the order paper. I think that's what you should do with this liquor bill, Mr. Deputy Speaker. Thank you very much.

SOME HON. MEMBERS: — Hear, hear!

MR. MUIRHEAD: – Mr. Deputy Speaker, it's a pleasure for me to respond to the challenge by the member from Assiniboia-Gravelbourg to say a few words concerning this bill.

The first thing I'd like to say: the NDP could be in a lot of trouble the next election because they received a lot of money from the sale from the booze companies after they heard the stand you've taken here tonight. But my stand, Mr. Deputy Speaker, is this way. We have discussed this bill in caucus. The majority decided the democratic way would be to let the people decide by the way of a vote in each city of town, the same way it has been for many years. As for Taylor Field, concerning liquor to be served, my stand is I'm definitely against it – 100 per cent against it. My son and myself have attended football games for five years – we have season tickets – and I, along with the many letters I received from my constituency, do not want liquor in Taylor Field.

But, Mr. Deputy Speaker, this isn't what this bill is about. This bill is to give a freedom of choice by way of a vote to the people of Saskatchewan whether they want liquor in Taylor Field or other such sports activities . . . (inaudible interjection) . . . Now, Mr. Deputy Speaker, I was very quiet while the member from Assiniboia-Gravelbourg expressed his views. I feel very strongly, Mr. Deputy Speaker, that by giving a vote to the people that there is just as good a chance that they can turn it down, maybe more so, than they can say yes to it. I have full confidence in the people of Saskatchewan, that they'll vote the way they wish on this bill, the way their heart decides them to vote.

I have contacted a lot of people, Mr. Deputy Speaker – church groups – and I have

people that are all saying to me that they are against liquor in Taylor Field, but they are very satisfied, Mr. Deputy Speaker, that we're compromising in this way, bringing it to a vote, so that the people of Saskatchewan will have their own say in this manner.

Mr. Deputy Speaker, I as a Christian do take a strong stand, along with many of my colleagues, that we are against promoting liquor. But we are not by this bill promotion liquor. We are . . . I congratulate the minister, the Hon. Mr. Sandberg, for bringing this bill in in this manner. I think by bringing the bill in in this manner, and giving each and every individual a free vote to vote the way their conscience guides them, is the democratic way and I stand very strongly and I thank you for the chance to say these words, Mr. Deputy Speaker. Thank you very much.

HON. MR. SANDBERG: – Thank you, Mr. Deputy Speaker. This bill is essentially a housekeeping bill, and a bill with enabling legislation which allows Reginans to decide through referendum whether or not they want light beer available at Taylor Field during Canadian Football league games. I commend my colleague from Arm River, and I respect his views as he stated them just a few moments ago. The people of Regina will have the same opportunity as the member from Arm River to state his views through a referendum.

The members opposite never cease to amaze me when they cry alarmed and doom and gloom. Their arguments are hypocritical when they shout, "Proliferation, proliferation, proliferation"; the member from Assiniboia-Gravelbourg and the member for Quill Lakes, shouting, "Proliferation, proliferation." Let me have a look at the facts, Mr. Deputy Speaker, and point the finger back at the members of the opposition, because when they point the finger over here, they've got three fingers pointing back at themselves.

The facts are this, Mr. Deputy Speaker: that in 1978 to The Liquor Licensing Act, dining-room and cocktail licences allowable, for example, in the city of Saskatoon were 44. This is when those members opposite were in power. The city of Saskatoon was allowed 44; then they update the legislation in 1979, Mr. Deputy Speaker, and the legislation then said Saskatoon could have 88. You talked about proliferation. You went from 44 to 88 in 1978. They sit over there with their pious pontificating, Mr. Deputy Speaker, pointing the fingers at us when they're all pointing right back at them. And then 1980, to top it off, Mr. Deputy Speaker, they took the limit off completely. They took the limit off completely, and they stand there and point the finger at us. Hypocritical – they never cease to amaze me.

So again, Mr. Speaker, pre-1978, 44 licenses allowed in Saskatoon as far as dining room and cocktail licenses are allowed – NDP power. 1978, they upped the limit to 88, 1980, they took the limit off completely. And now, Mr. Speaker, in Saskatoon there are 151 dining room and cocktail licenses. Hypocrisy of the highest order coming from the hypocrites on the opposite side of the House.

The member who spoke on this bill tonight wanted to speak on Bill 91 in regards to special vendors. Well let me quote some of the letters that NDP members opposite wrote when they were in power. And I quote from MLA Edgar Kaeding, NDP Saltcoats, dated January 1980 to a constituent:

> I am forwarding your request to the Hon. Mr. Cowley, minister responsible for the liquor board, asking he give your request consideration if and when the vacancy or further expansion takes place for liquor vendors.

There's an NDP MLA asking for proliferation. And a letter from Reg Gross dated March 14, 1979, to the minister responsible for the liquor board.

> A person (in village A) would like to receive a special liquor vendor outlet. I would appreciate if you would place her on the standing list in the event more permits might become available.

NDP MLA Reg Gross. Then there's another here from one MLA A.S. Matsalla for Canora, March 1969, to the chairman of the liquor licensing commission.

> There appears to be a desire to establish a liquor outlet in the village of . . . (village A). I trust the commission will give their favourable permission to the request.

And I could go on and on and on. One from the former member I defeated in Saskatoon Centre, dated September 1974, to the minister responsible for Saskatchewan Liquor Board:

> For quite a number of years various citizens in Kenaston and area have expressed interest in the establishment of a special liquor vendor in Kenaston. Needless to say, various regulations have condemned the citizens of Kenaston and are to travelling thousands of miles yearly to other centres to purchase their liquor.

Another letter from Mostoway on the same subject. A letter from MLA Norm Vickar, NDP for Melfort, January 1980:

> It's not because Ridgedale was not deserving of a vendor that they were turned down. It was because Saskatchewan has a limit of 145 vendors for the entire province.

He didn't even know that his legislation said 135, Mr. Deputy Speaker. And a letter from the hon. member for the Quill Lakes over there, who stands up in his pious, pontificating, hypocritical way. And he says in a letter dated December 7, 1979 – a letter to the chairman of the liquor board:

> Please (please, Mr. Chairman) advise me whether there are any appointments available and whether the board would approve establishing a special vendor in St. Gregor. As you may appreciate, we are endeavouring to keep all small businesses viable in the smaller communities.

Hypocrisy, piousness, pontificating from the brand of ape over there, who were dumped on their tails on April 26, 1982. It's incredible. It's incredible, Mr. Deputy Speaker, I am not here to defend the sales of light beer in Taylor Field. As I've said, we are providing enabling legislation for the city of Regina that voted in its council five to four to ask the Liquor Licensing Commission that they be allowed to serve light beer in Taylor Field.

They've quoted letters from various citizens of Saskatchewan and I respect their right to do so, and the rights of Saskatchewan citizens to voice their opposition to the sale of light beer at Taylor Field. But I have a letter here in the Saskatoon *Star-Phoenix*, and I quote part of it:

> I'm strongly supportive of educating our young about the responsible use of alcohol. However, in my opinion, treating alcohol as a substance which is necessarily harmful is misleading and also creates a mystique about it, which enhances its appeal to the young. Most people at sporting events will not consume quantities of alcohol in an irresponsible fashion. The responsible use of alcohol at these events will serve as a more effective role model for the young than preaching abstinence.

The members opposite will also know that in the province of Manitoba, they instituted the sale of beer at their stadium in Winnipeg in 1970. And I quote from a part of their documented report:

> The experience with the sale of beer at major sporting events in Manitoba is reported to be favourable. Generally there were some problems, initially, but with better policing and with points of sale being restricted to certain areas, the complaints are now few. Beer is sold beginning an hour before the event and up until the third period at a hockey game or after the third quarter at football games.

Permissive legislation in Manitoba was passed without reference – without reference – to opinion polls or referendums. And I might quote also from a report made at a recent forum here in Regina, from a fan who put it succinctly at that time. He stated:

> I would rather get hit with an empty plastic cup than with an empty whiskey bottle that has happened on some occasions.

And finally, Mr. Speaker, I would quote from report in the Saskatoon *Star-Phoenix* January 27, 1982, a report compiled by Canwest Opinion Results Group:

> Beers sales favoured at Roughrider games. (You're so handily reporting from newspapers all the time, have a look at this one.) The majority of people in the province of Saskatchewan favour it. As a matter of fact, up to the age of 50, 67.7 per cent favour the sale of beer at Taylor Field, 27. 6 per cent are against, and 4.8 per cent don't have any opinion.

So as I've said, Mr. Speaker, this legislation, this bill, is mainly housekeeping. But as it relates to the sale of light beer in Taylor Field, we are simply providing enabling legislation so that through the democratic process of a referendum, the people of Regina can state their opinion on this controversial matter. I urge all members to support the bill.

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

Yeas – 31

Muller	Schoenhals	Rybchuk
Andrew	Smith (Swift Current)	Young
Lane	Boutin	Gerich
Muirhead	Weiman	Domotor

Sandberg	Tusa	Embury
Hardy	Hodgins	Dirks
McLeod	Glauser	Myers
Garner	Schmidt	Johnson
Klein	Smith (moose Jaw South)	Baker
Katzman	Martens	Folk
Duncan		

Nays – 6

Blakeney	Engel	Shillington
Thompson	Koskie	Yew

COMMITTEE OF THE WHOLE

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Bill No. 103 – An Act to establish the Office of the Public Trustee

MR. LANE – Mr. Chairman, I'd like to introduce Mr. Ron Hewitt, who is familiar to members of the Assembly, co-ordinator of legislative services; Lorelle Schoenfeld, acting official guardian; behind me, Don Spicer, administrator of estates; and Paul McPhie, executive director of property registration and management.

Clauses 1 to 12 inclusive agreed to.

Clause 13 as amended agreed to.

Clause 14 to 17 inclusive agreed to.

Clause 18 as amended agreed to.

Clauses 19 to 22 inclusive agreed to.

Clause 23 as amended agreed to.

Clauses 24 to 28 inclusive agreed to.

Clause 29

MR. SHILLINGTON: – It has no particular relevance to section 28; it does have relevance to the official guardian and perhaps I'll ask it before we get off that section. It relates to the rate of interest to be paid on funds held by or on behalf of official guardians. There have been complaints, Mr. Minister, that the rate of interest is not always the current rate, and that the rate of interest paid to infants by the official guardian is less than the going rate. I wonder if there's – and I may have overlooked it and would readily admit that I have might have – is there anything in here which sets that rate? And if, as I suspect, it's set by regulation, how is the actual rate determined?

HON. MR. LANE – Well, in second reading I referred to the ability under this act to allow separate investments and fixed-term security so that may vary from time to time as they're held on behalf of individuals. So this is a new provision that didn't apply before. They were pooled before and they attempted to get the best interest rate, but

they could easily fall behind based on the timing of the investment. With fixed-term investment and the separate accounts which are not going to be allowed, that should be more in tune with the best interest rate and the public will see it as a more direct relationship.

MR. SHILLINGTON: – So do I assume that if funds held on behalf of an infant are large enough to justify it, his funds are separately invested; if they're small, they're put in the common pool – is that what you're telling me?

HON. MR. LANE – That could happen; that would probably happen under section 48, but I can foresee a situation where perhaps a parent or something wants a smaller amount invested separately, and that provision as well, is set out in section 48.

MR. SHILLINGTON: – Do I understand, Mr. Minister, that by and large from here on in where it's at all feasible, the actual investment income will be transferred to the infants, less the fees and expenses which are charged to the investment income? The system before was that they were paid a fixed percentage and it was widely criticized as being below the going rate. I'm not sure that I understand your current system.

HON. MR. LANE – If a parent requires the funds for maintenance of the child, it may be better to leave it in the common fund because it could be withdrawn monthly, or I suppose, bi-monthly or bi-weekly, and so you wouldn't want separate investments in that case.

MR. SHILLINGTON: – Just so that I understand it, perhaps this is a hopeless challenge, but just so that I understand it, where feasible the funds are going to be invested in fixed term investments and the income transferred to the infant. Is that accurate?

HON. MR. LANE – Again, assuming the parent is requesting it.

Clauses 29 to 34 inclusive agreed to.

Clause 35 as amended agreed to.

Clauses 36 to 38 inclusive agreed to.

Clause 39

MR. SHILLINGTON: – Mr. Minister, how are expenses for these purposes determined? And is that any different that the fees which may be prescribed to the public trustee for services performed by him under section 54(h)? I'm just wondering, what does "expenses" encompass? It's obviously not what I think of as a disbursement. What is an expense?

HON. MR. LANE – This refers to situations where perhaps the person . . . there may not be adequate funds and we may have to from time to time borrow for their maintenance and care, I believe is the situation. So, to supplement the funds if there is an inadequacy.

Clause 39 agreed to.

Clauses 40 to 41 agreed to.

Clause 42 as amended agreed to.

Clauses 43 to 48 inclusive agreed to.

Clause 49

MR. SHILLINGTON: – Yeah, with respect to 49 actually. With respect to having his costs taxed or fixed on these estates, a trustee's cost are fixed in payment for . . . A trust company who is acting as an executor might have their fees fixed as an executor, or a lawyer might have costs taxed as a solicitor. What exactly is the court being asked to tax here . . . or fix? Is it just the costs on a solicitor and client basis? Is it the costs that an executor might get, or what exactly are you doing here?

HON. MR. LANE – Well, it would depend on the circumstances. It may well be that the public trustee may have counsel, in which case there would be a taxing provision or fixing. There may be a question of determining assets or an accounting, or whatever, that would have to be fixed and determined. So the court has that discretion.

Clause 49 agreed to.

Clauses 50 to 53 inclusive agreed to.

Clause 54

MR. SHILLINGTON: – With respect to clause 54(h), has it been the practice of the official administrator of the official guardian to charge a fee to estates, which are administered, and if so, how is that fee determined?

HON. MR. LANE – As far as the official guardian is concerned, the fee is deducted from interest that is credited to the individual's account, and under The Infants Act, it's limited to a maximum of 5 per cent. The present fee is 0.097 per cent. I'm attempting to get the exact calculation from the administrator of estates' schedule and I'll supply that to you. If you want it immediately, we can wait for a minute, or I'll undertake to supply it to you . . . (inaudible) . . . On an annual basis, I per cent of the gross of the estate, 5 per cent of the income for pensions and investments, or 7 per cent on income on rent from crops.

MR. SHILLINGTON: – And those are all charged – all those fees are all charged in every case?

HON. MR. LANE – I'm advised that they are.

MR. SHILLINGTON: – I gather they're not being changed.

MR. LANE – We have no intentions of changing them now. It will be set by regulation, of course.

Clause 54 as amended agreed to.

Clauses 55 to 56 agreed to.

The committee agreed to report the bill.

Bill No. 82 – An Act to amend The Department of the Environment Act

Clause 1

HON. MR. HARDY: – Mr. Chairman, I have Bill Howard, executive director of environment protection services.

Clause 1 agreed to.

Clauses 2 to 7 inclusive agreed to.

The committee agreed to report the bill.

Bill No. 89 – An Act to amend the Provincial Lands Act.

Clause 1

MR. CHAIRMAN: — Would the minister introduce his officials?

HON. MR. ANDREW: — Jack Drew, Ian Phillips, Mike McAvoy.

MR. ENGEL: – Mr. Minister, during second reading debate – I'm not sure if you were present during that or not – but the major concern . . . Maybe your officials look at those concerns and have some answers. My concern is that the responsibility for administering the large open land down the southern half of my riding was given to Saskatchewan when your former colleagues, way back in the early '30s, were administering the province and I think those areas have stayed virtually the same way in the last 50 or 60 years as they were when we got them. I think the reason for transferring them, from some of the history that I've read and looked at, was that the province would better be able to manage that land in such a way as to maintain that kind of a wilderness, rough heritage way – just the way it was created.

I'm concerned that your new policy, striking out the one-section-limit-sale, will tend to have land-hungry guys – and there's people like that around, all over, that are big farmers and are anxious to expand – and those kind of people might decide to broaden their horizons into that precious area in the South. I think the land sale policy precisely was set up and I believe in selling off some lease land around the province. There are little parcels of land that cost you more to administer. That's nothing new. That was in place. Read your act. You guys are clapping as though that you'd done something wonderful and visionary and all of a sudden thought of something new.

What you're thinking about and what I'm really worried about is that in your greed to fix up the treasury, you're selling off all kinds of land. I don't think you should be looking at selling some of these large tracts or even anywhere near them, in the Cypress Hills range and on what we call the "Bench" down there, and that kind of area. What do you feel are some governing points in there that are going to assure me that land will stay the way it is?

HON. MR. ANDREW: — Well, I think the biggest thing that can assure you is perhaps we take a different view of things than you do. Our view is that the farmer of Saskatchewan and the rancher of Saskatchewan has a genuine interest in preserving the land, is probably the best steward of the land, and quite frankly we as government believe that

the individual farmers and ranchers of this province can do a better job than we as government in ensuring that that land is protected and developed and brought on. That's how this province was built. That's how the farmlands, some of the richest farmland in the world, was developed – by the farmer, not by the government. I believe that the ranchers in your area, the ranchers in any area, will do a proper and valid job. Those that don't tend to go by the wayside to be replaced by those that are good stewards of the land.

MR. ENGEL: – You're missing the point, Mr. Minister. I'm not talking stewardship. I'm not talking soil management. I'm not talking soil nutrients. I'm not talking anything like that at all. I'm talking about a wilderness area that has a fence every 36 miles and in between that that's exactly the way it was created other than a, you know, a cow wandering over it since the buffalo are gone. That kind of preservation is what I'm talking about. And are you trying to kid this House – you know, mislead it would be better word, Mr. Deputy Speaker – and say that selling that land isn't going to change that kind of a concept? Is this what you're trying to tell me or don't you understand what the difference is?

HON. MR. ANDREW: — Obviously, there's a clause in the bill that indicates that the critical and delicate areas will not be sold; they will be preserved. But it seems to me that a rancher or a farmer will take a pasture area and will graze it and will look after that land. That's the purpose; that's the function of it. They've been doing it for hundreds of years across the world and the farmers . . . I think we have a great deal of faith in them and the ranchers, we have a great deal of faith in them. The ranchers of Saskatchewan are not going to mine the grasslands of this province. They are going to protect for themselves. They are going to protect them for their children and for their grandchildren. They've done it for five decades in this province – for five generations in many places – and they are going to continue to do it. I have confidence in those ranchers of Saskatchewan; perhaps you don't.

Where it's delicate, clearly the government has a responsibility and we have retained that responsibility in the act. But where it comes to a question of ownership by government, ownership by the individual farmer, quite frankly, we make no apology for our view of the farmer owning that land, that he will protect that land far better than government, quite frankly, and I think all you have to do is look at some of the land bank land around this province, compare it to the freehold land, to the deeded land and clearly, it's well protected.

MR. ENGEL: – You're missing the point, Mr. Minister. You are not listening. You are not listening and let's go through this again. I wish we could have gotten the Minister of Highways or a constituent that . . . a minister that has relatives down in my constituency . . . the minister in charge of Northern Saskatchewan, anybody that has maybe some farm experience to listen to this. Now, I'm not sure that my learned friend knows anything about farming if he thinks I'm talking about preserving the land for future generations as far as cultivation and so on is concerned. I'm not talking about that. I don't know, do I have to go through analogies and take you from one country to the next and talk about the different approaches countries have as far as preserving some delicate land? Now you say that the delicate land is preserved. Now let's take a fine point. Does this delicate land start 12 miles south of Glentworth or 14 miles south or 20 miles south? And by selling off parcels of land, as these people buy it, as these people buy it – and I can take you down and show you, in my term of office, I know places that I don't recognize when I go back there. I've hunted since I was a kid in some area there that was owned by a little fellow from Switzerland, this little Swiss guy and while

he owned it . . . And he was short. He was shorter than you are. He was really short. And anyhow, this gentleman was a good friend of mine and he took me hunting, many trips. When he passed away and that land changed hands . . .

I go down there now – I can't find those valleys. I can't find that bush. I can't find those side hills where deer used to hide. They're gone. They're gone. That land has been worked by two four-wheel drive tractors and it's as plain and flat and cultivated like my farm is. You can't tell that there was bush, that there was springs there, that there were good valleys and fertile ground. That's gone. It's sold. It's worked up. It's cultivated, and for the desire to make a buck off of growing wheat, they'll cultivate it. Now that's different. That's different. And that might be perfectly good management to feed 100 people. I'm not arguing that point.

What I'm saying is, here's a portion of Saskatchewan in the South that is beautiful, that's untouched, that is natural. It's never been cultivated. If that land in the large lease blocks was transferred from the federal government to Saskatchewan's jurisdiction with some provisos in there to maintain some open grassland, my defence of that area would be, let's leave it untouched. Why sell it? Why sell it? Nobody's living within 100 miles of the area. They drove their cattle down there is the spring and they take them back in the fall and the land has virtually no roads – nothing. It's wide open. Look at a map some day and you start in the Killdeer country and you slowly work your way north and west and that land is wide open. The roads stop. Everything stops. There's nothing down there. No railway, no roads, nothing. It's wide open for miles and miles and miles, Mr. Minister. Lots of miles.

I know one person whose pasture fence, dividing fence, is 36 miles north and south. That's a long way. Can you fathom how far it is fro 36 miles without a gate? Can you fathom that? And that's wide. That's big; there's a township there in one pasture and I'd like to see that land stay intact. I don't want to see you chipping away at little points and if you're going to tell me you're going to chip away at that land, I'm going to keep you here all night. I really am, if you don't understand what I'm talking about.

HON. MR. ANDREW: — To read the eligibility:

> Sales may be refused where (a) land may be required for higher economic or public use or use by other government agencies; (b) lands are classified as critical wildlife habitat or environmentally sensitive.

Those are determined by the government on parcel by parcel as it is sold.

> Saskatchewan tourism and Renewable Resources will have the first right of refusal regarding sale of land classified as critical wildlife habitat, lands that are fragile in nature (lands that are fragile in nature – they will be determined on a quarter-by-quarter basis) . . . lands containing sand or gravel deposits will be exempted. Lands containing commercial timber unless the value of land is the sale price. Land cannot be classified as permanently dry. Lands that border major rivers or bodies of water.

Those are the same basic regulations that were in place before and the government is the ones that determine that. But it can go on all day.

You say I have no knowledge whatsoever of farming. My grandfather came to this province, my grandfather came to this province and homesteaded. And the same logic could apply to say, "No, you shouldn't come." There was perhaps several thousands people in Saskatchewan at that time. The same argument could have been made back in 1905 to say, "No, don't come; leave this ground untouched." Quite frankly, to develop that land from 1905 to the present time, I think we've made a contribution both to Saskatchewan – it's not been us; it's been the pioneers and the people that have farmed – but also to the world, and we produce food for the world, and we produce economy for the country.

And everybody is going to be cognizant as each quarter section is determined whether it should be sold or not, will make that determination whether it's valid or not, whether it's sensitive, whether it's fragile. But clearly to say, Stop everything, don't allow land to be sold, don't allow land to be sold because somewhere you're going to challenge the nature of it. And that is simply what we're dong with this bill. Surely we're going to transfer some of that land. We're going to transfer some of that land, but I have confidence and the members of this government have confidence that the farmers and the ranchers of this country are probably the most sensitive to the preservation of land.

I have ranchers all along the south of my constituency; they've been on that ground probably for 50 or 60 years. They take far more pride in that ground, in the valleys, and in the bushes, than any government ever did, because to them that is their life – the soil. And they want to pass that onto future generations. And they take more pride, I suggest to you, than any government, any department of government, any politician, because they have grown up with it – it's part of them. I suggest that what you're really talking about is that we cannot any further have any development.

MR. ENGEL: – Mr. Minister, as a learned person and a member of the bar and the law – I thought you were trained in a good university in Saskatchewan – you said exactly what I didn't want you to say, exactly what I didn't want you to say. You know, that part of Saskatchewan where there are no roads and where the fences are 10 and 12-plus miles apparent, is very, very much like this part of Saskatchewan was when the last spike was driven and the railway came through here. And this part was developed, was ploughed up and was cultivated, and we pushed the extremities of this cultivated land right down to that very edge. And by not having a restriction in there on how big that parcel of land is going to be, exactly what my fears are in what you said. You trust people to be good stewards like your grandfather was that came here. That's exactly what I'm telling you is going to happen. If you want to stand up in this House and say that you'll see selling off this pasture grazing land an if it's good for cultivation purposes in the guy's eye . . . You know, I've got neighbours; I'll tell you a story. I've got a neighbour . . .

AN HON. MEMBER: — Is this a bedtime story?

MR. ENGEL: – I've got a neighbour . . . This is not a bedtime story; this happens to be the truth, my friend. He went down with two Versatile tractors, down in to Oklahoma . . . bought up about 7.5 — $8 million worth of land. The fellows down in Oklahoma told him, "That is prairie land that should stay prairie. We know it is." And he went and ploughed this stuff up three or four years ago. Today they had a little bit of a drought in there; this year has been tough; they were told to cut back on their acreage. That land, I am told, is blowing for a fifteen-mile stretch, where he cultivated up these 200-and-some-thousand acres of land. And he broke this land up which was virgin prairie.

Now those kinds of things . . . when this land is for sale, this can happen down there. You get a couple of good wet years like we had in the last three or four years; we'll try and cultivate that up. If I have a chance to buy it – and as good a steward as I am and as concerned as I am about the area – but I've got some payments and commitments to make. It's my land. So I'm going to decide I'm going to plough up this valley; it will grow great. And I'll plough it and work it for awhile. Then I'll sell it to my seat-mate here and he'll come in and he has a little better equipment and a little bigger tractor and he'll move up the side of the hill and pretty soon the whole area is ploughed up and we get a couple of dry years and the stuff starts blowing.

You tell me about good stewards, Mr. Minister. Sure this land is producing from way up north of Meadow Lake right down to south of Glenworth; it's producing all the way down. And in between those areas – sell it off. Sell a section here and a section there; I'm not arguing that; I never have. I encouraged the former administration to sell off those nuisance portions of lease land, be they cultivated or otherwise. I'm not against selling lease but I am against disturbing an area, and you have no protection . . . no protection in here to say that you will not sell off large parcels. Now maybe the one section is too small, I grant you. I even suggested that in my second reading speech. Maybe that one section limitation is too small where you're amending the act, and let's wait until amendment that eliminates the one section and opens it wide up.

I don't think we should go that far. I'm saying still leave a restriction on, and I even argued that when it's close to that it shouldn't be sold – just like the buffer zone around Wascana. We're not going to let people buy up land around the Wascana Park. I hope we're not. We never did. We might start now you're selling everything. But you might start selling this and get some more high-rises on here that hides the Legislative Building.

Now, you know that the same philosophy because the farmers in their desire, under the pressure to make payments and to make interest, are going to cultivate and fertilize and move that cultivated area further and further south. And I think we should try and avoid that at all cost. You have the land in the Crown now; it's not costing you anything to leave it there, and you can transfer the leases under programs, broaden those programs if you want to, give a leaseholder more lease. But I think the minute you start de-dividing this up and selling it, the cultivated line is going to move south and you just told me it would. Because you said they were good stewards when they moved here in the first place, and what you're saying is that you want to broaden your horizons down south. And I think you are not familiar with the area or you wouldn't do that. I'm sure you wouldn't do that.

HON. MR. ANDREW: — First of all, this legislation is not designed just for southern Saskatchewan. Number two, that there is the protection – there is the protection in the act . . . (inaudible interjection) . . . "Very vague, " he says. But really if you get down to it, if you get down to it, and we shake away everything – what you're really saying, what you're really saying is that the farmers of this province are stupid.

You're saying that the farmers of this province are going to mine the ground. You're saying the farmers of this province are not good stewards of the land. You're saying that the farmers of this province will simply go in there and mine it, take everything out of it, and just leave it and walk away from it. You might believe that; I don't, and I don't believe the farmers of this province would like to hear that talk from the members opposite that they are stupid; that they are going to mine this ground; and that they have no regard for the soil or for the future or to pass that land on to future generations.

MR. ENGEL: – Mr. Minister, you got done telling us there's protection there. Who's that for? How come you got protection there?

HON. MR. ANDREW: — How come we got the protection in there? I'll go through this again. We got the . . .

MR. ENGEL: – Oh, no! Why?

HON. MR. ANDREW: — Why have we got it in? We have got it in, my . . . (inaudible interjection) . . . Well, let's go to clause (b): "Lands are classified as wildlife habitat or environmentally sensitive." Now who can determine that? Obviously when it's wildlife the department of tourism and renewable resources must be involved in that to determine that particular point. Lands are fragile in nature – clearly if you want to protect, let's say, The Great Sand Hills out south of the river on the west side of the province, that's what I would call fragile. As a clear example of what would be fragile, that type of land would be protected

The argument you're making down in the south part of the province is the same argument that you advanced can be made, can be accepted. I can't go into a particular piece of ground and say whether it's fragile or it's not fragile, but to say the Department of Agriculture, the Department of Environment, are simply going to cover their eyes and sell it holus-bolus is not what we intend. We don't intend to do that . . . (inaudible interjection) . . .

Well, he says, "Follow it through." Here I heard the same guy standing up and say, "I'm not against selling land, I'm not against selling land." Talk about who's talking out of the side of their mouth. That's exactly what we're going to do. We're going to sell the land. We believe the farmer can handle that land better than the government can handle it.

Sure we're not going to sell land that's fragile. That is the responsibility of this government. Just as we're not going to allow buildings to be demolished if we see them to be heritage properties — the same thing, exactly the same thing. And we have acted on that. And then we'll look at it exactly the same way. This allow the government the opportunity to do that – allows it to sale. You indicate that you're not against that.

Now if you have a particular question about a part of your riding, I'm sure the officials in the Department of Agriculture, I'm sure the officials in the Department of Environment, the department of tourism and renewable resources, are prepared to sit down and hear your case. And clearly you can . . . (inaudible interjection) . . . are going to sit down and hear your case in a given type of situation and at any point in time. You can go in there Monday morning and sit down and map out what you see to be the problem. We'll sit down and have a good look at it. I think there's no problem there. I think you believe in your heart that the farmer is going to look after the land. Sure some farmers don't look after the land. We know that . . . (inaudible interjection) . . . I didn't say I trust them.

Most of the farmers of this of province do a good job. I have seen some guys in my constituency and the ones that tend to do a poor job, quite frankly, are the people that have rented land. And a lot of them are land bank lands – the ones that have land bank – and that's where the weeds grow up and that type of thing . . . (inaudible interjection) . . . I don't have what?

MR. CHAIRMAN: — Order. Allow the minister to give his answers. If you want to ask questions, ask the questions from your feet.

MR. ENGEL: – Mr. Chairman, if the minister isn't going to start answering the questions, I think we should maybe move to adjourn and go to another bill until the Minister of Agriculture can be present.

Now, I'll try him one more time. Okay? May I repeat a question?

Mr. Minister, are you going to do a definition of the land and a product inventory, may I call it that? Have you got an inventory of the land that you have available and the land that positively will not be for sale?

HON. MR. ANDREW: — I'm advised that the inventory list at the Department of Agriculture already has many of the fragile areas that they see built into it. The department of tourism have many of the fragile areas for wildlife already categorized and set out as to which parts of land would not fit into the lease part of this system.

Now, all I can say is that they are categorized. I suppose what we're really talking about, if you get down to it. . . Point number one, I think you indicated that there's lots of land, or there's significant chunks of land within the province that you would agree should be sold . . . (inaudible interjection) . . . Could be or should be sold whatever you want. Okay. It could be sold. And there's no problem with it. You have no problem with that.

I take it that you have no problem with the fact that there's certain tracts of land that should not be sold. I think you'd agree with the wildlife part, the fragile, the one we mentioned with The Great Sand Hills – that type of thing. So that's over here, and the other one is over here. So you come to the middle and you're talking about the grey area and that's I suppose that we're talking about. And that has to be done on a land chunk by land chunk by land basis. And if that's how you . . . (inaudible interjection) . . . Well, if you want to accuse it as political patronage, I clearly deny that. I clearly and categorically deny that's the way this is designed in any way, shape, or form. I would suggest that if the hon. member wants to make that charge, then he has perfectly the right to stand in this place and make that charge against us.

MR. ENGEL: – I'll make the charge on the record if you would like, that the way you're defining this is so that you are giving the minister the power to decide on the grey area. What I'm saying is: it would have been simple to leave in legislation a definition by size, because virtually all the parcels that are basically fragile are fragile by the very nature of their size, and just being a big parcel of untouched land is what makes it a fragile piece of land. Now, the minute you start chipping at this, and chipping at the edges and at the border, you destroy the very heritage we have down there; and one of the most beautiful parts of Canada or North America exist in that open area. You go down there and you really feel you're back to the days of the Old West, where it hasn't been touched. And I can't see why an amendment couldn't be in place where you're moving this section to delete the size reference where it says "A maximum of one section of provincial lands" under 27(1)(b). You can solve it right there. And then I know you're not being political on it.

Now, on these areas that you consider are the kind of land that isn't fragile, isn't a particular wildlife habitat, isn't a particular sensitive area, about how many acres you expect would be, or how many quarter sections? Just give a ball-park number that you think would be in a ball-park that would be about for sale. You know, just what's the

maximum limit that you could see us selling over the next 10-year period under this program?

HON. MR. ANDREW: — Well, I take it that you recognize the difficulty of answering that question with any degree of specificity. The fact that, you know, depending on what the farm economy does over a 10-year period, as to whether the farmer wants to buy a land or not . . . A ball-park area over 10 years is perhaps 2 million acres over 10 years. That's out of about 10 million acres, so we would see perhaps one-fifth over a 10-year period. And you know, given that, and perhaps your question with regard to what your view of the fragile nature of the land that you're talking about, I would anticipate that the bulk of the land is gong to be the situation where the farmer maybe has three or four quarters of deeded land within a pasture and simply sell off maybe a quarter, two quarters, three quarters within that deeded thing to make a unit. And that's really the function of it – it's certainly not to go out and somehow strip and ruin the soil and I don't think anybody would be responsible doing that, so I think given that number, it's one out of every five pieces of land. I thin you, if you sit down and look at the map, would find that most of that is going to be in that smaller unit type operation.

MR. ENGEL: – Have you officials checked with Saskatchewan and Manitoba implement dealers or whatever organization to try and come up with a number on how many heavy tandem discs and this kind of thing have been sold? Do you have a ball-park figure on sales of those kind of machines that are normally used for breaking up pastures compared to what was happening, say, ten years ago?

HON. MR. ANDREW: — The only thing I can do is . . . They don't have those figures. They could certainly take it under advisement and try to find that information for you and communicate it to you later on. But they wouldn't have that type of information as to how many pieces of heavy discs that have been sold over the last year through the various dealers across Saskatchewan. I wouldn't know that and it would be difficult to find, but they'll undertake to try to do it for you.

MR. ENGEL: – My understanding from discussion with them is that that's their hottest sale – hottest item – in equipment. Even the air seeder and the new theory that's coming out with air seeders takes second place to a heavy duty disc. I think that's kind of a picture of what's happening to some of our pasture land and how good the cattle business has been in general. Now there are parcels of land you fly over . . . Like I've said before, I'll agree with . . . that if I don't I'd likely break them up and try growing grain on it because I'm not a cattleman. Now maybe the member for Morse would do the opposite and take some of my land and seed it down to grass. You know there's that difference of opinion and so that's there.

Now, I guess I should have worded that question a little better, and when I said 10 years I thought that this would be a 10-year program. But of that 10 million acres, how much does your . . . What percentage of that do you consider will fall into that fragile, protected area type of thing that will never be for sale? This is really the kind of answer I'm looking for.

HON. MR. ANDREW: — I am advised that it's very difficult to give a conclusive answer just exactly how much is here and how much is there. You know if you start excluding PFRA pastures, community pastures, co-op pastures, the fragile land, the wildlife, then they don't have those numbers. I think in fairness, it's not sort of like the storekeeper and ask him how many cases of pork and beans he has and count it reasonably easy. I think the point that we'd like to make is basically this: what we're trying to do is basically

sell the land much as the way you indicated that you would not be concerned that that land be sold in various parcels. It's not the intention to simply sell off the whole, entire, south part of the province. That's clearly not the intention of this legislation. It's not the intention of this government to do that.

MR. ENGEL: – It wouldn't be that hard for your officials – and I see you've got some good ones sitting with you. It wouldn't be that hard for your officials to sit down and devise a better amendment. On this paper you gave me an explanatory note on section 27(1)(b) . . . You know, to drop that size reference entirely, to drop that size reference entirely throws it wide open. And do you know, it's just like we talked about that alcoholism bill a while ago. You know one things leads to another, and one drink leads to a second, and so on. One quarter leads to another and you start chipping away at those areas that I consider fragile and your department maybe doesn't. I don't now if you have any method of protection in there that would guarantee that those tracts of land . . . And when I read that you're even going to be selling off co-op an community pastures in that area, that scares me, you know.

HON. MR. ANDREW: — You misunderstood. I said we would not be selling off the PFRA and the co-op pasture . . . (inaudible interjection) . . . You asked me how much land would not be sold. I indicated that the co-op pastures would not be sold; that the community pastures would not be sold; the PFRA pastures which are federal – and I'm fully aware of that – would not be sold. It's not part of this. We don't have that. And the right of first refusal always exists for department of tourism and renewable resources on any piece of land. But we're going to look at it from that perspective. Environment is going to have the right to stop anything on it. That's why those regulatory bodies are in place – to preserve that – and they're going to continue to do that. And whether that's a building or whether it's a spill of chemicals or whether you should allow land to be cultivated that should not be cultivated - -those types of decision have to be made on a case-by-case basis. There's no other way to do it.

MR. ENGEL: – The Department of Agriculture, I hope, will still be the last say on it. Some department has to be in authority and be the final veto. When Sask Power developed the project at Coronach and first moved in there, there were so many departments involved that the government of the day named the department of rural affairs as a policing body that controlled all the different departments.

Is the Department of Agriculture that kind of a policing body, or do you have another department? Or if some concerned person from either the Saskatchewan History Society, or wherever they come from, decides that a certain area is fragile an they want to protect their prairie dogs colony or whatever, are they going to get the run around and finally by the time they get down to it it'll be like the theatre was in Saskatoon, and the ball will have smashed it down. Or just where is it at? I think here's where we can . . . If you're sincere and really are giving me the goods, you know, on this bill here, you would have no hesitation to do a House amendment on section (b) and say that where parcels of land are larger than 10 sections, you will not chip away at them. You know, you won't sell any parcel of that or any portion of that without special consideration or that it has to go through a certain deal where government and community and interested groups can have a vote on it or decide because . . . I think this is important, because once it's sold, you know, the minister knows it's gone.

If you're selling five or six million acres and you know the price an acre is 100 bucks, you know, this is why I can see the Minister of Finance piloting the bill through there,

because the bottom line is a billion dollars. That's why this land's for sale. You're selling land branch land, land bank land, park land, grazing land, every kind of land in Saskatchewan all of a sudden is up for sale. You're selling everything but the kitchen sink, I think governments down the road are going to say you were very poor stewards. Because, you know, sure it's nice to find a lot of ways . . . in your ingenuity figured out away how you're going to help balance your budget, but boy, you know, the chickens are going to come home to roost once you've got everything sold.

HON. MR. ANDREW: — There are two points I'd like to make. Number one, the reason I'm doing this bill and not the Minister of Agriculture is the Minister of Agriculture has the flu and he's sick. Number two, the way we have protected this, and I can assure you it was not clearly gone through unanimously supported within the government caucus. But the way it has gone through is that all this land, whether it's land bank land – which is different – or the lease land is, into the heritage fund – the agriculture division of the heritage fund. That land must be used for agricultural purposes, to improve and promote agriculture. It cannot be used to sell that land – to go back into the Consolidate Fund and to be used for Energy or used for health or used for Social Services. It must be used for agriculture. And the reason for that is that the sale of that land must be used for the future promoting of agriculture.

And agriculture will still have a budget under Consolidated Fund, but the additional money must stay in the heritage fund, agriculture division, to be used to promote and develop agriculture into the future of this province. That's the safety valve that the Department of Finance is not going to use this money to balance the budget.

MR. HEPWORTH: – It seems to me, Mr. Minister, that the argument could be made that by removing the one-section restriction insofar as what the rancher could –or the farmer, or the woodsman, or whoever – could purchase under the previous policy under the previous policy . . . It seems to me that the argument could be made that by . . . For example you had a 12-section ranch. Now the previous policy, it was feasible that, or possible at least, that 12 ranchers or farmer or whomever could end up each owning one section each of that 12-section ranch.

So it seems to me that the argument could be made that by allowing the, say, if they so desire, if there was a parcel that large, that they could purchase the whole as part of a deeded and leased operation. But they're more likely to leave it as a ranch unit and in its natural state, rather than if they end up with 12 small packages. I think the desire or the motivation to break it up would be much greater. So it seems to me that could be an argument that could be advanced.

I think it is also perhaps worthy to note that this policy wasn't developed willy-nilly by government people. It was developed by legislators in contact with farmer and ranchers and woodsmen from the North and from the South, and as well, much consultation with environmentalists, RMs, people concerned about wildlife habitat, so that all these areas were addressed fully. In fact, I would suggest there are probably more safeguards in this legislation than there have ever been insofar as protecting lands that are deemed in the public's best interest to be retained and have decisions made at the government level, and secondly, lands that are fragile. So it seems to me those are some of the arguments that could be made, Mr. Minister.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Clause 4

MR. THOMPSON: – Thank you, Mr. Chairman. Just one short question, Mr. Minister, and it's in clause (b), and I'll read the clause: "sell provincial lands to persons other than persons mentioned in clause (a)." Could you inform me if that would include miscellaneous leases and tourist operators' leases in northern Saskatchewan? And if that is the case, when will they be able to apply to purchase these leases?

HON. MR. ANDREW: — I'm advised that that land does not belong to Agriculture but belongs to Tourism, and would be handled there, and this bill would not have application to that.

MR. THOMPSON: – It would not apply to that land whatsoever in northern Saskatchewan?

HON. MR. ANDREW: — That is Tourism — under the control of Tourism.

MR. THOMPSON: – Mr. Chairman and Mr. Minister, what I'm particularly talking about is a tourist operator who is now leasing land to run an operation, and I see it's persons mentioned in the . . . other persons. Would he now be able to purchase the land that he is now leasing to operate that tourist operation?

HON. MR. ANDREW: — I take it your question is, a tourist operator now that has leased land from the government, whether he would be entitled to buy that land. That's Tourism's to sell and it would be a question more appropriate put to Tourism or Parks and Renewable Resources. I can't answer the question from the hon. member, but perhaps if he directed the question or directed a letter to the Minster of Parks, I think he'd handle it.

Clause 4 agreed to.

Clauses 5 to 8 inclusive agreed to.

The committee agreed to report the bill on division.

Bill No. 91 – An Act to establish a Horse Racing Commission for Saskatchewan

Clause 1

MR. ANDREW: — If I could, before we get started, indicate that there are three amendments, most of them dealing with the questions raised by the Leader of the Opposition.

Clause 2(b) is amended in order to clarify the fact that the intent of the act is to regulate only horse racing in conjunction with pari mutuel betting or where, even though no betting is conducted, officially recording the performance and the times of the horses in the races is important to various breed organizations, and racing commission officials provide supervision.

The word "qualifying" will be discussed with appropriate horse organizations and clearly defined in a regulation to be enacted under 23(a).

Two is section 10(2) is deleted as it is unnecessary. Funding will be provided through the Department of Agriculture and a reference to the Minister of Finance is not required.

Third amendment will be 19(3) is amended in order to enable the commission to call a meeting of the advisory board where the issues to be discussed required at the meeting.

Those were, I think, three of the points raised by the Leader of the Opposition. Those amendments will be brought forward with the bill and hopefully, will then make it more palatable to the members opposite.

Clause 1 agreed to.

Clause 2 as amended agreed to.

Clause 3

MR. SHILLINGTON: – I'm just curious – the purpose for stating the commission's an agent of Her Majesty – I'm just curious about the reason for that.

MR. ANDREW: — The officials advise me there was a terminology advanced by legislative counsel and the Attorney-General's department. It's the proper draft.

Clause 3 agreed to.

Clauses 4 to 9 inclusive agreed to.

Clause 10 as amended agreed to.

Clause 11 and 12 agreed to.

Clause 13

MR. SHILLINGTON: – I found this power surprising in its . . . this section surprising in its breadth, Mr. Minister. I can give you a bunch of for instances. For instance, it appears the commission has the power to fix and impose a fine – that's a strange power that heretofore the legislature has reserved until itself. I have some difficulty thinking of other bodies besides the professional licensing statues which have the power to fix and impose fines. And I wonder why we didn't just follow the normal procedure of having the legislature fix the fine and have them prosecute it in the normal course.

MR. ANDREW: — I wonder if the hon. member would allow the member from Rosthern to make reference to that question. Perhaps we can expedite things.

MR. KATZMAN: — It I may, it's in the rule books of all the associations, their fines and so forth. The commission has this power and all other provinces in Canada, and it's part of the governing body when somebody breaks the rules, and they lay the fine on. It's a normal power that's given to all the commissions in Canada.

MR. SHILLINGTON: – Who determines the guilt? Is that the commission, or is it

determined in some court of law?

MR. KATZMAN: — There is an appeal process which is exactly what they have in Saskatchewan right now under a body organized by a non-profit corporation and they decide it. There's a hearing if you break the rule. For example, if you crowd somebody or do something against the rules in a race, the commission has a hearing and decides if there should be a $50 fine or penalty, or if you're suspended for a day or two. And that's all pre-laid out; a lot of things in the rule books.

MR. SHILLINGTON: – Why didn't we just follow the normal procedures and give these poor souls the normal protections of the law by asking those who view them as being guilty of some heinous crime to provide that in a court of law?

MR. ANDREW: — I take it what the hon. member is asking for is if a person was in a horse-race and was crowding some other guy that he'd want a right to appeal to the court as to whether he crowded him over or not. And I don't think that is really a valid way of looking at the law, and that extends it, perhaps too far. Next thing . . . (inaudible interjection) . . . We'd have the Court of Appeals of Saskatchewan perhaps deciding on the Saskatchewan Derby as to whether the proper one . . . horse ran or not because of a particular infraction. I think that what we're talking about here is really not . . . We're dealing with horse-racing, remember; we're not dealing with the rights of people and somebody else violating a right against another person, whether it's his property or whether it's against his person. So I think from that point of view, as the hon. member has indicated, it's basically an accepted process – the controlling of that type of thing and the fining for violations of that particular horse-racing type industry across Canada – and we seem to be very consistent with the established processes across the country.

MR. SHILLINGTON: – Well, am I right in my understanding that there is no appeal from the decision of the commission in their decision to levy a fine against a person?

MR. ANDREW: — I am advised that there's no other jurisdiction in Canada that does have appeal, but there is one in Saskatchewan from the commission to Court of Queen's Bench.

MR. SHILLINGTON: – Jumping ahead, section 16 doesn't seem to say that. It says there's no appeal from any decision of the commission except (and I'm on to 117) where you're dealing with the refusal to grant a licence. But other than the refusal to grant a licence, there's no appeal, so if you fine the groom for standing on a horse's foot of whatever you fine them for, it is conceivable . . . (inaudible interjection) . . . I want to point out to members opposite that it is conceivable that this power can be abused and, to put this on a serious level – I was being facetious – it is conceivable this power can be abused and there is no check on the abuse.

MR. ANDREW: — Well, I'm advised that the harshest licence that can be imposed by the commission would be a loss of licence. And the loss of licence under 17, you do have the remedy to the Court of Queen's Bench so that's the most difficult penalty that can be imposed. No other jurisdiction has it. It seems to me that we have provided the safeguard. Perhaps what we're talking about here is lawyers talking about horse-racing and neither one of them having a great knowledge of what it's all about.

MR. SHILLINGTON: – I was gong to drop it until you made that comment. I did not intend to get into it. I think perhaps I'm going to drop it anyway. Suffice it to say that I

think this section is capable of abuse and I'm no particularly mollified by the fact that it's in the statutes of other province. I really wish there had been some appeal against the imposing of a fine under 12(s) as well.

MR. ANDREW: — If we do . . . (inaudible) . . . it's because it's a new statute. It's a new commission in Saskatchewan. I think if the government finds that there is open to abuse as it proceeds, then clearly we would relook at the act and try to fix up the problem Apparently that has not been problem in other jurisdictions. We have at least an appeal on the licensing thing. We're ahead of other jurisdictions on that and if it proves that way then clearly we would act.

HON. MR. BLAKENEY: – I'll ask this, indicating my lack of knowledge of the nature of these bills in other provinces. Do the other provinces provide that the commission may require licences for grooms, and valets, and exercise boys, and everybody? It seems to me on the face of it rather excessive that you have to have a licence in order to press the colours of a jockey, or to exercise a horse, or to groom a horse, but if regulation has reached the point where we need licences for that, then I will accept it.

MR. ANDREW: — I'm advised that every other jurisdiction does, in fact, have that. If we want to go through the fees for the licence; the trainer is $10; the jockey is $20; apprentice jockey is $10; jockey's agent is $10; authorized agent is $10; exercise boy is $5; pony boy is $5; stable employees and grooms are $5; I'll skip the next one because I'm not sure what it means — they were $5; veterinarian, $5; veterinarian's assistants, $5.

Clause 13 agreed to.

Clauses 14 to 18 inclusive agreed to.

Clause 19 as amended agreed to.

Clauses 20 to 24 inclusive agreed to.

The committee agreed to report the bill as amended.

Bill No. 90 – An Act to amend The Cattle Marketing Voluntary Deductions Act

Clause 1

MR. ENGEL: – I think generally the provision in this bill are very similar to . . . I could call Messer's bill that was in place that he introduced, or is this close to that? Only you raised the limits from what they were then; is that right?

MR. ANDREW: — Yes. I suppose I could clarify that – that authority to increase it.

MR. ENGEL: – What are your intentions or what requests have been made? There's a commission involved, is there? Have they made some requests already or are they waiting till the bill is passed? What might they go to?

MR. ANDREW: — The thinking now is in the 40 cent area, 40 to 50 cent area.

MR. ENGEL: – During second reading debate, the member for Rosthern will remember he said you'd look into it for me. Those that are violently opposed to it, to this bill . . . I

was suggesting: has the Legislative Secretary done his homework on that one? He shook his head and agreed that he would. I was suggesting that to kind of salve those that have to wait a whole year to get their money back; that don't believe in the concept; they don't want to get involved – when you look at the figures, it's pretty dramatic. Once they had to write in to apply to do it, rather than the voluntary check-off like the system will be now, they have to write for their money back – that dropped tremendously. Their income is way down and that is why you decided to go for this bill. But there are some people in the cattle business that think they're not being treated fairly and they don't feel that the voluntary marketing deduction should be made. They'd want their money back.

I suggested that you should have a kind of a program or proviso in there that they should be paid some interest if they're asking for their money back, and this might make it a little more palatable for people that are opposed to the deduction. And the Legislative Secretary agreed he'd look into it for me and see just what it might cost, and if this would be a worthwhile amendment to put in there.

MR. ANDREW: — I'm advised that it's once a year in January and we believe that is doesn't really amount to that much to move it to a more frequent type opportunity. Once a year . . . From the administrative point of view, to go beyond that gets very difficult so that's why they're leaving it once a year.

MR. ENGEL: – I would agree with that once a year thing and the administrative thing that it accounts. But once you're up to 40 cents, it's possible that there are ranchers or cattlemen or people that don't believe in the concept that could be getting a sizeable cheque – well over a thousand dollars – back.

You might have less trouble . . . I shouldn't be correcting your bills here for you and making it easier for you to sell it, because the more difficulty you have with them, the better I'll be off three years from now. But I think it would be an advisable thing if you would move an amendment to pay them some interest on the length of time or an average length of time that they had their money, is all I'm saying.

MR. ANDREW: — I'm advised that the bulk sales are from September-October on. Therefore you're talking maybe two or three months at the most . . . (inaudible interjection) . . . Yes.

Clause 1 agreed to.

Clauses 2 to 6 inclusive agreed to.

Clause 7 as amended agreed to.

Clauses 8 and 9 agreed to.

The committee agreed to report the bill as amended.

Bill No. 97 – An Act to amend The Pest Control Act

Clause 1

MR. SHILLINGTON: – I'm just going to ask a couple of questions. The amendment to 5,

allow persons to obtain government-supplied pesticides through other agencies than municipalities . . . Do you have anything specific in mind here?

MR. ANDREW: — I'm advised that the Saskatchewan Wheat Pool has been the depot for it for many years, an it would continue that way. That's why the clause is drafted that way.

Clause 1 agreed to.

Clauses 2 to 7 inclusive agreed to.

The committee agreed to report the bill.

THIRD READINGS

Bill No. 103 – An Act to establish the Office of the Public Trustee

MR. ANDREW: — I move the amendment be now read a first and second time.

Motion agreed to.

MR. ANDREW: — Mr. Speaker, with leave of the Assembly, I move that the bill and amendments be now read a third time.

Motion agreed to and bill read a third time.

Bill No. 82 – An Act to amend The Department of the Environment Act

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

Motion agreed to and bill read a third time.

Bill No. 89 – An Act to amend The Provincial Lands Act

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

Motion agreed to and bill read a third time.

Bill No. 91 – An act to establish a Horse Racing Commission for Saskatchewan

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

Motion agreed to.

MR. ANDREW: — Mr. Speaker, with leave of the Assembly, I move that the bill and amendments be read a third time.

Motion agreed to and bill read a third time.

Bill No. 90 – An Act to amend The Cattle Marketing Voluntary Deductions Act

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

Motion agreed to.

MR. ANDREW: — Mr. Speaker, with leave of the Assembly, I move that the bill and amendments be now read a third time.

Motion agreed to and bill read a third time.

Bill No. 97 – An Act to amend The Pest Control Act

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

Motion agreed to and bill read a third time.

He Assembly adjourned at 11:25 p.m.