LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Fifth Session — Sixteenth Legislature
27th Day

Wednesday, March 24, 1971

The Assembly met at 2:30 o'clock p.m.
On the Orders of the Day.

QUESTIONS

Uranium Plant — $950 Million — Somewhere in Canada

Mr. E. Kramer (The Battlefords): — Mr. Speaker, before the Orders of the Day, I have a copy here of the Globe and Mail and I presume that the Premier or the Minister of Industry (Mr. Estey) has seen this: "Brinco Plans $950 Million Uranium Plant Somewhere in Canada." "Possible sites in four provinces." Saskatchewan is not mentioned. This is a billion dollar industry and we do have the uranium, we have the massive possible development at Wollaston Lake that we already have heard about for two years. The necessary element in this development is water and Manitoba is mentioned here. The Churchill water shed is mentioned and I wonder if the Government has made any overtures to Brinco or have explored the possibility of bringing Brinco to Saskatchewan. They are going to put up the money themselves, Mr. Speaker.

Mr. Estey: — You'd vote against it probably.

Mr. Kramer: — Not that.

Hon. A.C. Cameron (Minister of Mineral Resources): — May I say, Mr. Speaker, that Brinco has announced, as I read the report, that they are going to investigate the feasibility of establishing a plant in Canada. That's the content of the announcement. The one that we were concerned about was the announcement by Mr. Greene, the Minister of Energy and Mines and Resources. When he was in Japan he had discussed with Japanese officials the possibility of them establishing a uranium enrichment plant in Canada. We pointed out to Mr. Greene that we have the uranium beds here, we have the energy resources and that Saskatchewan should not be overlooked when giving consideration to the enrichment plant if and when the Japanese have decided that they are going to build an enrichment plant in Canada. That's been established and it's well known in the federal circles.

Mr. Kramer: — Mr. Speaker, a further question now. The Minister's suggestion about Brinco and what Brinco is thinking, the two short opening paragraphs on this:

> Sites in four provinces are being considered by nuclear authorities as potential locations for a nearly billion dollar uranium enrichment plant. British Newfoundland Corporation Ltd. of Montreal announced yesterday that it had asked the Federal Government for permission to build such a plant in Canada.

I think that the information is a little more definite than what

the Minister suggests. The question is, Mr. Speaker, has this Government made any overtures to secure it for Saskatchewan? We moved to deal with Japan all of a sudden.

Mr. Speaker: — May I draw to the attention of all Hon. Members we have no proper procedure for oral questions before the Orders of the Day other than that which we have built up and evolved over the years. It is generally accepted that an oral question should be one of a semi-emergent nature, there should be no more than three of them with two supplementaries for each question and they should be short, sharp, snappy and to the point. Not a minor speech or a long quotation from a newspaper such as has just been made by the Member for The Battlefords.

ANNOUNCEMENTS

Weyburn Redwing Hockey Club Winners

Mr. J.A. Pepper: — Mr. Speaker, I first have an announcement to make and then I have a question that I should like to ask too. The first is that I should like to report to this Legislature through you, Mr. Speaker, that last night in Weyburn, the Weyburn Redwing Hockey Club won the Saskatchewan amateur junior hockey league championship for the second consecutive year. This year they won that title, Mr. Speaker, by defeating the Humboldt St. Peters Broncos. They now advance against the Manitoba winner and I am sure that all Members will join me in congratulating the Weyburn Redwing Hockey Club and wish them well in their future endeavors.

Hon. Members: — Hear, hear!

QUESTIONS

Phasing Out of Psychiatric Nurses Training Program

Mr. Pepper: — Now, Mr. Speaker, while I am on my feet, I should like to address a question to the Minister of Health (Mr. Grant). I received a phone call from Weyburn expressing concern over the apparent information they had received in regard to the phasing out of the psychiatric nurses training program in the Weyburn Provincial Hospital. Has the Minister any comments to offer at this time as to his Department's intentions regarding the same?

Hon. G.B. Grant (Minister of Health): — Mr. Speaker, there is no plan whatsoever for the phasing out of that program in Weyburn.

Some Grants for Summer Programs Phased Out or Reduced

Mr. W.J. Berezowsky (Prince Albert East-Cumberland): — Mr. Speaker, I should like to ask a similar question. I have received some information which has perturbed many students. It is believed that some of the summer programs for which grants to the University of Saskatchewan were given in the past are being either phased out or reduced. I wonder if the Minister of Education (Mr. McIsaac) would inform this House whether this is correct or not.

Hon. J.C. McIsaac (Minister of Education): — Mr. Speaker, it is rather difficult to answer my hon. friend unless he is a little more specific by way of a request — are you talking school programs or university programs or technical adult programs?

Mr. Berezowsky: — Summer projects, Mr. Minister, for the students during semester.

Mr. McIsaac: — I have no knowledge of what the Hon. Member is raising, Mr. Speaker. I should be pleased to deal with further facts if he can present them but I have no knowledge at all of the point he is raising.

ANNOUNCEMENT

Outstanding Livestock Breeders in Northeastern Saskatchewan

Mr. F.K. Radloff (Nipawin): — Mr. Speaker, before the Orders of the Day, I should like to bring to the attention of the House a number of outstanding livestock breeders in northeastern Saskatchewan. We have a large number of farmers up there or agricultural men who are raising good breeding stock. Last night Royal Eston Elation Prince 29A, a 2-year-old bull from the herd of O.B. Sisson and Sons of Ridgedale, took the grand and senior championship during the Aberdeen Angus judging at the Royal Winter Fair. I know that you would all like to join with me in congratulating these men from northeastern Saskatchewan.

QUESTIONS

Uranium Plant — Brinco

Mr. Kramer: — Mr. Speaker, could I ask once more of the Minister or the Premier, if they have contacted Brinco or the Federal Government regarding the Uranium enrichment mine?

Mr. Speaker: — Order, order! The Member has asked his question and he asks a supplementary — he's allowed two supplementaries — he should have used his second supplementary when he was following his previous line of questioning.

Mr. Kramer: — I got some information about Japan. I didn't get any information about Brinco.

Hon. W.R. Thatcher (Premier): — Mr. Speaker, I too read the story in the Globe and Mail and all I can say is that we have not yet contacted Brinco but I can assure the Hon. Member that we will most assuredly do so in the immediate future.

Some Hon. Members: — Hear, hear!

Mr. G.R. Bowerman (Shellbrook): — May I direct a question to the Minister of Mineral Resources?

Mr. Speaker: — We have already had three oral questions and I consider that should be appropriate for one day. I can't imagine any more than three semi-crises occurring at one time in one day in this province. We'll reserve that one for tomorrow.

SECOND READINGS

Hon. A.R. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 31 — **An Act to amend The Department of Municipal Affairs Act**.

He said: Mr. Speaker, these amendments to The Municipal Affairs Act involve no new policy. As you are well aware the Government appropriated funds during the 1970 session of the Legislature to make grants to urban municipalities which provided police services and also to make grants to cities to assist them financially in providing snow removal services. Funds are again, as you are well aware, being appropriated for the same purposes. This Section of the Bill will provide the Legislative Authority to make these funds rather than using the Appropriation Bill for the Legislative Authority.

Also the Saskatchewan Association of Rural Municipalities and Saskatchewan Urban Municipalities Association have on several occasions provided valuable services to the Government and this Section includes the Authority to make grants to these associations in recognition of these services. Grants, I think, have been made previously to these associations and this Section will allow the Government to clarify the terms and the conditions of the grant.

The final Section deals with the sawmill operation at Green Lake which the Department has operated for some time and provides employment and training for persons of Indian ancestry in that area. Funds have been provided by an advance account established for this purpose. However, the Provincial Auditor suggests that the provisions enacted in this Act does not provide specific statutory authority to expend funds from this advance account and in this Bill we are providing this authority as requested by the Provincial Auditor. As I mentioned at the beginning there is no new policy involved and I would move second reading of this Bill.

Mr. H.H.P. Baker (Regina South East): — Mr. Speaker, we are not going to go against this of course. We feel that the monies allotted for police and other grants of that type are welcomed but still is much too little to municipalities. You are now hearing overtones from the SUMA convention where they are clamoring for more help and more grants to carry out their work in municipalities. I believe the increase of 50 cents per capita for police this year is small. The total per capita grant that you are allotting this year is $1.81 per person. As you know I have been asking this Legislature for years for a $10 unconditional per capita grant which is really needed in these times to carry out their work. You are going in the right direction and again I say that we wish it could have been much more. However, we shall not oppose the Bill.

Mr. Guy: — Mr. Speaker, the comments

from the former Mayor of Regina are rather ludicrous at this time. He had 20 years in which to convince his party that they should have been providing grants for police services or for snow removal. He didn't encourage them or he didn't convince them that these grants were necessary. It is true that SUMA are requesting additional support from the Provincial Government and I was very happy yesterday to point out the support that has been made available to urban municipalities since we became the Government, which was not available when our friends opposite were the Government. So these are grants that are being provided today because we are concerned with the needs of urban municipalities, particularly, but also the SARM, and I can only say in reply to the Member from Regina South East, who I understand is running tonight for re-election as a candidate in that particular constituency, that we are certainly doing far more than they ever did in this regard and for that reason I am pleased to move second reading of this Bill.

Some Hon. Members: — Hear, hear!

Motion agreed to and Bill read a second time.

Hon. A.R. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 32 — **An Act to amend The School Assessment Act**.

He said: Mr. Speaker, this is a very brief amendment to The School Assessment Act. As you are well aware the development of mines, oil, gas wells in this province has increased the assessment base for taxation in our municipalities and the various municipal and school Acts were amended I think a year ago to provide for taxing the plant and equipment of these mines and wells, but we omitted to make the change in The School Assessment Act which provides for the levy of school taxes in those rural and village school districts not included in the school unit. This Section takes care of the omission that was made last year. With that very brief explanation I would move second reading of this Bill.

Motion agreed to and Bill read a second time.

Hon. A.R. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 37 — **An Act to amend The Urban Municipal Elections Act**.

He said: Mr. Speaker, in moving second reading of the Bill to amend The Urban Municipal Elections Act, there are several sections here I should like to refer to.

Section 2 of the Bill refers to the village of Regina Beach and in many respects the village of Regina Beach is comparable to a summer resort village. Because it was organized under the provisions of the statute as a regular village prior to the enactment of Legislative Authority to establish summer resort villages, several special provisions were legislated into The Village Act to give to the owner of property in the village of Regina beach some of the special provisions granted to summer resort villages. During the consolidation of The City, Town and Village Act into The Urban Municipal Act last year, we were made aware that the full-time residents of Regina Beach wished to control their local autonomy by limiting the eligibility of candidates for the Council to those voters who were residents of the village the year around. We agreed with this principle and the necessary adjustment was made in The

Urban Municipal Act. In this Urban Municipal Elections Act we are now in Sections 2, 10, 11 and 12 deleting specific reference to the village of Regina Beach so that from here on in this village or this town will be treated exactly the same as any other town under The Urban Municipal Act and it does away with any special provisions that were considered.

Section 8 of the Bill. The definition of a municipality in this Act refers to a city, town or village. However, applying this definition to the word municipality in the fourth line, part of the purpose of this Section was to provide in the voters' list of the municipality for the inclusion of the voters' list pertaining to any are annexed to the urban municipality from a rural municipality, local improvement district or the Northern Saskatchewan administration district. This amendment merely clarifies any ambiguity that may exist in this particular section.

Section 9 of the Bill, the provisions of the present section of the Act were applicable only to the regular annual nominating meeting and by inference was applied to nominations for by-elections. This proposed amendment again clarifies any ambiguity that may exist and makes the provisions apply to all nominating meetings.

Finally the Sections 10, 11 and 12, as I mentioned earlier, refer to the village of Regina Beach and brings them now under the regulations and conditions of The Urban Municipal Act.

With that explanation I should like to move second reading.

Mr. H.H.P. Baker (Regina South East): — We are not going to oppose this, but I had hoped that the Minister would have done something in changing the date for elections. We all know that in the civic elections last fall in most areas, no one reached the 50 per cent mark in voting. Two years ago in contrast it was about 52 per cent. Had it been the same date this year, I would still be the chief magistrate of our city. But the Liberals of course did everything possible to discourage the vote of the people and some 28 per cent voted. The Government should change the Bill this year to hold municipal elections around the middle of October. We want to encourage people to vote, and not have elections in the winter time. We don't as a rule get spring weather in December. Just because we didn't win in Regina, that doesn't mean that the date is a good one. We want to encourage a higher vote; even June elections might be more favorable for municipalities. We should look at these possibilities. The middle of October as they have in Alberta is a good time to hold municipal elections. Their numbers are much higher on polling day, and if we are sincere about democracy, then I think we should do everything to make the ballot available during warmer weather.

When we have the new government, this is what we plan on doing, I can tell you that now. We will see that it will be held in the middle of October or perhaps in June, and have a voting system in order to encourage them to come out. There is nothing in this Bill that we shall oppose, the things you are bringing in have to be done. I should have hoped, Mr. Minister, seeing it is your first time as Minister of Municipal Affairs,

that you would have brought in one Bill and had done something worthwhile.

Some Hon. Members: — Hear, hear!

Mr. Speaker: — Order, order!

Mr. T.M. Weatherald (Cannington): — Mr. Speaker, the Member opposite likes periodically to bring up about the poor vote. There is a widespread rumor in the city that the reason for the poor vote was simply because of a slight disagreement between him and the present Member for Regina North East that that section of the city didn't turn out too well on election day, which really had not much to do with the weather. Some other consideration to the possibility of the poor turnout besides the weather must be given.

Mr. E. Whelan (Regina North West): — Mr. Speaker, I was really interested in the remarks made by the Hon. Member for Cannington. We'll worry about what goes on in Regina and you worry about what goes on in the Maryfield Hospital.

Mr. Guy: — Mr. Speaker, I think that some of the remarks of the Member for Regina South East (Mr. Baker) can be taken at face value. I think we are all concerned that the percentage of voters in municipal elections is less than is desirable if we are going to subscribe to and follow the democratic process. I should suggest that the number of voters, the percentage of voters that turned out last year maybe was less than what had turned out the year before. I don't think that over the past 10 years that there is any significant difference. I think in all those years that it is regrettable that more of our local residents did not take advantage of the franchise. I don't know that a change in the date would make that much difference but it is something that probably could be considered in the future.

If the Member for Regina South East continues to desire to be political in his remarks, I suppose I haven't much alternative but to answer him on that basis. He likes to blame the Liberal Party for his defeat last October. I have had many comments from Members of the NDP who said that was the best thing that could have happened to Regina.

Some Hon. Members: — Hear, hear!

Mr. Guy: — All I want to tell the Member is before he starts looking at the Liberal Government for helping in his defeat, he had better take some of the knives out of his back from his own people who have defeated him in one constituency and there is no reason to believe that he may not be defeated in another one before 24 hours is up.

Mr. I.H. MacDougall (Souris-Estevan): — That's why they call Walter Mack the Knife.

Motion agreed to and Bill read a second time.

Hon. A.R. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 38 — **An Act to amend The Municipal Employees' Superannuation Act**.

He said: Mr. Speaker, this Bill amends The Municipal Employees' Superannuation Act. As you know The Municipal Employees' Superannuation Act governs the administration of a superannuation fund established for the benefit of employees of most local government authorities. The fund is administered by a board comprising representatives from each class of local government authority. The Provincial Government appoints one representative to the Board who is the administrative officer in charge of the fund, and all amendments to the Act are approved and recommended by this Board.

I refer to Section 2 of this Bill. As you are well aware, the Act has never provided the Board with either the authority or the fund to undertake appraisals or actuarial studies of the Superannuation Plan to determine if the Plan as constituted today provides the best possible benefits for its members. This amendment provides the necessary authority for the Board to provide for appraisals or studies, defines a source from which these funds are to be obtained and the limit thereof.

Section 3 of the Bill provides for the distribution of any surplus funds remaining in the employers' surplus contributions account and in this Bill we are ensuring that these funds required to conduct the actuarial study are taken from this surplus fund before any distribution of the fund is made.

With this brief explanation, I would move — I might say in conclusion that these amendments have all been requested by the Superannuation Board — I would move second reading of this Bill.

Motion agreed to and Bill read a second time.

Hon. A.R. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 39 — An Act to amend The Rural Municipality Act.

He said: These are amendments to The Rural Municipality Act.

Section 2 of the Bill in the present Rural Municipality Act does not set a time limit within which the reeve shall call a public meeting. We have experienced at least one instance in the past year or so where a reeve refused to call a meeting after receiving the necessary petition from the electors. This section as we are amending it in this Bill requires the reeve to call a meeting within 30 days after receiving the petition. I would remind Members of this House that this is similar to The Urban Municipal Act which was passed last year.

Section 3 of the Bill deals with the time limit for votes. As you are probably aware some rural municipalities located close to cities have a considerable number of their voters working in the city. Generally the working day for these people does not end until 5:00 o'clock and they are unable to get home in time to vote. This amendment will — it is permissive legislation not compulsory — permit the council to pass a bylaw which will permit the polls in that municipality to remain open until 7:00 o'clock p.m. and thus give the people an opportunity

to vote.

Section 4 of the Bill provides for altering the notice of poll where a bylaw has been passed to extend the hours of voting.

Section 5 of the Bill. As you know, some municipalities own land and facilities suitable for recreation and other use. At the present time the only control that a municipality can exercise on these lands is complete prohibition of the area. This section, as we propose to amend it, will allow the municipality to regulate and control the use of such areas by the public that also will benefit other residents. Experience has shown instances where private institutions have installed sewer or water systems in hamlets and in so doing have provided services to other residents. The provision in this section of the Bill is permissive again and will allow a municipality to make a grant to such person or institution to assist in the cost of installing a sewer or water system.

The Rural Municipality Act now allows a council with the consent of the Minister to compromise a debt owing to the municipality by any person. If valid reasons for a compromise develop before the taxes are paid, the council may abate or refund or compromise a portion of the taxes. But there is no provision for a refund, where the taxes have already been paid, in the conditions to support the compromise debt afterwards. This section of the Bill which is Section 5 makes provision for repayment or for refund in any case where an abatement or compromise is approved by the council after the payment of the indebtedness has been made.

Section 7 of the Bill will provide a similar power to a council of rural municipality with respect to untidy and unsightly premises in a hamlet as is now given to councils of urban municipalities in the new Urban Municipality Act, 1970. Again this is permissive legislation that will allow the council of a rural municipality to control untidy and unsightly premises in any hamlet.

Section 8 and 9 of the Bill. Most provisions of the Act as you know which provided for a vote by the burgesses on bylaws were amended in previous Bills by providing for approval by a majority of the burgesses voting thereon rather than by two-thirds of the burgesses. These two sections of the Bill amend sections of the Act which were overlooked in the previous amendments in this regard.

Section 10 is merely repealing the reference to the Land Utilization Board because The Land Utilization Act was repealed in 1964.

Section 11 of the Bill repeals a provision in The Rural Municipality Act requiring municipalities to collect Saskatchewan Farmers' union membership fees because, as you are aware, the Saskatchewan Farmers' Union is no longer a legal entity in this province.

Section 12 of the Bill provides a municipality with authority to charge back to other taxing authorities the proportionate share of any amount refunded to a person in accordance with the provisions of Section 5 of this Bill. In other words, where a municipality refers the collection of a tax account or

other indebtedness to a solicitor or collecting agency, a collection fee is charged. But at the present time, there is no provision for charging this back to other agencies involved, such as school units, hospital boards, or what have you. This amendment will permit the charging back of a proportionate share of the costs in the same way as compromises are now handled.

Section 13 deals with the Saskatchewan Farmers' Union membership fees.

Section 14. The intent of the legislation providing for the preparation and use of the elevator list was for the council to pass a resolution each and every year that the list was in effect determining the amount of crop exemption to which each producer of grain whose name is on the elevator list is entitled. This section merely clarifies the intent that the resolution shall be passed each year. It appeared that perhaps it was a resolution that was passed once and didn't have to be passed again; this is merely for clarification.

Section 15, the final section of the Bill, corrects a typographical error. So with that explanation, Mr. Speaker, I would move second reading of this Bill.

Introduction of Air Cadets

Mr. Speaker: — Before I call upon the next speaker, I draw the attention of all Hon. Members to the fact that a group of Air Cadets have just entered the gallery. They are, I understand, from the Foam Lake area. I don't have the necessary information before me in regard to the designation of this squadron or the Commanding Officer. I therefore ask the Member from Kelvington to introduce them to the Legislature.

Mr. N.E. Byers (Kelvington): — Mr. Speaker, I thank the Members of this House for this opportunity to introduce to the House, 21 members of the Foam Lake Air Cadet Squadron. They are accompanied today by their Cadet Officer, Ray Howe. Their civilian committee members are Mr. Ernie Haw and Mr. John Sigurdson; their instructors, Constable Mel Williams and Mr. Bob Gilchrist and their bus driver, Mr. Steve Ostopovitch from Foam Lake.

This is the Cadet Squadron which visited this Chamber a year ago. During the past year they have placed third in the Annual Air Cadet competition. They have won the Esprit de Corps Trophy for Air Cadets in the past year. I certainly hope that all Members of the Assembly will join with me in welcoming this squadron to the House today. I might say that among the group are four young men who played on the Bantam 'B' Hockey Team, which I announced just a few days ago, had placed first in the Bantam 'B' competition. I hope that all Members will join with me in welcoming our Cadet Squadron to the House today. Thank you, Mr. Speaker.

Hon. Members: — Hear, hear!

The Assembly resumed the interrupted debate on Bill No. 39 — **An Act to amend The Rural Municipality Act**.

Mr. H.H.P. Baker (Regina South East): — Mr. Speaker, the Hon. Member

for Swift Current is not here today; I don't know whether he wants to make comments on some of the sections. I see there are parts dealing with the elections in rural areas. Speaking of elections I just want to remind the Member for Cannington, the Hon. Member (Mr. Weatherald), that his replacement is sitting in the galleries. I hope he takes recognition of that fact. After the next election we won't see him either. I beg leave to adjourn debate.

Debate adjourned.

Hon. D.T. McFarlane (Minister of Agriculture) moved second reading of Bill No. 40 — **An Act to amend The Provincial Lands Act**.

He said: Mr. Speaker, the purpose is to clarify administrative responsibilities in connection with the Crown land forming the bed and shore of water bodies. It will enable disposition of such land by the Lands Branch under The Provincial Lands Act. The bed and shore includes the dried up portions of water areas in the dry cycles. Such dispositions may include agricultural leases as well. It will also include easements, agreements and rights-of-way to provincial lands, for gas, oil, water, sewage, pipe, canals, power, telephone lines, etc. An example is a pipe line crossing the South Saskatchewan River or an easement, or sale of the bed of an alkali slough for mine tailings. Previously, permission had to be obtained from the Department of Mineral Resources or the Water Resources Commission who have no jurisdiction over the transferring of lands. This is meant to tidy up the Act.

Motion agreed to and Bill read a second time.

Hon. A.R. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 47 — **An Act to amend The Urban Municipality Act, 1970**.

He said: Mr. Speaker, this Bill is to amend The Urban Municipality Act, 1970.

Sections 2, 3 and 4 of this Bill refer to provisions in The Urban Municipality Act which require any annexation to an urban municipality of adjacent territory to be approved by proclamation of the Lieutenant-Governor-in-Council. We believe, and it appears, that the use of proclamation should be reserved for more formal occasions, therefore we are providing in these sections that changes can be made by order of the Lieutenant-Governor-in-Council and the sections here delete the reference to a proclamation.

Section 5 of the Bill — experience shows that instances could develop whereby a council is rendered ineffective because it lacks a sufficient number of members to form a quorum. I think we possibly were faced with this problem in the city of Regina this fall. This section will provide the Minister with means to keep the local government body functioning either by providing for an election or by appointing a sufficient number of councillors to form a quorum until such time as the council could call or provide for an election.

Section 6 of the Bill deals with the date for regular meetings by a by-law rather than by a resolution. This was a request from the city of Moose Jaw, so we are deleting the

words “by resolution” and the provision will then allow a municipality to adopt either method.

Section 7 and 8 again refer to the village of Regina Beach. As I made reference to it earlier, they now wish to be treated the same as any other village rather than as a resort village.

Section 9 of the Bill refers to provisions which we have in The Rural Municipality Act, dealing with municipal treasurers and any misuse of municipal funds by a treasurer, which of course, as you are well aware, is an extremely rare situation in our province. But when the Bill was first drafted last year we didn’t include any provisions in this regard which are now being taken care of.

Section 10 of the Bill — The Vehicles Act has a provision for controlling any unnecessary blowing of horns and therefore we repeal the provision of this Act as it is not necessary.

Section 11 of the Bill — Mr. Speaker, I guess I picked up the wrong Bill. Actually what I am now doing is Bill No. 47 rather than Bill No. 41. I noticed that the gentlemen opposite really didn’t notice.

Mr. J. Messer: — No, we were all wondering how long it was going to take you to find out.

Mr. Speaker: — Order, order! I concluded that’s the Bill that we were on.

Mr. Guy: — Thank you, Mr. Speaker.

Section 11 — Some cities, as you were well aware, last year experienced contraventions of the shop closing provisions and they have requested an increase in the penalty that may be imposed. We concurred with this request and in this section we are providing the magistrates with a reasonable scope for determining the penalty to be imposed.

Section 12 is an amendment that was overlooked during the consolidation of The Urban Municipality Act dealing with the control of storage of inflammable liquids and it was requested by the city of Saskatoon that it be inserted again and we are carrying out that request.

Section 13 deals with the disposal of junk vehicles. We all recognize that this has created a serious problem for many urban and rural municipalities. Some municipalities are finding the cost of disposal rather exorbitant and the Department received pleas from municipal officials for legislative authority to permit a charge against the property for any vehicles that are removed there from. We are providing, again, permissive legislation which will allow a municipality to recover the cost of removing any vehicle but not to exceed the cost of $5 per vehicle for any vehicle removed from private property. We are also providing that resident owners of land must be notified by registered mail before any action can be taken to remove these vehicles from their land and charge the land with the cost of the removal again, not exceeding the $5 per vehicle fee.

Section 14 is a correcting of a typographical error.

Section 15 — The provision in The Urban Municipality Act referred to in this section applies only to those municipalities which operate their own superannuation plan and are excluded from the coverage of The Municipal Employees Superannuation Act. This amendment provides a cross reference to the other Act and clarifies those municipalities which may use these provisions. We are also making it possible for those municipalities using these provisions to extend their superannuation scheme to include the employees of any institution operated by a board, appointed by the municipality. For example, this would permit the coverage of the employees of Regina Pioneer Village and similar groups as this, where a company is operated by a board of directors appointed by the city.

Section 16. As you know the tremendous development of gas wells, oil wells, mines and so on, has increased the potential tax base of our municipalities. And although the Act requires that the plant and equipment of these gas and oil wells be assessed, there is some doubt that the Act provides the authority for municipalities to levy a tax on these assessments. This amendment will confirm the present practice of municipalities and remove any doubt as to their authority in this regard.

Some local government authorities, and particularly school boards, are attempting to control the cost of education by converting existing buildings into additional classrooms rather than constructing new classrooms which may be surplus in a few years time. However, under our existing municipal statutes when property which is exempt from taxation is occupied by another person or organization, the property becomes liable for taxes levied against the property. So we are providing in this section that any property owned by a person or organization which is exempt from taxation shall continue to be exempt if occupied by another person or organization which would be exempt if they owned similar type of property. This does not, of course, exempt the property from any taxes for local improvements as is the case at the present time.

So what it does, really, is permit a separate school district, for example, to lease property from a public school district or vice versa without losing their tax exemption privileges.

Section 19 of the Bill, a final section that I will refer to. The Department received representations from municipal officials requesting that some form of an added incentive be provided to induce persons to pay their tax arrears. Under our present legislation when a person pays all or a part of his tax arrears before July 1, one-half of the penalty added in that year to the portion paid shall be rebated. Using a maximum of a 7 per cent penalty a person can pay his arrears in June and only incur a penalty of three and one-half per cent. This does not constitute a very serious penalty when compared to the higher interest rates a person or municipality may earn on his money or be required to pay for bank loans.

So we are not changing the rebate provisions, where a municipality has not increased the statutory 5 per cent penalty, but where a municipality has increased the rate of penalty to either 6 or 7 per cent, we are providing in this section that the municipality may by by-law establish a sliding scale for the rebate of penalty corresponding with the month of payment. The rebate would be calculated in a manner similar to which

discounts for prompt payment of taxes are now determined with the earlier payment receiving a larger rebate or discount.

With those comments, Mr. Speaker, I would move second reading of this Bill.

Mr. H.H.P. Baker (Regina South East): — Mr. Speaker, we should like to discuss this Bill a little further.

I am concerned about Section 5(b) in regard to the filling of vacancies before an election is held. There are plenty of provisions in our Act, where if the urban municipality hasn't a quorum, the government would have the authority for appointing an administrator. The local government would have authority to do something about it too, in order to carry on, as an election would not be too many weeks following.

I am saying that whatever government is in office, this section could involve patronage. Names of people could be put on councils who would be vying for the vacancy and running for office to fill that vacancy. In that way a name could be brought before the public and it would certainly give him an advantage over anyone else who wanted to enter the race. I should be very skeptical of a clause like this and it doesn't matter who is in office. It would work both ways.

I think there are sufficient regulations now that can be used to forestall situations like this. The other clause with regard to the inclusion of superannuation plans, I presume this does cover the Pioneer Village in the city of Regina. I see that the Minister said yes. That is the other point I was concerned about in these amendments to the Act.

We shall discuss this a little further in committee and I hope the Minister will take recognition of the fact that Section 5(b) could be a serious one. I hope that we will exclude that section and allow the council or Minister to appoint the returning officers immediately after a vacancy occurs and fix a date for the election.

Debate adjourned.

Hon. A.R. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 41 — **An Act to amend The Summer Resort Village of Carlyle Lake Resort Act**.

He said: Mr. Speaker, as you know the resort village of Carlyle Lake is situated on Carlyle Lake within the White Bear Indian Reserve. For many years the area was administered by the town of Carlyle under a lease arrangement with the Department of Indian Affairs, ratified by a special statute of the Province of Saskatchewan in 1959.

Many of the original cottage owners were residents of Carlyle but over the years an increasing percentage of summer residents came from other points in Saskatchewan and Manitoba. The cottage owners subsequently formed an association and representatives of this association, together with members of the council of the town of Carlyle, acted as a committee to advise on administrative matters.

Over the next few years, and because of a conflict of interest, various degrees of friction developed between the cottage owners and the council of the town of Carlyle. The cottage owners were often dissatisfied with the amount that was spent on direct services and so on in the resort area. Eventually it was proposed that a village be established to replace the town administration. It was presumed that the village would obtain a lease from the Department of Indian Affairs and would then sublet cottage sites in the same manner as the town of Carlyle had been doing.

Upon incorporation of the village, negotiations commenced for such a lease. The residents of the White Bear Indian Reserve failed to ratify the proposed lease and the Department of Indian Affairs then undertook to lease the sites directly to the owners of cottages. The village proceeded to assess the occupants of these sites, to levy taxes and to provide the normal municipal services required within the area.

Now a corporation has been formed and will be operated under the name of the White Bear Development Company, with registered office at Carlyle Lake for the purpose of administering this resort, effective January 1, 1972, when the present lease between the Department of Indian Affairs and the cottage owners will expire. At that time, the village administration will no longer be required, and because the village is situated entirely within the Indian Reserve, not within the boundaries of a rural municipality, it cannot revert to the status of a hamlet under the provisions of The Urban Municipality Act. We are therefore in this Bill providing the necessary authority for the Minister, when requested by the resolution of the council, to disorganize the village and dispose of the assets according to the wishes of the village council.

With that brief explanation I would move second reading of this Bill.

Mr. Baker: — Mr. Speaker, I should like to adjourn debate on this as the Member for Swift Current (Mr. Wood) may have some comments on this and I may also have something to say on it after I get a little more information.

Debate adjourned.

Hon. D.V. Heald (Attorney General) moved second reading of Bill No. 46 — **An Act to amend The Collection Agents Act, 1968**.

He said: Mr. Speaker, the purpose of this Bill is to ensure that any costs incurred by a collector or by a creditor employing a collector to collect a debt, may not be added to the amount of the debt recovered from the debtor.

The Bill provides in effect that a debtor shall be liable only for the debt owing at the time of collection, and of course, if sued, also the court costs. The debtor shall not have to pay any additional costs arising out of the employment of a collector or collection agency.

Mr. Speaker, we incorporated this principle in this Act when we revised the Act in 1968, but the provision about collection fees was limited so that the provision did not apply

in the case of debts collected by loan companies, trust companies, insurance companies, real estate brokers, credit unions and barristers and solicitors. I guess the rationale at that time was that these groups of individuals were not involved in fairly large percentage collection costs. However, since that time we have had a number of cases drawn to our attention where the collection fee has gone up as high as 30 per cent. I had one brought to my attention where on a $6,000 account, the collection people — as a matter of fact it was a credit union — wanted to collect 30 per cent and they finally reduced it to some $900 which was about 15 per cent. It seems like an awful lot of money to be added to a $6,000 debt.

So the Bill before the House is designed to include those previously excluded persons such as credit unions, solicitors and so on. The Bill provides that in every case a debtor should not have to pay the costs incurred by a creditor in employing a collector to collect the debt.

Another provision of the Bill, Mr. Speaker, extends the licensing provisions of the Act so as to include salesmen of credit card plans. The Act when revised in 1968 was extended to include credit card companies. We believe this legislation has provided effective control over credit card companies excepting in the case of a foreign or an extra-provincial company not registered to do business in Saskatchewan. To prohibit these companies from operating in the province, this Bill extends the licensing provisions of the Act to any person who sells the credit card plan on behalf of a credit card company whether provincial or extra-provincial. We believe this amendment will be effective in stopping the sale of credit card plans in Saskatchewan by unlicensed companies domiciled outside the Province of Saskatchewan. Mr. Speaker, some credit card companies are not financially sound; these companies generally operate on the advanced fee which is payable by a merchant when he joins the plan. In other words, it is an advanced fee plan. Last year, one such company operating out of Ontario declared bankruptcy and some merchants in Saskatchewan, who dealt with this unlicensed company, suffered losses as a result thereof. This is what we are trying to stop by this amendment.

With that short explanation, Mr. Speaker, I would move second reading of this Bill.

Mr. A.E. Blakeney (Leader of the Opposition): — Mr. Speaker, I beg leave to adjourn the debate.

Debate adjourned.

Hon. J.C. McIsaac (Minister of Education) moved second reading of Bill No. 48 — **An Act to amend The Department of Education Act**.

He said: Mr. Speaker, Bill No. 48 is an Act to amend The Department of Education Act. The major amendment here is one that will enable the Minister and the Department to develop a more comprehensive plan for educational broadcasting services in the province. Now I use the term “educational broadcasting” to include not only radio, of course, but educational television as well and the use of television video tape recording and other such technological developments in this field.

This amendment and this legislation, Mr. Speaker, is really the outcome of about two years' study by a special advisory committee on educational broadcasting. This committee had representation on it from the Saskatchewan Teachers' Federation, from the School Trustees, the University, the Saskatchewan Association for Adult Education and several other Government departments, the CBC and the Private Broadcasters' Association. They have made recommendations, and a strong one I must say, to the Government and to me in particular, that an Educational Communications Authority be established in Saskatchewan. And as envisaged by this advisory committee, this authority, the Educational Communications Authority, would have the following main objectives:

First of all, to ensure the most effective use of the financial resources for educational communications within the province. There is a need and a continuing need, as I'm sure Members are aware, to maintain standards to ensure technical compatibility and interchange of program material for one system to another from the school system to the University and between provinces, for that matter.

Secondly, to ensure the most effective production of broadcast materials by establishing some guidelines here for program production.

Thirdly, to encourage the distribution and exchange of program material both within and without Saskatchewan.

Fourthly, to provide technical advice to school boards and other agencies with respect to proposals for the purchasing of broadcasting equipment. And we accept in principle, Mr. Speaker, the need for some kind of mechanism to co-ordinate educational broadcasting and to eliminate the possibility of unnecessary duplication of effort and financial resources in this regard.

So the new clause added to Section 4 of this Act will be the medium through which the Minister of Education may establish with the approval of the Lieutenant-Governor-in-Council a mechanism to ensure the development, co-ordination and rationalization of broadcasting services generally.

This amendment also provides the authority for designating the Minister of Education as the "Provincial Authority" in dealing with the Canadian Radio and Television Corporation and other Federal agencies on matters pertaining to educational broadcasting.

The changes (that I'm sure all Members are aware of) with respect to T.V. technology and education have been perhaps more rapid in this field than in any other field. And there has been and continues to be a growing concern and interest for better utilization of the broadcasting media in education. I believe, Mr. Speaker, that the experience in some other provinces indicates to me, at least, that we have lost nothing and gained a great deal really by watching these developments very closely without stepping into expensive equipment broadcast facilities and so on and implementing programs from the top down, if you will, as certainly was the case in Ontario a few years ago. But I believe also, Mr. Speaker, that the time has now come when we must be prepared, not only to assess resources and technologies in this area, but to apply more diligently our

efforts and our energies to seek ways and means of utilizing this media in the whole spectrum of education in Saskatchewan.

And this legislation that is before us is designed to serve as a vehicle for initiating these steps.

I move second reading of this Bill.

Mr. M. Kwasnica (Cutknife): — Mr. Speaker, I am very pleased with the forward steps taken in this Bill. We feel that it is really the Department of Education's job to co-ordinate the educational programs — broadcasts, T.V., radio, what have you, in the province. This is a good move we feel. We know that there will be many problems, no doubt, in this area, but if the Minister can allot sufficient funds, I'm sure that an A-1 job could be done in this very important area.

We support the Bill.

Motion agreed to and Bill read a second time.

Hon. J.C. McIsaac (Minister of Education) moved second reading of Bill No. 49 — **An Act to amend The Teachers' Superannuation Act, 1970**.

He said: Mr. Speaker, Bill No. 49 is An Act to amend The Teachers' Superannuation Act, 1970.

Some of the amendments in this legislation is of a housecleaning nature, which came to light after the major overhauling the Act received last year in this Legislature. Perhaps the most significant provision of this Bill is one to raise the pensions of those teachers who retired prior to April 1, 1963. This Government, Mr. Speaker, is very well aware of the effects of inflation as it relates to pensioners particularly. For that reason we have made every effort in our term of office to fight and control inflation. So I am pleased at this time, Mr. Speaker, to be able to introduce a Bill that contains measures to increase the pensions of those teachers whose pension now is below $3,000 per annum. I might say we considered various proposals in this respect. I might say too that we were unable to go the full distance as sought by the Teachers' Federation with respect to amending in this particular area. I am sure, however, Mr. Speaker, that teachers will welcome this increase and I ask teachers of the province, and, indeed, Members of the House, to recognize the fact that while the Government has an obligation certainly to older teachers on pension, we have as well, obligations to our own civil servants and to many other citizens whose pensions have been devalued through the years by inflation.

After April 1, 1963, the formula used in the calculation of teachers' benefits reflected more accurately the amount of service that a teacher had and the salary that he or she had earned during the last eight years of their careers. Now prior to April 1, 1963 the method of calculating pensions did not, I am so informed, always reveal perhaps a true picture with regard to service and salary. The formula used in calculating allowances prior to April 1, 1963 was not nearly as generous as the one adopted April 1, 1963. Therefore, Section 28(a) of the Bill before us outlines the benefits and uses those

particular dates, Mr. Speaker.

Teachers who retired prior to January 1, 1957 shall have their allowances increased by $15 per month and those teachers who retired between January 1, 1957 and April 1, 1963, the date that I referred to, shall have their allowances increased by $13 per month. The increases when added to teachers' pension allowances shall not exceed $3,000 per year. Now the dates, January 1, 1957 and April 1, 1963, were chosen, as I said, because they were the dates when previous adjustments in formula and allowances were made.

Other amendments, Mr. Speaker, that could be mentioned at this time are amendments to Section 30 and to Section 47 and are basically what we could call housekeeping or housecleaning in nature.

The amendment to Section 50 is also in that category. It allows for a refund of contributions where a teacher who has ceased teaching and was entitled to a deferred superannuation allowance, yet dies before the deferred allowance is commenced, could be paid to him or her. And this is a provision, so I'm told, that was inadvertently omitted in last year's rewriting of the Act.

Section 64 of The Teachers' Superannuation Act, 1970 is being repealed and a new section substituted therefore to permit The Teachers' Superannuation Commission, to transfer upon the request of a teacher, refunds of contributions directly to an underwriter or a registered retirement savings plan thus eliminating the necessity of the teacher getting the money, him paying income tax, reinvesting it and claiming the tax back next year.

The increases in the allowances referred to under Section 28(a), Mr. Speaker, will commence to be paid as of April 1 this year.

I move second reading of this Bill.

Mr. M. Kwasnica (Cutknife): — Mr. Speaker, I am sure that all of the superannuated teachers in the province would like me to congratulate the Minister for the pension increases that he is giving them. As one teacher put it just the other day, "A little bit of something is better than nothing." But in the future I should like to see some type of a formula worked out where pension increases for teachers and for that matter anybody else, civil servants too, should come automatically, perhaps tied to the cost of living and the inflationary trends and therefore we wouldn't have to update this thing every six years or so. It should be automatic.

I feel too, that the maximum limit of $3,000 is not high enough. We should have hoped that it would have been raised somewhat.

I regret at the same time that the Minister saw fit to allow the Teachers' Superannuation Commission to increase penalties for the teachers who retire before 60, especially at a time when we have a surplus of teachers in the province. I think we should be making room for the young teachers entering the profession and this was not made possible. I should hope that any penalties or major changes in teachers' pensions would

be left within the jurisdiction of The Teachers' Superannuation Act so that these changes could be debated in this House rather than done by a commission.

So, Mr. Speaker, we on this side of the House accept with pleasure the principle of this Bill, but regret that the Minister saw fit to permit by legislation last year to allow the Superannuation Commission to double the penalties for teachers who retire before age 60 even though they may have taught for the 35-year limit which was suggested.

We will support the Bill.

Mr. McIsaac: — Mr. Speaker, there is very little I wish to add in reply to the remarks of the Member for Cutknife. I appreciate and I think I mentioned in giving this Bill second reading, that I well realize that it doesn't go as far as the Teachers' Federation requested or as indeed, I'm sure, many of those teachers affected would like to see us move. I hope the time will come when we can gradually continue this trend of raising these lower pensions as time goes on and extend it further.

I might make just one comment on a point mentioned by the Member not really relating to the Bill before us, but certainly I know dealing with the Bill. He referred to a reduction factor that the present Act provides for and has provided for many years, namely, for the Teachers' Superannuation Commission to make an actuarial reduction where teachers retire prior to age 60. That was examined by the Commission. They consulted one actuarial firm in this regard. I believe the figure finally used was a compromise, something less than that suggested by the actuarial firm. I can tell him, Mr. Speaker, and other Members of the House that, as a result of some teachers raising this question on this point with me, I have instructed the Commission about a week ago to seek further advice from at least two other actuarial firms and ensure that the actuarial reduction which the law provides for, and has for many years, that the actual rate used is indeed a fair one because certainly it is our intent to have it a fair one.

Motion agreed to and Bill read a second time.

Hon. D.V. Heald (Attorney General) moved second reading of Bill No. 51 — **An Act respecting Controverted Elections**.

He said: Mr. Speaker, I'm sure most Hon. Members have read this Bill and I'm sure the Hon. Members who constituted the Special Committee of the Assembly will have studied the contents and have noted several important changes from the draft Bill that was submitted by the Committee. I want to try today to make an explanation.

For the purpose of my comments I intend to deal with the Bill before the House and the recommendations of the Special Committee along with its draft Bill under two headings. The first heading I shall call "procedural matters" and the second heading will deal with the recommendation of the Special Committee with respect to the establishment of a trial election court.

As to the first head — this heading deals specifically

with the matter of initiating an election petition, the time for taking certain steps, and a number of interlocutory matters or steps that may or can be taken by parties through an election petition, all of these being matters not involving the actual trial of an election petition.

On page 14 of its report, the Special Committee summed up its conclusions more or less in the following terms and I quote:

> The Committee set to work to streamline, shorten and limit procedures of controverted elections but at the same time retain all those features of the Act which guarantee a fair and impartial result.

The Committee then made five recommendations, which in its opinion, would accomplish the desired result. These matters are dealt with in Sections 3 to 19 inclusive of the Committee Bill and I'm sure that if Hon. Members have read or will read Sections 3 to 20 of the Bill before the House, they will find that the spirit, if not the letter, of the recommendations of the Special Committee have been generally adopted and incorporated in this Bill. The basic principle involved in the Special Committee recommendations under this head is to shorten the time for certain steps to be taken with a view to expediting the time of the trial and an early disposition of the election contest. Since the principle so recommended, Mr. Deputy Speaker, has been adopted as already indicated, I don't think it is necessary to make any further comment under this heading.

Dealing now with the second heading as to constitution of the election court. I should like to quote from page 15 of the Special Recommendations, and I quote:

> Perhaps the most fundamental recommendation of the entire Act is to have the petitions under the new Controverted Elections Act heard by three Queen's Bench judges sitting together where a decision of the majority would be final but with no appeal to a higher court.

Four reasons were assigned for these recommendations and they are as follows:

> First of all (1) it was felt that three high court judges with their collective knowledge and experience ought to reach a fair and just result; (2) three judges would reduce the margin of error; (3) the high cost of appeals to the Court of Appeal involving appeal books, factums, and detailed argument makes a determination all the more necessary by a court of competent jurisdiction with the authority to make a final determination; (4) with this court of final determination, the committee feels that time could be saved without limiting individual rights and would still serve the public interest.

Mr. Speaker, the Member for Saskatoon-Riversdale (Mr. Romanow), in his written reservations agreed with the principle of the three-judge election court but he favored an appeal to the Court of Appeal if the decision was not unanimous. Ever since the first Controverted Election Act was passed in this province, the trial of election petitions has always taken place before a single judge of the court without a jury with the right of appeal to the Court of Appeal.

I think it may be said, with considerable satisfaction, that the number of election petitions that have been launched since 1905 are few in number. The recommendation of the special committee as incorporated into Section 22 of its draft bill would abolish the principle of a single-judge election court and substitute a three-judge trial court with no right of appeal to the Court of Appeal. It is, of course, within the legislative jurisdiction of this Assembly to determine what court and the number of judges that are to constitute that court and whether or not an appeal should be allowed.

Mr. Speaker, there is no uniformity in the Controverted Election Acts of the Provinces nor under the Canada Controverted Election Act as to the number of judges who are to constitute the Election court. For example, in British Columbia, Ontario and Manitoba and under the Federal Controverted Election Act, the Court consists of two judges. In Alberta, Nova Scotia and New Brunswick, the Court consists of a single judge but an appeal is allowed in each province and also under the Federal Act.

Since an appeal is so allowed, Mr. Speaker, I did not find it necessary or I did not consider it necessary to examine the merits of the two-judge election court in the provinces in which they exist.

Section 43 of our Queen's Bench Act makes special provision for sitting of the Queen's Bench en banc. Under that section the Chief Justice, or in the case of his illness or absence from Saskatchewan, the senior judge of the court may direct that certain types of cases or matters shall be tried by a court consisting of three or more judges but so far as is known no cases or matters have been directed to be tried by the court en banc.

What must be emphasized with regard to that section, Mr. Speaker, is that the decision to hold a sitting of the court en banc rests entirely with the Chief Justice or the senior judge, as the case may be.

There is no reason why the Chief Justice or the senior judge of the court should not or could not direct that an election petition should be tried by the court en banc comprising three or more judges if it was thought fit to do so. But if the special committee recommendation were to be adopted, that discretion would be taken away and a three-judge trial court would be mandatory. What I am really saying, Mr. Speaker, is that under our Queen's Bench Act, if the Chief Justice or the senior judge decides in a particular case that it would be necessary and advisable to have a three-man tribunal, the power is there without putting it in the Controverted Elections Act.

Mr. Speaker, the Government has carefully examined the reasons advanced by the special committee for the three-judge trial court and some of them have merit. The principle that the result of an election and especially a contested election should be ascertained with the least possible delay, is of course recognized and it is a valid principle. That election petition proceedings are expensive is beyond doubt but the Government is not convinced, Mr. Speaker, that the principle of long standing in this province, as shown by the Queen's Bench Act, which provides for the trial of all cases by a single

judge, with or without a jury as the case may be, we're not convinced that that principle should be abolished and a new three-judge election court as recommended by the special committee in Section 22 and Section 33 of its draft should be established.

In short, Mr. Speaker, we have reached the conclusion that the single judge election court that has existed for over 60 years in this province should not be changed and I shall endeavour to give Members of the Assembly our reasons for reaching that conclusion.

As the Chief Law Officer of the Province, it is of course my duty and responsibility to give careful consideration to the recommendations of a special committee established by the House and I assure you that I have tried to discharge my duty and responsibility in considering these recommendations. My responsibility, I suggest, is to consider the principle recommended for adoption in all its aspects and then to endeavour to determine if, when the principle is to be applied, it can be applied practically and effectively and that the statute to be drafted will be workable and feasible.

One of the matters to be considered is that the result of an election is determined not by the result of an election petition as such but by the number of votes cast at the election. The successful candidate has been declared elected by the Returning Officer and the Chief Electoral Officer has published the notice of such election as required by law. The constituency for which the successful candidate has been declared elected is represented in this House by that candidate. It is only if a defeated candidate or a qualified voter is dissatisfied with the result of the election, because he has reason to believe or has found evidence that a number of persons who voted at the election were not entitled to vote, and if such votes were not counted the result of the election might have been different, that the question of contesting the election arises.

The law gives that right and no one argues about it. Other grounds for contesting the validity of an election may consist of illegal or corrupt practices by a candidate or his business agent or that the returning officer is guilty of misconduct. In either of those instances, if proven in an election petition proceeding, the election may be voided and a new election held.

As I have already stated, although the Controverted Election Act has been on the statute books of this province since the beginning, the number of election petitions filed have been very few in number. Hon. Members may, however, remember that following the 1964 and also the 1967 general elections, several election petitions were filed and were tried with varying results. But in each of those petitions the sole issues were as to the qualifications of a number of persons who voted and who it was claimed were not so qualified to vote. It seems to me to be proper, Mr. Speaker, that I should mention a somewhat unusual situation with regard to votes cast at a hospital or sanatorium and votes cast at an ordinary polling place during an election that has considerable relevancy, I suggest, to the point under discussion.

Each ballot cast at a hospital or sanatorium is placed in an envelope which is sealed. On the face of the envelope is a declaration of the voter identifying himself as a voter at a

given polling division in a specified constituency. The deputy returning officer at that polling place does not count the votes, he sends all ballot envelopes to the Chief Electoral Officer who segregates the ballots according to constituencies and then forwards the ballot envelopes to the appropriate returning officer. On the day of the official count by the returning officer, if no written objection is filled by a candidate or person entitled to be present, the ballots are counted. If written objection is taken to one or more ballots in the unopened envelopes, such ballots are not counted unless a recount has been ordered. And if so, the unopened ballot envelopes may be opened by the judge on recount.

If the qualification of the voter who cast the ballot in the envelope is challenged, the judge may decide whether he was so qualified and allow or reject the ballot. The Election Act provides for an appeal to a judge of the Court of Queen's Bench from a decision of a judge on the recount. The number of ballots placed in envelopes and counted at a recount, as mentioned, may well affect the result of the election where the majority or plurality of the successful candidate is narrow.

Now let us consider the position of a person who votes at an ordinary polling station. He votes without being challenged, or he takes the appropriate oath after being challenged, and then votes. Or his name may not be on the voters' list, and he is therefore entitled to vote if he takes the appropriate oath or declaration. He may or may not be entitled to vote. If perchance a sufficient number of unqualified persons cast votes, and that number is such that if they were found not to be entitled to vote, the result of the election would be affected and the validity of the election could be challenged under the Controverted Elections Act.

Inconsistency between the unopened ballot envelopes and the ordinary ballots cast in an election lies in this: that ballots in unopened envelopes may be reviewed only by a judge on recount who has jurisdiction to determine the qualifications of the voter who cast the ballot subject to a right of appeal to the Queen's Bench judge; whereas the qualifications of a voter who has cast his ballot at an ordinary poll may be decided only on an election petition to be tried if the special committee recommendation were accepted by an election court consisting of three Queen's Bench judges or a majority of them. So there is an inconsistency there if we go to the three-man court.

I should perhaps mention that the election petitions that were filed after 1964 and 1967 were based on a sufficient number of persons having voted who, it was claimed, were not qualified to vote.

If the rights of voters, and particularly of qualified voters, are matters of sufficient importance to permit courts or judges to determine such qualifications, then it seems to me that the courts that constitute the trial or appeal courts should be uniform as to the number of judges. Why should a voter who votes at a hospital or sanatorium be treated differently than a voter who votes at an ordinary poll? Why should a single judge, either at the recount or on appeal, have the sole right to determine the qualifications of that hospital or sanatorium voter but a three-judge court decide the right of other voters who voted at an ordinary poll?

The reasons assigned by the special committee, already mentioned, if valid with respect to election proceedings where voters voted at any ordinary polling place should have equal application to voters who vote at hospitals or sanatoria. The adoption of the single judge election court, Mr. Speaker, will place them in the same position. But there are other reasons for the Government not agreeing to the three-judge election court as contained in the Committee Bill recommendations.

Let us deal with each of the sections of the Bill so far as applicable.

Section 22, subsection 1 of the Committee Bill provides that every petition shall be tried by three judges without a jury.

Section 33 provides for the appointment of the three judges as follows, and I quote:

> The Chief Justice of the court, or in case of his death, illness or absence, the senior judge of the court shall designate the judges who shall hear the trial of any election petition made hereunder unless such designation is already prescribed by the practice of the court.

I stop here to consider the effect of the portion of the section just quoted. The first portion is clear and needs no comment. But the qualification contained in the words "unless such designation is already prescribed by the practice of the court" does need comment. The special committee report makes no reference to any inquiries made to ascertain if there is a practice of the court to designate one or more judge or judges to hear an election petition and I have never heard of any such practice. I have already mentioned that the sittings of the court en banc are authorized under the Queen's Bench Act in the manner in which such sittings are decided upon, and I won't repeat that point.

It may be of interest to Hon. Members, who are not lawyers, to learn how the Queen's Bench Court is established and how the judges discharge their judicial duties.

The Court of Queen's Bench is established under the Queen's Bench Act. The court consists of a chief justice and seven other judges. Each judge has jurisdiction throughout the province. There are 21 judicial centres in the province and sittings of the court are held in each of these centres in each year.

Under that Act, the Queen's Bench Act, the judges are required to administer the functioning of the court. The judges are required to meet from time to time to determine the times and number of sittings of the court to be held in each year. They usually meet in November when judges are assigned to preside at sittings of the court to be held at each judicial centre in the next year. They meet in November to set up the schedule for the following year.

Under existing rules, there are about 85 sittings of the Queen's Bench Court in a year. In Regina and Saskatoon the court sits every month and one sitting frequently overlaps with the next. Sittings at other judicial centres are fixed according to the volume of work that experience has proven to be necessary to dispose of the judicial cases which appear at that

centre. One judge is assigned each month to hold chambers in Regina and Saskatoon every week and at Moose Jaw and Prince Albert twice a month. So that seven judges are occupied each year in trial work and one judge is occupied each month in chamber work. A point that I wish to make here is that the assignment of a judge to preside at a particular sitting of the court or to sit in chambers does not mean that the assignment itself gives him jurisdiction. Such assignment of a judge, as the Hon. Members — the Leader and the Deputy Leader — I am sure know, is purely an administrative matter for the purpose of distributing the work of the court as uniformly as may be possible.

Under the Queen's Bench Act, the jurisdiction of the Queen's Bench Court is clearly set out and a judge sitting in court or in chambers exercises the powers and jurisdictions conferred upon him by that Act and not by the mere assignment to a particular court or chamber sitting. I want to emphasize this point, Mr. Speaker, because it becomes of great importance when the balance of Section 33 of the Committee Bill is considered. I shall quote the balance of Section 33 of the Committee Bill:

> Provided that if such judges are not so designated and neither party to the proceedings at the opening of such trial questions the jurisdiction of the judges to conduct such trial, then such judges shall be deemed for all purposes to have been properly designated and the validity of the proceedings shall not be open to question for lack of jurisdiction.

This proviso, if adopted, injects an entirely new and unheard of principle with respect to Queen's bench judges. The situation intended to be covered by this proviso is that three judge have been designated but do not attend at the trial or that no judges have been designated and that three other judges not designated, do attend the trial. The question then arises, what are the rights of the parties in such a situation? If I understand the proviso correctly, if neither party to the proceedings at the opening of such trial questions the jurisdiction of the undesignated judges to conduct such trials, then the trial may proceed as if the judges had jurisdiction and their jurisdiction cannot thereafter be questioned.

The import of the whole of Section 33 is that the assignment by the Chief Justice or senior judge of three judges to try the election petition, confers jurisdiction upon those three judges. Alternatively, if three undesignated judges should attend the trial, then it is open to either party to the election petition to object to the jurisdiction and if they so object, the judges will not have jurisdiction and the trial cannot be started. A new application would then have to be made to a judge in chambers to fix a new date for the trial. The party who did not object would not only be tremendously inconvenienced because he would no doubt have all his witnesses present and be ready to proceed, but would have paid witness fees to witnesses, all of which would be lost to the party.

This situation could be repeated at the next or new trial date if perchance three other judges not designated were to attend and similar objection was taken. One way for a party to an election petition to delay the hearing would be to object to the jurisdiction of the three undesignated judges and by so doing the principle of an expeditious disposition of an election petition would be defeated by the acts of one party to such

proceedings. And that's what we are trying to get away from, is delay in these election proceedings, these election petitions.

That such a situation could arise is not beyond imagination. Three judges may have been designated but two or more of them may just happen to be in the midst of a long criminal or civil jury trial. They cannot stop that trial and attend at the place where the election petition is to be heard, and therefore arrange with either the Chief Justice or senior judge or as frequently happens, with another judge not immediately occupied, to substitute for him.

Any number of situations could be imagined where at the last minute it may be found that one or two of the designated judges could not possibly attend and one or two judges would agree to substitute for them. Just why there should be a statutory distinction or differentiation made between judges designated and judges not designated is difficult to understand. But if the right to object were carried to its logical conclusion, a new principle entirely foreign to our jurisprudence, would be introduced into our law giving the right to one party to a proceeding to object to the jurisdiction of a presiding judge or judges, because the judge or judges were not designated. If this right were to be conferred upon parties to election petition proceedings then why not confer the same right to all litigants in ordinary civil proceedings. In that way a litigant could object until he found a judge or judges whom he thought to be more favorable to his type of case.

I think that it requires only to state the proposition, Mr. Deputy Speaker, to realize that the whole administration of justice in the province could be, in these circumstances that I have described, at the mercy of a single party to one court proceedings. The same comments may be made with respect to that portion of Section 33 which provides that the Chief Justice or the senior judge of the court, shall designate a single judge to hear all chamber applications in connection with an election petition.

I should point out that in addition to regular chambers being held in the four judicial centres already mentioned, chamber applications may be made at each regular sitting of the court at any other judicial centre. If one judge were so assigned to hear all chamber applications he would, from the moment the first election petition is filed, more or less have to hold himself in readiness to hear that application. If perchance he were engaged in a trial in another judicial centre, and a chamber application had been launched, he would have to adjourn that trial and proceed to the judicial centre where the application was returnable, or as is usually done, arrange with another judge to hear the application.

But if Section 33 of the Committee Bill were in force, any party to such an application could object that he was not the designated judge and therefore prevent the application being heard. I am sure that you can see the difficulties that could be encountered by this type of a situation.

The principle of the three-judge court, as incorporated in Section 33 of the Special Committee Bill, I reluctantly have to say, is not acceptable to us for the reasons that I have mentioned. Nowhere in the Special Committee Report is there the slightest suggestion that the judges of our Court of Queen's

Bench are subject to criticism in the discharge of their duties and I am sure that no criticism was intended by recommending the adoption of Section 33.

It is the opinion of the Government that there should be no change in the law with respect to the constitution of the Election Court and that the assignment of judges to hear election trials or chamber applications should be left to the wise and sound discretion of the judges of that court, as in all other trials or chamber applications.

Now a few words about costs. Mr. Deputy Speaker, election petition proceedings are always expensive proceedings. If the charges are that a number of voters were not qualified to vote and that number, if proven, is sufficient to void the election, the number of witnesses to be called will, of course, depend on the difference in the votes between the successful candidate and the defeated candidate. If the charges are for illegal or corrupt practices, the issues are much more serious because of the consequences flowing from a finding of such practices.

Section 27 of the Committee Bill has properly given the trial court a wide discretion as to who shall pay what costs and by subsection (5) has limited counsel fees, to $150 per day if the trial lasts one day, and to $100 for each additional day thereafter, no matter how many counsel appear on one side, and that except actual disbursements, the total fees including counsel fee not exceeding $500, may be taxed against any party to the proceedings.

This limitation of the total costs will tend to discourage those who may be inclined to launch petitions that cannot be amply supported by evidence or hesitate to launch petitions that may have little weight when the whole of the facts involved are carefully considered.

The principle of Section 27 of the Committee Bill is acceptable to the Government and has been incorporated in the Bill before the House. A note concerning appeals to the Court of Appeal. Since the Government has not accepted the Committee's recommendation with respect to the three-judge election court, it has also not accepted the recommendations that there should be no appeal to the Court of Appeal from the decision of the trial judges.

Section 28 of the present Act provides for an appeal to the Court of Appeal. This Section has been included in the Bill before the House. The usual time for appeal is 30 days after delivery of judgment and this is being continued.

The Bill now being considered provides that the appeal shall be heard by the Court of Appeal within 30 days after the notice has been filed, unless that time is extended by an order of the court appeal or a judge thereof. This is obviously an arbitrary period, but in my opinion such a section is essential in order to expedite the hearing of the appeal with the least possible delay. If the appellant is not ready within the 30 day period to proceed with the appeal, he will have to apply for an extension of time to do so, but he will have to satisfy the court or the judge that there is valid reason for granting a delay or extending the time. Then, under the existing rule of court no appeal may be set down for hearing during the months of July or August in each year. That is the usual rule.

It was felt that this rule should not apply to election appeals and a section in the Bill provides that the rules with respect to long vacation shall not apply to such appeals. So there will not be that delay.

In other words, if an appeal is ready to be heard, then it will have to be heard whether long vacation does or does not intervene. We believe that this provision will hasten the hearing of any appeal.

One of the reasons why the hearing of an appeal is delayed is that the court reporter is not able to transcribe the trial evidence within the prescribed time. Since the Legislature will have indicated its clear intention that appeals shall be heard as expeditiously as possible, and has, by providing that appeals shall be heard within 30 days after the notice of appeal is filed, unless otherwise ordered, and that the rules as to long vacation shall not apply, I am sure that the solicitors as well as the Court of Appeal will insist that the transcription of evidence in election appeals be given certain priority over transcripts of other appeals and thus expedite the hearing. And as I said on Estimates, Mr. Speaker, the situation with regard to transcriptions in the province is now in a very good current condition.

In conclusion, Mr. Speaker, I am satisfied that as a result of the recommendations of the Special Committee that have been adopted and of the other provisions made in the Bill, election petitions in the future should be disposed of within a much shorter period of time than they have been in the past. This was one of the principal objectives of the Special Committee and I am sure all Hon. Members will agree with it. There is no doubt in my mind that our courts will see to it that not only the letter, but the spirit of the Act is carried into effect.

I wish to assure Hon. Members that non-adoption of the principle of the three-judge election court without appeal, is not based on any partisan grounds. Careful and anxious consideration was given to every matter that was involved, including the practicality of the application and operation of the principle. The Government is convinced on practical grounds that the principle, if adopted, would not result in any particular advantage or benefit being derived. On the other hand, and subject to certain special provisions with respect to an early hearing of a petition or appeal, I think it is the duty of the Government and of this Assembly to try to enact laws that will fit into the system of our courts as provided in the various Acts establishing the courts in a practical way so that the administration of justice in the province, generally, will not be unreasonably delayed in cases or matters that have to be heard and disposed of by the courts or judges thereof as they arise.

I, therefore, invite the support of every Hon. Member of the House for this Bill and I hope that it will receive unanimous approval.

Some Hon. Members: — Hear, hear!

Mr. A.E. Blakeney (Leader of the Opposition): — Mr. Speaker, I think we all welcome the introduction of this legislation. Some Members of the House who have had

experience with controverted elections in various capacities have been impressed with the fact that our Controverted Election legislation had become out of date, had become archaic. This was recognized by the Government, and indeed by all sides of the House, when the Committee was appointed and I think the Committee did a good job of reviewing the problems.

In listening to the Attorney General this afternoon I was impressed by his arguments particularly in respect of the objections he raised to one of the main committee objections. I think that this is something which we shall have to go into in Committee of the Whole since, I must say, just listening to the argument, I was initially convinced that he was right and his suggestion was a better one than the Committee's. That we can consider in Committee.

I am concerned only with two or three aspects of the Bill at this stage. I am certainly concerned as to whether or not the Bill before us sufficiently does the job of making controverted election proceedings before the court in the ordinary way, so that the judges feel that they have the same rights to waive irregularities, the same rights to grant adjournments, and the same rights to deal with other procedural matters which come before the courts, that they have in an ordinary proceeding.

Section 32 is an attempt at that. I think that in Committee we shall have to look at it with a great deal of care because this has been one of the most foreign areas. The judges have felt that they were strictly bound by the four corners of both The Election Act and The Controverted Elections Act, and had no power, for example, to waive an irregularity, even though it was an obvious technical point only. This, I feel, has led to a good deal of difficulty in the past, both with respect to recounts, which are not now before us, and to controverts which are before us, and I think that we should see that these sorts of technical problems do not beset our attempts to see that the wishes of the voters are reflected in the election of the appropriate member.

In one other area, I feel, that the Bill before us may have overcompensated. There is clearly running through this Bill a desire to shorten periods of time in order to speed up all procedures. I am wondering about the effect of Sections 34 and 35 which say in effect that applications to a judge must in the ordinary case be by notice of motion. And Section 35 then says, in counting the time of notice of motion, you will have not only to have filed and served your motion, but it will have to be returnable within the time limit. And then to sprinkle through the Bill time limits of 15 days and as short as 10 days, means that you have to be off the mark almost immediately. You only have, therefore, two or three days in effect to prepare a notice of motion, file it, and serve it if you are going to make it returnable within the 10 days. It is a short period of time and I should suggest that in Committee we examine such a time period as appears in Section 11, 14 and 19 to see whether or not these time periods, combined with the effect of Section 34 and 35, are not too restrictive.

I share the view of those who drafted the Bill that the Act should be designed to get a speedy result. I suggest that in this regard we may have overcompensated.

Those, Mr. Speaker, are all the remarks that I wanted to

make at this stage of the proceedings.

Mr. R. Romanow (Saskatoon-Riversdale): — Mr. Speaker, I sat and listened with extreme interest to the remarks made by the Hon. Attorney General (Mr. Heald) with respect to the provisions of this new Bill, The Controverted Elections Act, and particularly as they related to the concept of a three-man election court.

May I say that it appeared to me, as one member of the committee, that we were perhaps on occasion overly concerned with the question of quickly getting an application of a controverted election heard and determined. Occasionally there were remarks, and this certainly had nothing to do, in my view, with political party lines, but remarks by some of the members of the committee that perhaps the majority of the members on the committee were concerned about making sure that controverted applications would be heard and determined speedily, too speedily if you will, in terms of the interest of the candidates and the people involved with respect to such an application.

I must say that the idea of a three-man election court was certainly a very novel and interesting one. It is a concept that I supported at the time that the Election Committee sat. I felt the idea of three men who would build up a body of a precedent around them, three men who would appear regularly and concern themselves with the controverted election proceedings, was a much better situation than the present situation where you may have one, two, three or more different Queen's Bench judges hearing a controverted application, each one of them bringing his lack of experience — and I use that phrase in its best sense — to the controverted elections hearings.

I thought, also, that a three-man court would cut down the chances of an error being made by the trial judge. I think we would all agree that generally speaking three heads, if they are good heads, are better than one in these types of applications or generally in most types of applications. To my way of thinking, an application under The Controverted Elections Act is one of the most important processes that the democratic system can undergo. I think when you have an election and the determination of the will of the majority of the people in that election, necessitating a controverted election hearing, it is of utmost importance that the absolutely correct and true wishes of the electorate be determined. I thought that the chances — and I still feel that there is some merit to this — that the chances of the true determination of that will lie best with a three-man election court.

I think, perhaps to some extent justification from my participation in the Committee, that the idea of the three-man election court is an idea that certainly deserves support by the Committee. I want to remind the Hon. Attorney General that we received advice and assistance from competent legal counsel, engaged by the Election Committee. We received the advice from a man who I know personally, was involved in several controverted applications because I happened to be on the opposite side of one or two of them. I am referring to Mr. Ed Bayda. In fact, I don't think that I should be telling secrets outside of the Chamber when I suggest that Mr. Bayda and Mr. Malone who assisted him, were by and large the people who drafted the provisions of the Bill upon the instructions of the Committee, the Committee

having adopted the three-man proposal.

Those of us who have had some experience in the courts of law, including the chairman, Mr. Heggie from Hanley, and others together with Mr. Bayda, were concerned about the practical possibilities of this three-man election court. I can tell the Members of this House that the Committee met on a number of occasions, over a number of days, and considered this particular aspect fully and came to the conclusion that the practical problems the Attorney General raises before us — I am not demeaning those practical problems because I, like the Leader of the Opposition, can feel that a good argument has been advanced by him — but at that time were overcome and the proposals were worthwhile recommendations.

Before I proceed further I want to make one further observation. The Attorney General, on this three-man election court, raises the spectre of the problem of the draft bill saying, what happens if someone objects to the jurisdiction of the court's three judges election tribunal. In effect this would throw the entire business out the window.

I am not so much worried about that. I think that the chances of a political party or a political candidate, being under the scrutiny of the public eye in an election which is that close or in such dispute that requires an application under The Controverted Elections Act, that candidate is going to think once or twice if not more times before he makes any application to have the matter thwarted. His reasons, legal reasons, I submit, are going to have to be well founded, for in derailing the application he is going to incur the political wrath of the electorate sometime sooner or later.

I think that if a candidate or a political party feels genuinely aggrieved about the jurisdiction of any one judge to hear and determine a controverted elections application — I emphasize so genuinely aggrieved that he feels that he must object to the jurisdiction — then I ask the Members of the House whether or not we are really doing the best job by denying him that right. Are we really not forcing that candidate of that political party in effect to go underground by rumors, by political campaigning, when he feels he has been so aggrieved by the point of jurisdiction or by a judge, that he can't raise that when he comes to a legal proceeding.

In other words, I know from time to time that there have been elections that have been close and bitterly fought. In Saskatchewan it is a blessing, if you can word it that way, that we fight elections very well — not too closely in this coming election I know, because we shall win very handily — but in the past at any rate in 1964 and 1967, closely. We have certainly, as the Member for Athabasca knows, we have fought it in a very heated and disputed way. We have a tradition in Saskatchewan of sharp political divisions, very keenly debated. Very often those feelings spill over when it comes to a consideration, Mr. Speaker, of The Controverted Elections Act. If these feelings are so strong, if these feelings can spill over into the legal proceedings of a particular application, I say again the suggestion of the Committee had considerable merit. We had better allow that candidate and that political party the right to object to the jurisdiction rather than him going, Mr. Speaker, as it were, underground and carrying his objections there.

Now, Mr. Speaker, I have had an opportunity to examine the Bill and to notice the changes from the draft. I may say that I was not all that wedded to the recommendations of the draft. In large principles I think the Committee did an exciting piece of work on the three-man court. However, I have only had an opportunity to listen to the remarks made by the Attorney General (Mr. Heald) a few minutes ago. I think they are very important observations. I should like to have some time to consider his remarks in order to determine whether or not further observations should be made by myself and those on this side of the House who also served on the Committee respecting the suggestion by the Attorney General that we in effect substitute the three-man election court for the one-man traditional court.

I want to say also in another area I concur with the right of appeal. I think the right of appeal is a very valuable point. I raised this in my minority reservation, as the Hon. Attorney General has indicated. With those few brief remarks — I see the Attorney General has given me his draft remarks for perusal — I beg leave to adjourn this debate.

Debate adjourned.

Hon. A.R. Guy (Minister of Municipal Affairs) moved second reading of Bill No. 50 — **An Act to amend The Homeowner Grants Act, 1966**.

He said: Mr. Speaker, this is one Act that I know all Members in the House await each year with great anticipation; even our Members to your left, I am sure, will offer their support to this legislation increasing the Homeowner Grant for the third time.

I was interested in the remarks of the Member for Saskatoon-Riversdale who just took his seat a few minutes ago, even though it wasn't particularly related to this Bill. It was as related to this Bill as his remarks for the Bill that he was discussing about the future election that obviously is going to take place before too long in this province. If there is one program, I should like the Member for Saskatoon-Riversdale to know, that the voters of this province will be judging when they go into that little booth to mark their 'X' it will be the Homeowner Grant program. There has been no program in the history of Saskatchewan that has met the appeal and the desires and the wishes of the electorate as this program of the Homeowner Grant. You remember back in 1966 when we introduced this legislation some of our friends opposite who were here at that time said, "I'll tell you the people of Saskatchewan will not like this legislation and we are going to vote you out of office at the first opportunity." Well 1967 came and went and of course you know the result of that election. We were returned with an increased majority. Since that time of course, this is the second time that we have increased that grant. We have increased it from $50 to $60 in 1970. This year we are increasing it to $70. I should suggest, Mr. Speaker, that in the election that will occur this year we shall be returned again with an increased majority and this will be one of the reasons.

We heard Members opposite for the last few years complain about the heavy tax burden on the taxpayers of the province. But when we provide direct assistance through the Homeowner Grant, what do they say? "Oh, this is no way to do it! This

isn't the way to do it." What they really mean is, this isn't the way that a Liberal Government should do it, because it is a program that is so well accepted by the people of this province. This is another program that was a first for the Liberal Government, along with the snow removal grants, the police protection grants and I could go on for almost an hour — I know I have done it two or three times this session — but I could go on for an hour outlining grants that are being made available to the people of Saskatchewan today that our friends opposite never even considered during the 20 years that they were the Government. Yet they say that this isn't for the benefit of the taxpayers of this province. I will dare each and every one of those Members opposite to vote against second reading of this Bill. The Member for Kinistino (Mr. Thibault), I think it was, when it was first introduced in 1966, said, "I am not afraid to vote against it." But when the chips were down and he had to stand up and be counted he was looking through the window out there from the corridor, he wasn't standing in his seat. I challenge the Member for Saskatoon-Riversdale (Mr. Romanow) if he doesn't want to be a one-term Member, that he had better get up in his seat and support this Bill, because the people in his constituency probably more than any other people in this province have benefited from this legislation. He will accept our advice, this is good, he knows good legislation when he sees it.

Some Hon. Members: — Hear, hear!

Mr. Guy: — Oh, I don't think there is any hope for the Member for The Battlefords, he has never accepted any advice yet that was to his advantage. I don't suppose he will accept any today, he is too concerned about the pilots starting forest fires up in the North. He is too concerned about some of the other comments, such as we shouldn't fight any of the forest fires north of the Kramer line. Those are the things that interest the Member for The Battlefords. I know, Mr. Speaker, you will probably call me out of order, but I just want to tell the Member while I am on that subject, that last week I met with members from every northern community and they were hostile to the attitude of the Member for The Battlefords. They assured me beyond a shadow of a doubt that I could go in there probably by acclamation, because they couldn't find anyone to run in Athabasca against me.

Some Hon. Members: — Hear, hear!

Mr. Guy: — I'll tell you, Mr. Speaker, that the people up there like to have a homeowner grant too. Because of the Homeowner Grant along with all the other good legislation that we are providing this year, it gives me and my colleagues here the greatest of pleasure to move second reading of this Bill.

Mr. G.R. Bowerman (Shellbrook): — The Hon. Member from Athabasca referred to a meeting that was called in his constituency where he invited many people to attend. The information that I have, Mr. Speaker, about that meeting is that when the Minister was asking about employment for the people in his constituency, the manager of Gulf Mines at Rabbit Lake said to him that nothing would be operating until 1973. Where is that massive ore body the Minister of

Mineral Resources (Mr. Cameron) has talked about so freely? Where is that great massive ore body? About that meeting which the Minister so gleefully referred to and the fact also that it would be difficult to find an approving candidate in that constituency of Athabasca, may I inform the Hon. Member that there will be a candidate there and one very anxious to run indeed. He is on his way, he is on his way. I should suggest that the people of Athabasca constituency will undoubtedly be happy to support this Homeowner Grant legislation, and so will I.

On the motion of Mr. Romanow the debate adjourned.

Hon. G.B. Grant (Minister of Public Health) moved second reading of Bill No. 52 — **An Act to amend The Medical Care Insurance Supplementary Provisions Act, 1968**.

He said: Mr. Speaker, this Bill is being proposed for the purpose of resolving a problem that has arisen because of an apparent administrative oversight. The Medical Care Insurance Supplementary Provisions Act was enacted at the 1968 Session of this Assembly and was proclaimed to come in force July 1, 1968. Its basic purpose was to bring the provisions of The Saskatchewan Medical Care Insurance Act and other relevant statutes in line with The Medical Care Act, Canada. These statutes included The Tuberculosis-Sanatoria and Hospitals Act and The Mental Health Act pursuant to which certain medical services are provided to residents of the province. Included in this Act was a change in the residence requirement under The Tuberculosis-Sanatoria and Hospital Act and The Mental Health Act. It was stated, in effect, that persons who had established three months' residence in the province because entitled to receive the required medical services in a tuberculosis sanatorium or mental hospital after the fixed date. It was also stated that persons who moved to a participating province would be entitled to have payment made under these two Acts for certain medical services received after the fixed date. Section 2(a) of the Act defines 'fixed date' as the date fixed as a fixed date by the Order-in-Council. It is understood by both the Federal Government and the Government of this Province that the fixed date was to be set by Order-in-Council as July 1st, 1968. However, it now appears that through inadvertence this Order-in-Council was never passed. The Bill will define the 'fixed date' in the Act as July 1st, 1968. This amendment is necessary to give proper effect to the various provisions of the Act in which the expression 'fixed date' is used. It gives legal effect to the original intent of the 1968 Act. With this brief explanation I move second reading of this Bill.

Motion agreed to and Bill read a second time.

The Assembly adjourned at 5:28 o'clock p.m.