

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Fourth Session — Seventeenth Legislature**  
**39th Day**

**Thursday, March 28, 1974**

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

**WELCOME TO STUDENTS**

**Mr. Wiebe** (Morse): — Mr. Speaker, I should like to take this opportunity to introduce through you and to the Members of this Legislature, 21 Grade Twelve students from the Morse High School who are located in the east gallery. This is their third attempt at trying to come to the Legislature this spring. The other two attempts were stormed out and we had visions this morning that they might be stormed out again today but I am very pleased to see that they are here.

They are conducted by their teacher, Mr. Radbruck and their bus driver, Mr. Unger. I must congratulate the teacher on having this group with us this year. It has been each and every year that he has attempted to bring the Grade Twelve students into Regina to view the proceedings here at the Legislature which I think is very admirable. I hope that the students will enjoy their stay this afternoon. I look forward to meeting with them at 3:30. They have picked a very excellent afternoon to come to the Legislature in that the Lieutenant-Governor will be here to pass some legislation this afternoon.

I wish them a safe trip home and look forward to meeting them at 3:30.

**Hon. Members:** — Hear, hear!

**Mr. A. Thibault** (Melfort-Kinistino): — Mr. Speaker, I should like you and the Members of this Legislature to join with me to welcome a fine group of students from Wakaw High School, numbering 20, and they are all in Grade Twelve. They visited the city here this morning, they visited the Leader-Post, the museum and they will make a trip to the RCMP later.

I hope that this visit here will be the kind that is a real experience in the Legislature. This is the place where we make the laws of the land I hope that they can go home and say that we set a fine example in this Chamber this afternoon.

I want to tell you that Mrs. Latos accompanied her husband Eugene, who is a school teacher, and Mr. Keith Buztynski the bus driver who brought them here. So I hope you will all join with me in welcoming them and I want to wish them a safe journey home.

**Hon. Members:** — Hear, hear!

**Hon. J. E. Brockelbank** (Saskatoon Mayfair): — Mr. Speaker, I take great pleasure in introducing to you and this Chamber a group of 40 students from Saskatoon Mayfair constituency. These students are Grades Seven and Eight

and they attend McNab Park School. It is near the airport in Saskatoon. They are accompanied today and seated in the west gallery with their teachers, Mr. Froese and Mr. Riechart.

I hope the students enjoy the happenings here this afternoon and I also hope, depending on the kind of weather we are having these days, that they are able to have a safe journey back to Saskatoon.

**Hon. Members:** — Hear, hear!

**Hon. G. MacMurchy** (Last Mountain): — Mr. Speaker, it gives me great pleasure to introduce to you and to the Members, and to extend on behalf of all of us here a warm welcome to the students of Grade Twelve, there are six of them, accompanied by Mr. Ashby, their teacher, from the Earl Grey High School. It is a blustery day, we hope you've enjoyed your trip in and that you enjoy your trip home. And most important, we hope you enjoy your stay here in the Legislature.

**Hon. Members:** — Hear, hear!

**Mr. J. Wiebe** (Morse): — Mr. Speaker, on behalf of Mr. Don MacDonald who is unable to be with us this afternoon, I should like to take this opportunity to introduce to you and through you to the Members of this House, 50 Grade Eight students from the Lindale School in Moose Jaw. I was very fortunate, I met with them for about 20 minutes at 12:30 this afternoon. I enjoyed the meeting very much and must say that they asked some very excellent questions. I hope that their stay this afternoon will be very enjoyable and educational and as well that they will have a safe trip home.

**Hon. Members:** — Hear, hear!

**Mr. J. G. Lane** (Lumsden): — I should like to join my colleague from Morse on welcoming these students from Lindale High School. Many of them live in the Lumsden constituency and I should certainly like to join with him in hoping that they have an enjoyable and interesting day and that they have a safe journey home.

**Hon. Members:** — Hear, hear!

### **MOTION FOR FURTHER ESTIMATES**

**Hon. W. A. Robbins** (Minister of Finance): — Mr. Speaker, before the Orders of the Day, I have a message from His Honour the Lieutenant-Governor.

**Mr. Speaker:** — The Lieutenant-Governor transmits further estimates of certain sums required for the services of the province for the twelve months ending March 31st, 1975 and further supplementary estimates of certain sums required for the service of the province for the twelve months ending March 31st, 1974, and recommends the same to the Legislative Assembly.

**Mr. Robbins:** — I move, seconded by the Hon. D. Cody that:

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His Honour's Message for further estimates and for further supplementary estimates be referred to the Committee of Finance.

Motion agreed to.

## **ROYAL ASSENT**

At 3:18 o'clock p.m. His Honour the Lieutenant-Governor having entered the Chamber, took his seat upon the Throne and gave Royal Assent to the Bills presented to him.

## **STATEMENT**

### **Discussions in Ottawa with Respect to Oil Pricing**

**Hon. A. E. Blakeney** (Premier): — Mr. Speaker, I should like to make a brief statement to the House with respect to the discussions held yesterday in Ottawa with respect to oil pricing. An arrangement was arrived at and I will give you in summary the elements of the arrangements. It is for 15 months.

The next figures I will give you are the ones quoted in the Press and they are based upon Alberta sweet crude prices, if I may put it that way. I am speaking of well-head prices of oil, of Alberta oil in Alberta. These vary slightly in Saskatchewan terms because some of the oil in Saskatchewan is of a little lower quality and therefore it will be 10 cents or 20 cents a barrel less valuable than Alberta oil and it may be 10 cents a barrel more valuable because it is that much closer to the market. Therefore, there are slight variations if you attempt to apply these figures to oil from any particular field.

The price, therefore, is \$6.50 effective April 1st, 1974. This has the effect of confirming the royalty surcharge applied by the Government of Saskatchewan during the months of February and March of \$1 a barrel, and providing room for an additional royalty surcharge of about \$1.50, making a total royalty surcharge of about \$2.50 a barrel. The royalty surcharge is not applied fully in every case, depending again on the quality of the oil but that's the room available for sweet crude. This will provide a gross return to the Government of Saskatchewan of somewhere between \$150 million and \$200 million a year, depending upon the level of production and depending upon the types of oil produced.

Our arrangement is that these funds be kept in a special development fund and used for development purposes and not be taken into general revenue for this period. By reason of the fact that they are not taken into general revenue they will not be classed as general revenue of the Government of Saskatchewan for the calculation of equalization payments. And while I cannot predict what this benefit may bring to the people of Saskatchewan since I do not know where our income will stand during the next 15 months, excluding oil income, as measured against the Canadian average, our very rough estimate is that this benefit will mean that we will preserve our entitlement to perhaps \$100 million of equalization payments which we would otherwise have lost. That then is the financial package.

I should report to the House that there were discussions with the Federal Government, lengthy discussions, both at the

officials' level and the ministerial level and at the first ministers' level on other matters, what has come to be known as trade-offs in the discussions. Few of them were at the stage where we could receive firm assurances from the Federal Government and, therefore, I have not very much to report in terms of firm trade-offs.

I anticipate that there will be an agreement signed within the next ten days or two weeks with respect to the development of iron and steel in Saskatchewan. I hasten to advise the House that this has not yet been signed by the Federal Government. We have had some verbal assurances and I think that I shall refrain from any further announcements on this until the agreement is signed, if and when it is signed, by the Federal Government. At that time we shall know with some degree of certainty what the Federal Government's intentions are.

There were in the elements of the discussion an indication from the Federal Government that there would probably be some additional funds available for a one-shot transportation effort on the prairies. This is not to be confused with the on-going discussion on freight rates and is in a nebulous state at this time. I mentioned it only because I have mentioned it in an equally imprecise way to the Press yesterday.

This then is the nature of the arrangement arrived at. It is for 15 months. It is not perhaps all that we would have wished for. It is rather clearly of substantial benefit to the people of Saskatchewan. It, as you can see, involves a price which is perhaps a little lower than we might think is justified and as a compensating advantage we retain an entitlement or probably entitlement to fairly substantial equalization payments which should mean more than an additional \$1 a barrel.

There are other aspects of the whole matter which are now before us as a government. One of the aspects is what effect it will have on prices to consumers in Saskatchewan and what the response of the Government of Saskatchewan will be. I hope to have a statement for the House tomorrow on that particular subject.

**Mr. D. G. Steuart** (Leader of the Opposition): — Mr. Speaker, the Premier's statement about this very, very important conference reminds me a little bit of a bikini. What he revealed was very interesting but what he didn't reveal I am sure will prove even more interesting. We look forward to when he either does the total strip or at least gives us the whole story.

Certainly if the Federal Government succeeded in convincing both Saskatchewan (which I don't think would take much convincing that this windfall revenue to the Government of Saskatchewan would not be considered for equalization grants, I would think it would be not very difficult to convince us because we could gain by it), and Alberta, it is a stroke of genius on the part of the Federal Government because they may find themselves being able to avoid paying anywhere up to an extra seven or eight hundred million or even a billion dollars in equalization grants to other provinces. We could find the rather unbelievable situation that even the Province of Ontario could be considered a have not province and be the recipient of equalization grants from the Federal Government, which I think was not in the

original intention of the equalization grant formula.

I should like to make it clear that we look forward very anxiously to seeing the rest of the package. The international price of oil is about \$10, we produce about 80 million barrels of oil, so we've got \$6 in there, a little over \$6, but the amount of money we are giving to the oil companies, the amount of money between that and the international price, which comes to anywhere from \$480 million to \$500 million. The Premier says what we are going to gain on this could be from \$150 million to \$200 million and this is a great deal of money, plus \$100 million. Of course, you are talking about royalties and the \$480 million or \$500 million is also plus \$100 million. So we are talking about a difference of anywhere up to \$200 million, which is a large amount of money. It is pretty hard to be upset about getting \$200 million extra.

We must be very interested in what we are trading off for this extra \$200 or \$250 or even \$280 million. So far mentioned are all things that were apparently agreed at the Calgary conference — help for the iron industry could come through DREE, and I think is coming through DREE, whether we make an agreement or not, I would imagine it is. More action on freight rates seems to be coming anyway. Even the Minister of Transportation, Mr. Marchand, has reached the end of his patience and the end of his tether with the railway companies and I say, good and about time. I think whether we make an agreement or not the Federal Government certainly intends to keep its word that was given at the Calgary conference.

However, it is too early and we must wait and see what the Provincial Government is prepared to do to protect our own consumers. We are concerned about this. We are concerned about what trade-offs we get. I don't know whether these deals were made, maybe they weren't. I believe by the look of this and the sound of your voice you don't sound too exuberant. Perhaps you should start avoiding these luncheon meetings. Maybe dinners would be better or breakfast meetings, but lunches you don't seem to be too good at. You might be a morning man, an afternoon man, or an evening man but a lunch man, I am beginning to think you are not.

I am not about to second guess the Premier because I recognize this is a very intricate and delicate negotiation. Like all Saskatchewan people, we want the Premier to get the best possible deal for Saskatchewan, at the same time recognizing that we are a member of Confederation and we are not about to tear this country apart.

What he said is interesting. We are a bit disappointed that he couldn't tell us more. We are a bit disappointed that out of a possibility of an extra \$400 million to \$500 million we appear to be only getting \$150, or \$160 or \$170 million. We look forward then to some very, very lucrative trade-offs and immediate benefits to the people of Saskatchewan to be announced in the next few days.

## QUESTIONS

### Royalty Surcharge

**Mr. J. G. Richards** (Saskatoon University): — Mr. Speaker, I should like to address a question to the

Premier at this juncture.

Out of the January conference the Province received approximately \$75 million in the form of a \$1 royalty surcharge on an annual basis, plus approximately \$125 million as 50 per cent of the export tax earning, again, calculated on annual basis, for a total of \$200 million. My question is: Is not the amount received at this conference an identical amount to what was received in January? In other words, \$2.50 per barrel surcharge in March yields approximately the same revenue as the province earned in January?

**Mr. Speaker:** — Order! Will the Member please ask the question and not make a statement. If you have a question, ask the question.

**Hon. A. E. Blakeney** (Premier): — May I just reply, very briefly to the comments made by the Member for Prince Albert West (Mr. Steuart) and the Member for Saskatoon University (Mr. Richards) ?

First, with respect to the comments of the Member for Prince Albert West, I think in calculating the amount received under these circumstances one has really to include the equalization payment, since that clearly would not have been available to us other than through this series of negotiations. If we had collected this money by an application of royalty surcharge unilaterally and without this agreement, there is no doubt in the world that we would have lost all of our equalization. So that those two have to be added together.

With respect to the point made by the Member for Saskatoon University, the answer is that the figures are quite close. The amount available here is quite close, in the short run, to the amount that would be available from that combination which came out of the January conference — not out of the Federal Government, I may say, but out of the action of the House of Commons — in preserving for us one half of the export tax.

The export tax is likely to be a declining sum, since exports to the United States are likely to decline. Whether or not there will be a significant decline in the next 15 months is problematic. That there will be a significant decline over the next four or five years, I think, is certain. So that we have that element.

May I say that the Prime Minister stated I think privately and also publicly, that he was prepared to legislate a \$6.50 ceiling and that he was prepared to use such legislative powers the Federal Government had to enforce the ceiling. That, undoubtedly, had some restricting influence on the range of the negotiations.

**Mr. Steuart:** — You could have tested it.

**Mr. Blakeney:** — Yes, and if that had been the general feeling at all, it might have been worth the go. At least, in my judgment, the additional — perhaps modest, perhaps not modest, depending on one's assessment — benefits were worth foregoing the law suit. They were more beneficial to Saskatchewan, I think, both for the people of Saskatchewan as Saskatchewanians and for the people of Saskatchewan as Canadians, than to precipitate a confrontation on

this issue for a period of 15 months. This arrangement really represents an opportunity for the Federal Government to deliver on the undertakings which they gave at the Western Economic Opportunities Conference and which it was not reasonable to expect that they could have delivered on up to this time.

This is, in my judgment, the nature of the arrangement made. Others, I know, are putting a much more optimistic view of it, but I think this is the deal that we made and I think we got about \$300 of the \$500 available millions. We started out, as Members will recall, saying that we did not think that the people of Saskatchewan ought to even consider attempting to extract every penny of the international price for every barrel of oil sold to Canadians.

That was the position from which we started and I think quits properly started.

**Mr. Richards:** — A supplementary question. Mr. Speaker, I assume I have a right to a supplementary question under the procedures.

**Mr. Speaker:** — No, the Hon. Member doesn't. Because he raised a question on the Leader's statement and it has been recognized in this House that the Minister can make a statement and one of the Opposition can make a reply but it cannot be debated. You raised the topic on the same thing and I thought you were asking a different question. I think you have had your exercise.

**Mr. Richards:** — I would just like to make an . . .

**Mr. Speaker:** — Order!

**Mr. Richards:** — Mr. Speaker, I would insist on an elaboration of this ruling. Is it the new ruling that I, an Independent, am allowed to make a statement relating to a statement from a Minister? If that is your ruling, fine, I would have made my position as a statement. On the other hand I assumed I was merely posing a question, a routine question, before the Orders of the Day. If that is the status of what I was doing, I am surely entitled to a supplementary question.

**Mr. Speaker:** — The question was on the statement and the statements are not debatable. Therefore, you have asked a question and the Premier has answered it and you have exercised your right on this period.

**Mr. Richards:** — Mr. Speaker, I was asking the question of a Minister. The fact that the Premier made a statement in respect . . .

**Mr. Speaker:** — Order, order! Would the Hon. Member respect the rules and dignity of the House and take his seat when requested.

### **SGIO Point System**

**Mr. G. Lane (Lumsden):** — Mr. Speaker, I should like to direct a question to the

Minister responsible for misinformation and propaganda for the Saskatchewan Government Insurance Office.

Yesterday, the Minister made a statement . . .

**Mr. Speaker:** — Order! I want to warn the Members to ask questions and not make statements. I don't want to get into what we had before. Ask it as a question.

**Mr. Lane:** — Is the Minister aware of his statement in the House yesterday as to the matter that the point system was to be in the Bill and it is not, of course, and it is to be retroactive. The question is: When is the Minister going to stop being secretive about the policy of SGIO and when is he going to tell the truth about the point system, its retroactivity and the fact that it does not include the accident surcharge rate?

**Hon. R. Romanow** (Attorney General): — Mr. Speaker, first of all I will ignore the remarks of the Member in regard to the propaganda and misinformation. Let me just comment, Mr. Speaker, that that is inappropriate for the House. He may make that comment in debate or speaking, but I think in addressing that is wrong. But leaving that aside, I believe that SGIO has endeavored in all efforts to explain the demerit system.

The demerit system operates for one year retroactively to the year 1973. In the license year 1974-75, a driver's premium will be determined by the convictions registered against him in 1973. If that person works a full year in the coming year without any conviction, then he is entitled to work off the demerit point that is raised. If there are four or more demerit points which are assessed against a driver, then, he will pay a larger premium.

This is the information that I have been afforded by SGIO and I relate that again to the House.

**Mr. Lane:** — A supplementary question, Mr. Speaker. In light of the inaccuracies we just have which are not in the regulations, I am wondering when the Minister is going to start telling the truth about what he is doing to SGIO and, in fact, is setting up a system of no fault insurance in the Province of Saskatchewan, which will encourage irresponsible drivers, will penalize good drivers, and I am wondering when the Minister is going to start telling the truth as to really what he is doing to SGIO and quit destroying the present system that we have.

**Mr. Romanow:** — Mr. Speaker, coming from the Liberals about destroying SGIO, the question is a joke. The Liberals for seven years tried to destroy SGIO.

**Some Hon. Members:** — Hear, hear!

**Mr. Romanow:** — I want to tell the Member when he was an executive assistant . . .

**Mr. Steuart:** — On a Point of Order. If we



can't make speeches surely the Hon. Member can't make a diatribe. I am worrying about the dignity of the House.

**Mr. Speaker:** — I think all Hon. Members will realize the position you put the Chair in. when Members get up and make statements in asking their questions and then fire comes back. I wish questions would be specific questions so that I can insist what the answer can be. I would ask the Minister to answer as concisely as possible and if there is an issue then take it up on the proper occasion.

**Mr. Lane:** — I just want to know when the Minister will start telling the truth about SGIO.

**Mr. Speaker:** — Order! That is a remark which the Member should be ashamed of making. No Member can infer lying to any other Member. And to say that the Member should start telling the truth, infers they haven't been telling the truth. You may disagree and other Members may disagree, but that type of language is not called for in this chamber.

**Mr. Romanow:** — Mr. Speaker, I won't pursue it because I believe the Hon. Member's reputation is already well below answering such comments of that nature and I am very sorry to see it.

I simply want to say this, Mr. Speaker, in answer to the question. I say that the Liberals opposite, for seven years, endeavored to destroy SGIO by not telling the truth and I would answer the Hon. Member that we have endeavored at all times to truthfully give the facts about SGIO and the demerit system.

The demerit system is an attempt, by the way an attempt that was more or less instituted in 1969, when my friend the Member for Rosthern (Mr. Boldt) was in power, an attempt to penalize the bad driver, the conviction prone driver. The demerit system as implemented under AAIA, I am advised, is an operation pretty well throughout all of Canada even in private insurance companies. We are trying to do this. I have said to the Member for Lumsden and I say to the Members of the House, maybe the system is not as perfect as it should be; maybe it has to be reviewed next year, but I do not apologize about the fact that we are trying to penalize those that are convicted and accident prone drivers in order to try to save money for the rest of the AAIA people.

#### **Executive Assistant to Mayor Baker**

**Mr. D. Boldt** (Rosthern): — Mr. Speaker, I should like to direct a question to the Premier.

In view of the heavy burden that is placed on the shoulders of the present Member for Regina Wascana (Mr. Baker) and in view of the refusal of the Regina City Council to provide an executive assistant to the Mayor, is there a danger that the Premier might consider giving the Mayor an executive assistant paid for by the people of the province?

**Mr. Blakeney:** — Mr. Speaker, that proposal has not been considered by

the Government, but I am of the view that knowing the Member for Wascana and his well known capability and capacity for hard work and for performing a very large number of functions very well, that he will in fact perform all the duties which he has now assumed without any further assistance from the Government of Saskatchewan.

**Mr. Boldt:** — A supplementary question, Mr. Speaker. In view of the long term of office that you had in this House, I would suggest to the Premier that in case he does change his mind, there are two people by the name of Ken Cooper and Murray Koski who are now drawing huge salaries. If they were both appointed to the Mayor they might make one mediocre executive assistant.

**Mr. Guy:** — And they wouldn't be running against the Speaker.

### **Proposed Air Route East-West**

**Mr. Steuart:** — Mr. Speaker, I should like to direct a question to the Attorney General about a proposed air route between Winnipeg, Toronto, Brandon, Regina and Prince Albert. Is he aware that the city of Regina, the city of Prince Albert, the city of Brandon have joined with the Government of Manitoba to support a daily jet route between Regina, Toronto, Winnipeg, Brandon and Prince Albert? And is he aware that in a statement made recently by Mr. Evans, the Minister of Industry for the Government of Manitoba, that he said that in proposing and supporting this route he regretted that the Government of Saskatchewan was not supporting it and that they seemed more concerned with north/south air routes than with east/west?

Would he be prepared to tell the House if the Government is supporting this or not?

**Mr. Romanow:** — Mr. Speaker, I would answer to the Leader of the Opposition that we are aware of the application made by Trans-Air. I must frankly say that I am not aware of the formal positions taken by the cities of Saskatoon and Regina and Prince Albert as to the support.

**Mr. Steuart:** — Brandon.

**Mr. Romanow:** — Oh yes, Brandon, I know. Quite frankly, the Government has not yet decided whether or not we will be supporting the TransAir application. TransAir is an out-of-province company and this is a matter which has to be considered. We are looking at all aspects of north/south air traffic in the Province of Saskatchewan and I am not able to be more specific than that to the Hon. Leader of the Opposition, simply because we are looking at the merits of the application at this particular point. We were aware of it coming and we know that it is there, but at this stage of the game we are not prepared to say yes or no as to whether we will be supporting it.

**Mr. Steuart:** — A supplementary question, Mr. Speaker. May I ask the Minister when they will make this decision and at the same time

urge him to check with the city of Prince Albert on this matter. Could I ask him when we can expect some decision on this?

**Mr. Romanow:** — Well, I can't tell you exactly when. I will tell the Hon. Member that we will certainly make a public statement on this as soon as we make a decision. We will have to make it within the time limits of the application.

I think one of the things we have really to consider is what effect this application might have on the operations of Norcanair, which is a Saskatchewan based and operated company employing Saskatchewan people. I think that this is something that we really have to look at very carefully before we make any final decision.

So I will tell the Member that when we do come to a decision we certainly will make it public.

## **ADJOURNED DEBATES**

### **SECOND READINGS**

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Romanow that **Bill No. 34 — An Act to amend The Executions Act** be now read a second time.

**Mr. K. R. MacLeod** (Regina Albert Park): — Mr. Speaker, with respect to Bill 34, we have two remarks with respect to the amendments proposed to The Executions Act. The first one deals with the proposed amendment, the replacement of Section 20. The present situation is that before a judgment creditor can issue a writ of execution against the lands of the debtor the amount in claim must exceed \$50. That is proposed to be increased to \$200. The matter is not a big one and will not involve a serious battle by the Members of the Opposition. Nonetheless, while we would approve an alteration, a change from \$50 to \$100 would to us be more acceptable. The reason I suggest that is that in most cases, and in fact no cases to my knowledge, does anyone ever take any steps to enforce a writ of execution against land for small amounts. The costs of doing that are prohibitive and as a result the writ of execution sits quietly in the Land Titles office until such time as it expires, in which case the creditor must either renew it or lose his rights, or the person who owns land disposes of the land and is, therefore, obliged to pay his lawful debt to get clear title to the land. It has provided in the past a very simple and inexpensive method by which people who are entitled to receive payment do get payment when people sell their property. Accordingly, any alteration in the size of the amount of the minimum required before a writ of execution against land can be registered, is in effect an effort, accidentally or otherwise, to defeat the rights of creditors to recover their money against lands. We suggest that the rights of creditors ought not reasonably to be limited and accordingly we would much prefer to have had the amount set at \$100 than at \$200. I have commented, however, that that is not appropriate for the subject of prolonged debate and we do not propose to do so. Nonetheless, we would be greatly pleased if the Hon. the Attorney General would reconsider that and I would be prepared to discuss with him an amendment for Committee of the Whole.

With respect to 20A which is a new Section and 20B, another new Section proposed to be added to the Act, generally the Government is going in two opposite directions. With respect to the recovery of taxes — on the sale of land to pay taxes — the Government is making it easier to dispose of land and is shortening the term and has done so by another Bill presented to the Legislature. With respect to the sale of land to recover money owing to execution creditors, the Government is putting additional expensive, and I suggest unnecessary impediments in the way of people who seek to recover their just debts by the simple method of adding step after step that has to be taken before land can be sold to recover debts. In my experience it is very difficult at the present time to dispose of land to pay debts under writ of execution. There are many safeguards today.

Additional safeguards are, quite frankly, not essential or necessary. They will, of course, provide additional work to the lawyers. They will provide additional expense in recovering proper judgments and it must be remembered that no land can be sold in the first place until some court has declared that the debt is payable. Only when a court judgment has been issued stating that a debt is payable can a person take a writ of execution and put it in the Land Titles office. So there has already been a lawful determination by default or by open court that an amount is properly payable. At that point it seems inappropriate to become unreasonable in the amount of steps that have to be put in the way of the creditor in recovering his money. In my experience very few lands in Saskatchewan are actually sold to satisfy judgment debts. There is not a serious problem. If there were I should be very pleased to support the Attorney General and the Government in what they are proposing to do. I consider what they are attempting to do unnecessary, expensive and consequently inappropriate. I propose to oppose that Section and I invite the Attorney General to consider an amendment to the previous Section.

**Hon. R. Romanow** (Attorney General): — Mr. Speaker, I will consider the remarks made by the Hon. Member for Regina Albert Park with respect to the first part of the Bill. I think this does merit further consideration and we will do so in Committee of the Whole.

With respect to the second matter, the business of leave being required before sale of land, this is I suppose a much more fundamental difference of opinion as to what kind of protection is needed in these types of situations. The basic philosophy behind this amendment is that whenever land is being disposed of contrary to the interests, or to the consent, of the person who owns the land that absolutely every safeguard possible should be built in. Very often this is the most expensive capital expenditure that the individual has made during his lifetime or during her lifetime. Very often there are considerable savings. We have provided for protection in other legislative items similar to this. The Land Contract Actions Act, as the Hon. Member will know, provides for a mechanism almost identical to this where foreclosure on a mortgage or cancellation of an agreement for sale is sought to be effected. And what we felt was in order as a matter of policy judgment was to extend that principle of protection of land to writs of execution.

If, for example, you had to have a hearing and leave before you could cancel a mortgage or agreement for sale for closing a

mortgage why then shouldn't that similar provision, namely the right of leave, be also granted before you finally dispossess the man of land and it is sold by way of writ of execution. That's our thinking on this. Now I don't think the Hon. Member for Albert Park objects to the principle of protection. As I understand his argument, he says that we are overprotecting and it may be counter productive. I grant to him that there may be some point in this argument but on balance it was felt by the Government that we should give this protection although it might be more of an impediment, it might delay the procedure, but this would be the safest and best way to go and thus the amendment that's intended here. With those few words of rebuttal, Mr. Speaker, I should like to move second reading of this Bill.

Motion agreed to and Bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Romanow that **Bill No. 1 — An Act respecting the Protection of Privacy** be now read a second time.

**Mr. MacLeod:** — Mr. Speaker, I have spoken to this Bill when it was presented for second reading a few days ago. At that time the Hon. the Attorney General in speaking to the Bill indicated that there would be an amendment which would give some special rights to the Press and news media under certain circumstances. I have not had the opportunity to receive from the Hon. the Attorney General the proposed amendment but I take from the general remarks that the news media are now to be exempt under certain circumstances from the onerous provisions of The Privacy Act.

Mr. Speaker, I have considered the remarks of the Hon. the Attorney General and I regret to say that my position remains unchanged as to The Privacy Act. The mere fact, Mr. Speaker, that the Press and radio and news communications people presumably obtain a special, favored position with respect to this Bill is a clear declaration that the rest of us and the rest of society are in an unfavored position as to this Bill. The Press up to this point have been in the same position as everyone else, and their position and our positions have generally been properly and reasonably safeguarded by the courts through a long series of decisions starting after Confederation and culminating in a decision about 1938 of our Supreme Court of Canada. Mr. Speaker, the Press neither want nor should they have any special treatment with respect to these laws. They should not be under special disability but the rest of society should not be under any special disability. The reasonable limitation of the ordinary citizens' rights should not be hampered and restricted as proposed by The Privacy Act.

In brief, Mr. Speaker, the proposed amendment of the Hon. the Attorney General is an admission that there are unreasonable restrictions with respect to which the Press must receive exemptions. That alone makes this Bill one which I cannot support.

Since presenting the Bill in the House and since my remarks, this has been the subject of some comment in the Press and over radio. I observed Thursday last, the Hon. the Attorney General in dealing with this said on radio and TV that this Bill was a companion to federal legislation. The Federal legislation made it a criminal offence to eavesdrop by means of electronics and electronic devices. The Attorney General suggested that this was a companion piece which gave the right to sue in those circumstances in which people had suffered loss. The fact of the matter is that this Bill does not do that. If

a person suffers loss by the wrongful actions of another he already has the right to sue and recover damages. It is not necessary to create this Bill to give that right. It now exists in law. Moreover the Bill itself makes it a tort without proof of damage to violate the privacy of another. If this Bill simply said that it confirmed the right to sue, if it codified the right to sue where there was damage I would have to withdraw my opposition to the Bill but it does not require damage. The essential part of this is contained in Section 2, that it is a tort (that is, a legal wrong), actionable without proof of damage to violate the privacy of another person. Consequently, I consider the Bill pernicious and likely to cause more troubles than it will solve.

I would refer the House to a statement of the law with respect to this matter contained in Clerk and Lindsell on Torts, 13th edition, section 23. There the authors make it clear that the courts have at this time ample authority to deal with any invasion of the rights of privacy. They also make it clear that this would be something that has not been found necessary on many occasions through the history of the British common law. Consequently, I suggest that it is historically unnecessary to bring this kind of a Bill to the House. If there is any benefit to be gained by it, and perhaps there is some benefit, I suggest that the Minister is attempting in effect to solve a small problem with a big Bill. He is attempting to crack a peanut with a sledgehammer and thereby, in my opinion, Mr. Speaker, is creating an unnecessary statute in Saskatchewan — one with respect to which there has been no demand, one which is not necessary, which clutters up the law, perhaps catering to some civil-righters who have to run around and find places where they can do good when they run out of the things they have already been working on.

Consequently, Mr. Speaker, with sincere regret I must oppose the Bill and, at the appropriate moment, will be voting against it.

**Mr. J. G. Lane** (Lumsden): — Mr. Speaker, we'll have further comments and I beg leave to adjourn the debate.

Debate adjourned.

#### **MEMBER SUSPENDED FOR UNPARLIAMENTARY LANGUAGE**

During the consideration of the supplementary estimates, Mr. Speaker, was called to resume the Chair, and the Chairman reported as follows:

**Mr. B. M. Dyck** (Chairman): — Mr. Speaker, during the consideration of the Estimates the Member for Milestone (Mr. MacDonald) used the word "liar". I asked that this be withdrawn unconditionally which the Hon. Member refused to do. I, therefore, felt I had no alternative but to report it to you.

**Mr. Speaker:** — Shall the Hon. Member be asked to withdraw?

**Hon. R. Romanow** (Attorney General): — I wonder if I am allowed words to you on this or not? Can we speak to this or not?

**Mr. Speaker:** — I don't think that the point is debatable. The Committee has reported to the Speaker and the Speaker must act on the report by the Committee Chairman. I would just like to consult with my Clerk for one moment.

I think the ruling is fairly clear that having been reported to the Speaker by the Chairman of the Committee, the Speaker is not then, whether he wishes to be or not, he is not in a position to entertain a debate on it. But in accordance with the rules of the procedure established by this House, I will ask the Hon. Member if he will withdraw the statement.

**Mr. C. P. MacDonald** (Milestone): — I am sorry, Mr. Speaker, that you weren't here. I said I would withdraw only after I heard the statement from the Member for Nutana South (Mr. Rolfes) and I cannot retract until that time.

**Mr. Speaker:** — I don't want to act in any undue haste or anything but I think I would like to say to the Hon. Member that when an Hon. Member is requested to withdraw a statement which is deemed to be unparliamentary it cannot be withdrawn under qualification. It must be withdrawn without qualification. If a Member has a dispute with some other Member I hope that he can proceed with it after this is settled so that he can get the satisfaction of any grievance he may have. But the rules are plain that a statement cannot be withdrawn by qualification so I would ask the Hon. Member to kindly reconsider his position and withdraw the statement so that the House may continue and he can get the redress that he wishes either later this evening or through other measures because I think it is in the dignity of the House that we do so. I would ask the Hon. Member to withdraw.

**Mr. MacDonald** (Milestone): — I am sorry, Mr. Speaker, I cannot.

**Mr. Speaker:** — Well, I am very sorry. It leaves me no alternative other than to name the Member and let the House take whatever action it may require. So that being the case I hereby have to call you Mr. MacDonald.

**Mr. D. G. Stuart** (Leader of the Opposition): — Mr. Speaker, I want to point out that before the accusation was made the Member, who is in the habit of this, had also made what we think was a very unparliamentary charge. I want to point out to you that I also called him a liar. I would ask our Members to withdraw with Mr. MacDonald and I think that if we are going to have this sort of thing then they can have this House to themselves.

**Mr. Romanow:** — Well, Mr. Speaker, in the light of the irresponsible actions of the Liberal Party opposite, irresponsible for having shut down the business of the House in this way, I think there is no other alternative at eight o'clock in the day, refusing to apologize at the request of you, Sir, in the light of all of these actions I think the people of Saskatchewan will have to make their own judgments as to the responsibility of the Opposition. I have no other alternative — well maybe I do have an alternative, they are now back. So I think, Mr. Speaker, you

have already acted, I will call Committee of Finance again.

**Mr. Speaker:** — That cannot be done, the House must decide whether they are going to take punitive action or whether they must not. There must be a motion passed by the House and I think the Clerk can advise you on it.

**Mr. Romanow:** — Excuse me, Mr. Speaker, I just had a quick consultation. The last time this was done was when Mr. Thatcher was named and I was checking the procedure of it.

Mr. Speaker, and I say this regretfully because I never thought I would do this as House Leader, but I think I have no other choice. I would move, seconded by my colleague the Hon. Minister of Health (Mr. Smishek):

That the Member for Milestone (Mr. MacDonald) be suspended from the service of this House for the remainder of today's sitting.

That is the sitting as long as it lasts.

Motion agreed to.

The Assembly adjourned at 8:50 o'clock p.m.