

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Fifth Session — Seventeenth Legislature
11th Day

Thursday, December 12, 1974.

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

WELCOME TO STUDENTS

Mr. E.C. Whelan (Regina North West): — Mr. Speaker, it is a pleasure to introduce to you and to all Members of the Assembly 32 adult students in the Speaker's Gallery from the Wascana Institute of Arts and Science at Christ Lutheran Church in Regina North West. Their teachers Leslie Barnaby and Terry Hanson are with them. This is not the Member for Qu'Appelle-Wolseley, but with a name like Terry Hanson I am sure that he must be a good teacher.

On behalf of all Members we welcome them and we wish them every success with their studies. We hope their visit to the Legislative Buildings today will be pleasant and educational.

Hon. Members: Hear, hear!

Mr. H.H.P. Baker (Regina Wascana): — Mr. Speaker, I should like to welcome some 20 students from Balfour Collegiate, Grade Ten and Eleven. They are here with their teacher Mrs. Zylach. They are seated in the west gallery. I hope to meet them around 3:00 o'clock. I welcome them most sincerely and hope that their stay here will be pleasant and fruitful this afternoon.

Hon. Members: Hear, hear!

Mr. H. Owens (Elrose): — Mr. Speaker, I should like to introduce to you and to Members of this Assembly some 26 Grade Twelve students from the Elrose Composite High School. They are accompanied here today by their teacher Mr. Babonich and by their bus driver Mr. Elliott. They are seated in the Speaker's Gallery. I would remind you that Elrose is over 200 miles from Regina. The students left Elrose this morning by bus at about 7:00 and they plan to be home to sleep tonight. They will have a long day. I do hope that their visit to the places of interest in Regina and especially to this Legislature will be interesting and educational. I will meet with them about 3:00. Please join with me in welcoming these students from Elrose and wish them a safe journey home.

Hon. Members: Hear, hear!

QUESTIONS

NEW INCENTIVE PLAN FOR OIL INDUSTRY IN ALBERTA

Mr. D.G. Steuart (Leader of the Opposition): — Mr. Speaker, before the Orders of the Day I should like to direct a question, in the absence of the Premier, to the Minister of Mineral Resources. Is the Minister aware that

Premier Lougheed of Alberta announced this morning a major new incentive plan for the oil industry in Alberta? Is he aware that the emphasis of this new plan is to strengthen the oil industry with special emphasis on smaller companies whose cash flow has been seriously affected by the recent tax increases, provincially and federally.

The Alberta Government will refund to the oil industry all the money the province would receive through the Federal Government's tax abatement plan. Mr. Speaker, I'm putting a question. I am asking if he is aware of these points and it is very important that I give these points to ask what they intend to do.

The Alberta government will refund to the oil industry in that province all money they would receive through the Federal Government's new tax abatement plan. Alberta's royalty rates will be reduced by ten per cent on old oil and about four per cent on new oil. Alberta will give a tax credit to relatively small corporations who now pay royalties to Alberta equal to the federal corporate tax on these royalties up to a maximum of \$1 million . . .

Mr. Speaker: — Order, order. I think the Leader of the Opposition should ask his question. I think he is making a statement.

Mr. Steuart: — Mr. Speaker, I think this is a very serious point of order. The Alberta Government made a very important and serious announcement. I want to ask the Minister if he is aware of it because I want to follow up this with a question. What do they intend to do about it? The oil industry in this province is dying, it is being strangled and it is important that I find this . . .

Mr. Speaker: — Order. I believe the Hon. Leader of the Opposition could get his point over by asking it as a question rather than a statement.

Mr. Steuart: — I'll finalize my question. They intend also, I might point out to increase incentives immediately.

In view of the fact, Mr. Speaker, that Saskatchewan has not been competitive with Alberta, even before this announcement by Premier Lougheed, is Minister Cowley prepared on behalf of the Government of Saskatchewan to announce to this House that Saskatchewan royalty and incentive rates will be brought in line with Alberta's so that we can in this province get a fair share of oil exploration before this province in this industry is totally ruined. Will he give the House the assurance that this will be given immediate attention in face of the irrefutable evidence that the Saskatchewan oil industry is not being discriminated against worse than any other province in Canada by his government. Is he prepared, Mr. Speaker, to take the necessary action?

Mr. Messer: — Mr. Speaker, on a Point of Order. Will you try to bring the Leader of the Opposition to order in regard to making a statement before a question. Is he asking a question or is he making a speech?

Mr. Speaker: — Order. I believe the first half of the statement was out of order. At the last he asked if the Minister was prepared to agree to these things he was outlining.

Mr. Steuart: — I was asking, before I was so rudely interrupted by both sides of the House, is he prepared to take the necessary action to save the jobs and obtain the development so necessary if there is to be any hope for an oil industry in this province over the next five or ten years? Is he prepared to announce the immediate action by this Government to make us competitive with the Province of Alberta before our oil industry is ruined beyond any hope of repair?

Some Hon. Members: Hear, hear!

Hon. E.L. Cowley (Minister of Mineral Resources): — Mr. Speaker, I will attempt to answer the Leader of the Opposition's questions and not his statements.

Mr. Speaker, I want to say that first of all I am aware of the announcements, made this morning by Premier Lougheed in Calgary, indeed I have his statement here with me. I might also say that before the announcement was made this morning I talked to the Hon. Bill Dickie, the Minister of Mines in Alberta for some 15 or 20 minutes as he outlined what parts of the proposed contingency plan they were prepared to proceed with in Alberta.

I may say we have discussed over the past two or three weeks with Alberta some of the ideas which they were contemplating instituting and we now have before us what decisions they have arrived at.

I want to say with respect to Saskatchewan that we are examining these and other alternatives. I expect to be able to make in the very near future a statement of Saskatchewan's response in the light of the Federal Government's disallowance of royalties as a deduction for income tax and in the light of the statement made by the Government of Alberta.

Some Hon. Members: Hear, hear!

Mr. Steuart: — A supplementary. In the face of the evidence that he has about what Alberta has done and the back-off of Alberta which I think was an excellent thing for this whole country, my question is, what if anything is this Government prepared to do about the change in the abatement that the Federal Government introduced in its new Budget, which gives much more room for the provincial government? Do they intend to give all or any part of this to the industry to encourage them to come back into this province. Are they prepared to take some action before the end of the year - I am sure he is aware of the desperate situation our oil industry is in - is he prepared to say we'll have action before the end of the year, what are they going to do about the abatement points?

Mr. Cowley: — Mr. Speaker, with respect to the abatement providing we do nothing, the benefit of the abatement will go to the oil

companies. The only way that it wouldn't is if we increased our corporate tax rates to pick it up. At least as far as I am aware and the Minister of Finance can perhaps better answer that we are not attempting to or planning to increase our income tax rates to pick up the abatement that the Federal Government has increased as a result of their Budget.

Mr. Steuart: — You have to move off. He didn't answer. Will you give this province assurance that some action will be taken before the end of the year?

Mr. Cowley: — Mr. Speaker, I gave the Leader of the Opposition my assurance that in the very near future, and I would anticipate it being before the end of the year, that the Government will make known its position.

OIL RESERVES LLOYDMINSTER AREA

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, I should like him to be more specific. Is the Minister aware for example, in northern Saskatchewan, the Lloydminster area, we have a reserve of ten billion barrels of heavy crude in that area? Two companies, Husky and Murphy have done more of the exploration and development in that area, Is the Minister aware - I know the Minister has had discussions with Murphy Oil, for example, about a major capital intensive high labour development in the Lloydminster area because of the combustion technique, to get the oil out of the heavy sand? There is now a rumour, I have been informed by a pretty good authority, that the development is being transferred to the Province of Alberta to Cold Lake. Is the Minister aware of this? If so, what is he doing to protect the interest and the development in Saskatchewan?

Mr. Cowley: — I am interested in the Member for Milestone's estimate of the amount of heavy oil, that's a high estimate, it is somewhere between six and ten billion barrels, the consensus is somewhere around eight billion barrels of heavy oil. I want to say that I am not too impressed by the Member for Milestone's rumours. When I returned from Ottawa the other day I read his statement about SaskOil and the difficulty that the driller had had with one of the wells SaskOil was drilling. I want to say that, on the one half page of his statement the Member for Milestone only made seven mistakes.

I intend when I have an opportunity to enter a debate to put the Member for Milestone straight.

With respect to any proposed major development in the Lloydminster area in heavy oil, we have discussed this with two or three companies, some of their proposals are in the very formative stages, but I am unaware of any proposals to move to the Cold Lake area.

Mr. MacDonald: — A supplementary, I'll be very interested to discuss the Midale well, how many barrels it's producing, how long it took the camera crew to get . . .

Mr. Speaker: — Order, order. I think there are too many statements back and forth.

Mr. MacDonald: — Mr. Speaker, I noticed in the paper he said that if the price of a barrel of oil goes up to \$8.50 then there will be some changes in the royalty structure in Saskatchewan. I am asking the Minister, is he willing now to abolish Bill 42 and not wait until spring and develop an entirely new royalty structure so that the oil companies can be competitive in the Province of Saskatchewan, now, not spring when all the development plans, all the exploration plans are being developed now for next spring? The Minister knows it will be too late to wait six or eight months to change the royalty structure.

Mr. Cowley: — Mr. Speaker, I am not willing to abolish Bill 42 at this time, any changes or modifications that may be made as a result of various actions that have taken place around us will be announced in due course.

Some Hon. Members: Hear, hear!

STRIKE BY PROVINCIAL GOVERNMENT EMPLOYEES

Mr. E.C. Malone (Regina Lakeview): — Mr. Speaker, I should like to ask a question directed to the Minister of Social Services. In his capacity as the Minister in charge of the Public Service Commission, if he is no longer in charge of the Public Service Commission, I wish the appropriate Minister would answer the question. In any event, Mr. Speaker, I note from the Leader-Post this morning's edition, that the government employees have voted to take strike action if necessary to enforce their demands for a cost of living bonus. My question to the Minister is, what, if any, initiatives has the Government taken to prevent such a strike of becoming real?

Hon. A. Taylor (Minister of Social Services): — Mr. Speaker, under this Government, all employees have the right to take strike action.

Some Hon. Members: Hear, hear!

Mr. Taylor: — The Public Service Commission has initiated discussion with the union involved and negotiations are going underway.

Mr. Malone: — A supplementary, Mr. Speaker. Is the Government going to give these employees a cost of living bonus? If so, how much?

Mr. Taylor: — Mr. Speaker, I am certainly not going to interfere with the normal bargaining process and say what the Government is or is not going to do when those responsible for negotiating collective agreements are doing so. I wish to remind the Members that when the Liberals were in power in 1968 they provided a five per cent increase, when the cost of living had gone up 3.8 per cent. Our government provided increases in the contract year and we are negotiating with the unions at the present time. I feel confident that a settlement will be reached.

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Some Hon. Members: Hear, hear!

POTENTIAL LAY OFF AT BURNS & COMPANY

Mr. J. Richards: — (Saskatoon University) Mr. Speaker, I should like to ask a question of the Minister of Labour (Mr. Snyder). I did ask him this in advance, it is nothing of a surprise to him.

Mr. Speaker: — Is the House prepared to permit another question?

Mr. Richards: — Mr. Speaker, I'll undertake to ask the question as soon as it's in order.

The question I had asked previously of the Minister is in connection with the potential lay-off at Burns, the problem of loss of pay for statutory holidays and what are the provisions and dangers of loss of pay for statutory holidays in the situations of temporary and short lay-offs?

Hon. G.T. Snyder: — (Minister of Labour) In answer to the Member's question, it will be known under the terms of the Labour Standards Act that any lay-off that is entered into the provision is made that a week's notice must be given. In the absence of that kind of notice that a week's pay in lieu of notice must be provided if the employee has been in the employ of that employer for three months. In the case of a shorter lay-off, a lay-off for as little as six days, no notice is required, but anything in excess of a temporary six-day lay-off must be accompanied by a provision whereby a week's notice must be given or pay in lieu of notice. Under those circumstances with a statutory holiday falling within those limits, my understanding is that the statutory holiday will be handled in the same manner as though the employee had been working. If the Christmas or Boxing Bay was within that particular period that would be regarded as that week's pay, This is the understanding I have of this.

ANNOUNCEMENT

HUDSON BAY PLYWOOD PLANT

Hon. G.R. Bowerman (Minister of Northern Saskatchewan): — Mr. Speaker, may I before the Orders of the Day. Mr. Speaker, I am proud to be able to report to the House today that in less than 60 days after start up of the Hudson's Bay Plywood Plant of Saskatchewan Forest Products Corporation that it has reached 75 per cent of its anticipated full production capacity.

Some Hon. Members: Hear, hear!

Mr. Bowerman: — The management of this new industry is justifiably proud of that achievement because it represents the start up record more than comparable with any plywood operation established in western Canada. Yesterday the press reached 93 per cent of capacity after a start up run of only three weeks.

Samples have been tested and the results are far above the standard set in the specification.

The plant has already shipped almost one million square feet of plywood and the market acceptance of the product sold under the trademark SaskPly has been excellent. Reports from retail outlets now supplied indicate an excellent market acceptance of that product with the indication that customers are already switching from fir plywood manufactured in other parts of Canada to the spruce plywood produced by the Saskatchewan Forest Products Corporation.

I am also pleased to report, Mr. Speaker, that employee phase-in is on schedule, with 75 employees on staff as of December 6. More than 30 of those employees are former residents of Saskatchewan who have returned to take advantage of this new employment opportunity. More than 500 applications have been received to date for 150 jobs that would be available in the mill. Of those about 250 were received from persons living outside Saskatchewan, the majority were former residents of this province now working in plywood plants in BC and Alberta.

As well as the jobs provided directly in the plant, approximately 50 job opportunities crucial to Saskatchewan's economy have been provided in the forest. This plant will use an estimated 60,000 cords of wood annually and produce the highest value product from the raw material used.

I should like, Mr. Speaker, to pay tribute to all personnel of Saskatchewan Forest Products Corporation and to that of the Hudson Bay Plywood Plant who have particularly helped to make the start up run such a success.

The manager of the plywood plant is Mr. Al Harris, who has been an employee of Saskatchewan Forest Products Corporation and on its payroll for more than a year. Mr. Harris is a top man in his field, with 34 years of experience in the plywood industry. He is regarded as a man with one of the most respected plywood management records in western Canada.

Mr. Speaker, I should like to say a few words as well about the consulting firm hired to assist us in the planning of this project. Norman Springate and Associates is one of the best known and widely respected forestry consultants in North America. In the past six years they have designed and built most of the plywood plants constructed in Canada. They have worked for the majority of major companies in the Canadian forest industry and are currently working on an important project for the federal government. The firm has also recently completed a large project for the Quebec government.

Mr. Speaker, the Members have on their desks samples of the product this plant is turning out. The samples are three-eighths of an inch select and standard grades spruce veneer plywood. The regular four by eight sheets retail for eight to ten per cent less than similar fir plywood sheets. To date markets for the product have been 100 per cent Canadian, with 50 per cent of those sales in Saskatchewan. Indeed, Mr. Speaker, I am pleased to make that announcement. I am further pleased to make the announcement that this was done entirely by Saskatchewan money with no assistance from DREE.

Some Hon. Members: Hear, hear!

Mr. Steuart: — Mr. Speaker, I should like to congratulate the Minister and through him the personnel of the company, they were late in production, I am glad to hear that they are up to 90 per cent of production capacity. I would wish the company well as they have started in a very difficult time in the plywood business and the lumber business generally. If they have long-term contracts, even short-term contracts to sell their full output then they have done an excellent job.

I would hope that very shortly the Minister in charge would give to this House answers to the questions I have posed to the Premier and that is, what, if any, contract Springate and Associates have to operate the plant at what price? What price they are selling this product for, so we can see how competitive it is? And the cost of the management contract if they have one, with Springate? The effect, if any, in regard to Simpson Timber who I am informed have not as yet been able to sign woods agreement, a cutting agreement with the government for the coming year. They may have signed one in the last two days, I hope they have. I hope the Minister could give us that information. What price are they getting? What contract if any do they hold with Springate and how much? Or if someone else is selling their product, if they've put it through some other, and what the conditions are of that sales agreement? What effect, if any, they are having on the Simpson stud mill in Hudson Bay? If a contract has been signed for the coming year with Simpson in regard to their forest needs for the plant that already is a very important part of the economy of this province and of Hudson Bay?

MOTIONS

HOUSE ADJOURNMENT

Hon. R. Romanow (Attorney General): — Mr. Speaker, I move seconded by Hon. Mr. Smishek:

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

He said: Members have had notice of this motion. The motion essentially asks that when the House adjourns at the end of the sitting day on which this motion is passed that it will stand adjourned until you, Mr. Speaker, upon request of the Government and upon seven clear days' notice, reconvene the House.

It is my intention and as I understand it, agreed by Members on the opposite side, that we would pass this motion today, adjourn, at the completion of the regular business for the Christmas break – so-called Christmas break and reconvene on an appropriate day in the New Year to resume the other matters of the House.

Motion agreed to.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Romanow that Bill No. 5 - **An Act to amend The Married Women's Property Act.**

Mr. E.C. Malone (Regina Lakeview): — Mr. Speaker, I don't have too many more remarks to make in connection with this Bill. However, on further reading of it earlier today and last night, I found that there are a number of problems raised by the Bill which I think should be brought to the attention of the Attorney General. I mentioned two yesterday: (1) the provision for summary procedure, (2) the possibility of a tax liability accruing when assets are sold. The Attorney General has given me his undertaking to look into these things. I hope he will do so before we sit again.

One other aspect which causes me some concern, Mr. Speaker, is that with this Bill we still have the existing legislation in connection with alimony. I am not sure whether it is the Government's intention to have in effect a multiplicity of remedies available to married women in the event of a divorce or whether the question of alimony is to be considered by the judge when he makes his decision under the provisions of this Act. I should like some clarification from the Attorney General in this regard as well. I must say, Mr. Speaker, in principle I certainly favour the Bill, I think it is obvious because of the Resolution I introduced at the last sitting of the House.

However, I am concerned that there are a number of things that need further study. My colleagues on this side will be referring to them when they speak on the Bill, I suppose, later on today. I think that the best thing the Attorney General could do would be to listen to the remarks we have from this side, and I suppose maybe some Government Members have some suggestions as well, to give them some further consideration before bringing the Bill back to the House.

Suffice it to say at this time, Mr. Speaker, I know a number of problems that the Bill will create, perhaps more problems than it will cure. I do indicate my support in principle of the Bill.

Some Hon. Members: Hear, hear!

Mr. K. MacLeod (Regina Albert Park): — Mr. Speaker, I should like to concur with the remarks of the Hon. Member for Regina Lakeview. This is a good step forward but it has some problems, two in particular. It is obviously part of an overall package, without us receiving the other parts of the package. Secondly it does present problems as to procedure.

For example, the Bill itself states that in any question between a husband and wife, they may make application in a summary way. In the normal course of events, this problem would arise at a time when there was a dispute between a husband and wife as to the fundamentals of their marriage state, probably during the course of a divorce proceeding. It seems to me that the way the Bill is written the husband or wife would have

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to dispose of their problems as to property before they go ahead with the divorce because otherwise they are no longer husband and wife and no longer qualified under the technical form of this section.

It is inappropriate to have a procedure where - just by the way the Bill is written - people have to make sure that they get their property considerations out of the way before they dispose of other considerations such as alimony, maintenance, custody of children and the actual divorce itself.

I would urge the Attorney General to package this up in such a way or allow this type of application to be made at the same time as divorce proceedings are going ahead or separation or other marital proceedings are going ahead so that the court can at the same time decide whether the parties should or should not have judicial separation or should or should not have a divorce; the question of custody of the children and the property because who gets custody of the children may well have something to do with how much maintenance and alimony is to be paid. In addition to that, how much of the property should go to one party or the other. At the present time it does seem to me that it would be necessary to improve subsection (4) which, by the way, is a pretty good section. Subsection (4) I just remind ourselves, says this roughly:

that in considering an application under this particular section the judge should consider and take into account the respective contributions of the parties in the form of money, services, prudent management, caring for the home and family or in any other form whatsoever.

To which I suggest should be added:

also the question of who has custody of the children and also how much alimony is claimed or ordered to be paid by one party to the other.

As a result while this Bill is certainly the kind of bill that I think is long overdue and the Liberal Party certainly supports the principle, we are not so anxious to get the Bill before us that we will in the interim create all sorts of new problems. There is nothing in the Bill which indicates whether or not it overrides The Homestead Act. At the present time, the wife has prior rights with respect to the homestead, which in the case of a farm involves 160 acres of land. It may well be that if the wife has left the husband, gone elsewhere and is living in town and asks for half the property she might obtain half the property, but because of the homestead law the judge would be obliged to give her the homestead and give the husband property that has no house on it. That would produce a ridiculous result. Here the husband should properly obtain the homestead, the wife should get other land and perhaps alimony, perhaps not, depending on the circumstances. We find that because of the homestead law a judge couldn't give the homestead to the party who really should have it.

With respect therefore that while we support the principle of the Bill, we believe there is more work needed to be done on it. I know that other Members of the House including Members on our side want to make remarks on this. I myself would like to add further to it, at a later date. Therefore, I beg leave to adjourn debate.

Debate adjourned.

SECOND READINGS

Hon. J.H. Messer (Minister of Agriculture) moved second reading of Bill No. 6 - **An Act to amend The Farm Security Act.**

He said: It gives me pleasure to be able to speak to this Bill, a Bill to amend The Farm Security Act. It has been traditional since the Act was originally passed in, I believe, 1944 to extend the Act for the period of three years. The purpose of reviewing the Act every three years is to ensure that it continues to serve the purpose for which it was originally intended.

An Hon. Member: Which was what?

Mr. Messer: — If you don't know, Mr. Member, I think you had better read it. Obviously you are showing your bias towards the protection that farmers periodically need during times of disaster.

Thus the amendment before the Legislature today has the effect of extending the provisions of this Act to the years of 1976, 1977 and 1978. This Act, Mr. Speaker, protects the farm operator who is farming either rented land or land being purchased under an agreement for sale or which is mortgaged, by specifying the portion of the crop which may be retained by him for purposes of paying taxes, costs of production and family living expenses in years of crop failure.

The provisions of the Act, Mr. Speaker, become applicable when the average value of production per acre sown is less than the value of ten bushels of No. 1 CW red spring wheat.

Mr. Speaker, the Bill now before us is a further indication of my Government's determination to provide greater security to Saskatchewan farmers. This Bill ensures that in a short crop year the farm operator will be able to retain sufficient amounts of his crop to cover the cost of his farming operation and his family's living expenses. I should like to emphasize at this time, Mr. Speaker, that the Government has recognized that much more of this type of security is needed. This is why the Government has acted to introduce bold new programs such as the Land Bank, FarmStart and the Hog Marketing Commission to add security and stability to Saskatchewan agriculture and rural life.

I should like to further point out, Mr. Speaker, that it was the former CCF Government in 1944 that had the foresight to bring this Act into being and I am pleased that the brief Liberal administration during the intervening years saw fit to continue this important legislation in place.

Mr. Speaker, I hope that this Bill to amend The Farm Security Act will receive the unanimous support of this Legislature and I therefore move second reading of this Bill.

Mr. D. Boldt (Rosthern): — I should like to ask the Minister one question and I wish he would answer it. I don't want to speak on the Bill but could he tell me how much it will cost the Government to finance the implementation of this Bill?

Mr. Messer: — We are not implementing a new Bill, we are just amending a Bill that is already on the statutes concerned.

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Mr. Boldt: — I'll put the question differently. How much will the amendment cost the Government, how much money is involved?

Mr. Messer: — I see no reason why the amendment should cost the Government any money, not a cent.

Mr. Lane: — What's the administrative cost on this particular piece of legislation?

Mr. Speaker: — Order! We are not in committee. This is a debate on second reading. If the Members want to speak to second readings, otherwise the questions can be raised in committee.

Mr. E.F. Gardner (Moosomin): — Mr. Speaker, I think the provisions of the original Bill were well worthwhile and we have no objection to extending them for two or three years. The provision for changing the designation of wheat grade of course is necessary with the changes that are in use now. I am tempted to make my Land Bank speech since the Minister brought it up in the introduction, but as we hope to adjourn tonight, I'll leave it for another time. Any further questions we have on the Bill we will bring up in committee.

Motion agreed to and Bill read a second time.

Hon. D.W. Cody (Minister of Co-operatives) moved second reading of Bill No. 14 - **An Act to amend The Credit Union Act.**

He said: Mr. Speaker, our Government and, of course, the Department of Co-operation and Co-operative Development, as you know are firmly committed to the entire co-operative movement in this province in which the Credit Unions play a very prominent role. The most recent statistics available to me, Mr. Speaker, indicate that more and more Saskatchewan residents are joining Credit Unions and are working with others to provide themselves with their own financial services at cost.

We believe, Mr. Speaker, that Credit Unions and rural Co-operatives are a bellwether in strengthening and revitalizing our rural towns and villages. We believe also that a good percentage of our rural people would far rather direct and control their own financial affairs locally than be just another Bay Street bank doing business with one of their store front operations. In many cases, Mr. Speaker, the banks of Canada have pulled out of rural Saskatchewan leaving them with no financial houses at all. Their rationale is that they were uneconomic branches to operate, that they weren't contributing a fair share to the erection of financial places being constructed in our larger cities, especially those in eastern Canada.

The latest statistics, Mr. Speaker, indicate that as of September 30, 1974, some 393,841 people own and control Saskatchewan's 251 Credit Unions and their 70 branches, an increase of 17,183 new members since this same date last year. These co-operators, Mr. Speaker, own collectively assets valued in excess of \$1 billion, an increase of \$270.2 million since September 30, 1973. Savings of these members, Mr. Speaker,

represented by share capital, ordinary deposits, term deposits and special savings accounts have reached \$953.9 million, an increase of \$8.6 million since June 30, 1974. The average savings per member of \$2,422 is the highest average of all the provinces where Credit Union movements are in this nation. Loans outstanding to members amounted to \$574.3 million as of September 30, 1974 or 55.9 per cent of all assets, an increase of \$43.6 million since this corresponding period of last year.

Investments by Credit Unions in dominion and provincial bonds in Saskatchewan Co-operative Credit Society, in the Co-operative Trust Company of Canada, as well as in municipal debentures were on September 30, 1974, tabulated in the amount of \$395.2 million.

Mr. Speaker, the statutory reserves of Credit Unions which are held as a reserve against uncollected loans for losses amounted to \$19.8 million or 1.9 per cent of liabilities to the members in the form of shares and deposits. In addition, Credit Unions contribute to a central mutual aid fund or a stabilization fund which has assets accumulated well in excess of \$7 million and is available to assist those Credit Unions which may encounter financial difficulties.

Mr. Speaker, my colleagues and I are impressed by these statistics and we wholeheartedly endorse the Credit Union Movement which in our province is run according to co-operative principles for the good of the membership and for the eventual good of the province. I am also very impressed by and very grateful, Mr. Speaker, for the co-operation which my department and this Government has received from the Saskatchewan Co-operative Credit Society in assisting us in discovering new and better ways both legislative and operational to better serve our Credit Unions.

Mr. Speaker, subclause (1) of Clause A of Section 1, Section 82 will be repealed and the following substituted in its place:

1. One half of one per cent of the outstanding loans of the Credit Union at the end of the fiscal year other than loans that are guaranteed by (a) the Mortgage Insurance Company of Canada; (b) any government; (c) any board, commission or agent of any government approved by the Registrar, and so on from year to year until the statutory reserve is equal to not less than five per cent of the outstanding loans of the Credit Union, as calculated from time to time other than those guaranteed loans.

Mr. Speaker, I move this amendment because when loans are guaranteed by a Credit Union which are guaranteed by a government or other approved lending institutions there is no need to set up a contingency reserve by the Credit Union as is now provided in The Credit Union Act. Mr. Speaker, I think this amendment will aid the operation of our Credit Union and I hope that all Members will support it. I therefore move second reading of this Bill, an amendment to The Credit Union Act.

Mr. T.M. Weatherald (Cannington): — Mr. Speaker, I will be very brief in this regard to this amendment. I am sure that all the Members here in the Assembly strongly support the Credit Union Movement. It has done a very good job and I am not going to repeat what the Minister said. I am sure that we would subscribe to what he said about the Credit Union Movement.

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I do want to say very briefly that in looking over the amendment it appears to do precisely what the Minister said, that there is ample coverage for people with money invested in the Credit Union system and, of course, this amendment only makes a slight change in respect that Credit Unions won't have to keep as much to cover the loans and the business transactions as what they have been required to in the past. I think there still is ample coverage even after this amendment as far as depositors and so forth are concerned and because we feel that the depositor will still be adequately covered that this amendment will be supported by our Members.

Motion agreed to and Bill read a second time.

Mr. Cody (Minister of Co-operatives) moved second reading of Bill No. 15 - **An Act to amend The Co-operative Guarantee Act.**

He said: Mr. Speaker, The Co-operative Guarantee Act is an Act which has been around for something over 20 years and has proven to be an extremely valuable Act. This Act, Mr. Speaker, is one which guarantees loans which have been given to co-operatives by the Saskatchewan Co-operative Credit Society.

As we have said many times and on many occasions and just as I said a few moments ago, this Government is firmly committed to co-operative development in this province and accordingly has placed heavy emphasis on development of new and varied types of co-operatives in Saskatchewan in the past year.

Mr. Speaker, the Co-operative Guarantee Board has received a number of preliminary inquiries, some of which will result in applications to that Board in 1975. These include such co-operatives as Cable Television Co-operatives in Saskatoon and Moose Jaw, North Battleford and Regina; an alfalfa plant at Debden; an industry in Regina to employ handicapped persons presently being trained by a Saskatchewan Council for Crippled Children and Adults; an expansion of S.M. Breeders in Yorkton to make it a viable operation; some new producer co-operatives in a tenant housing group. Those are just some of the applications which we have received which are looking for guarantees in the next year.

We also anticipate a major increase of economic activities by the Department Of Northern Saskatchewan, and by native groups where guaranteed loans should be required to obtain start up financing from the Saskatchewan Co-operative Credit Society.

Mr. Speaker, we think these are commendable projects. We think they are projects where people are getting together to help themselves and they are not in it for a profit, they are in it for a service to themselves and their community. Mr. Speaker, I move these amendments because quite frankly, the present monetary constraints on the existing legislation are hindering the types of co-operative development which we feel desirable in this province. I, therefore, move:

that subsection (2) of Section 8 be amended by striking out \$1 million in the last line and substituting for it \$5 million.

Mr. Speaker, I move second reading of this Bill.

Mr. G.F. Loken (Rosetown): — Mr. Speaker, I agree with the Minister that these amendments are necessary. We will be supporting this Bill.

Mr. Cody: — I just want to correct an error I made, Mr. Speaker. I said it increased the Bill from \$1 million to \$5 million. That is an error, in the Bill it states \$5 million to \$20 million and I thought I should correct that.

Motion agreed to and Bill read a second time.

Hon. E.I. Wood (Minister of Municipal Affairs) moved second reading of Bill No. 12 - **An Act to amend The Tax Enforcement Act.**

He said: Mr. Speaker, I should like to deal with this Bill which amends The Tax Enforcement Act. As Hon. Members are aware considerable time must elapse between the non-payment of taxes and the time when municipalities are able to apply for title in regard to that property. It often adds up to a lapsed time of about four years. The municipalities have been rather unhappy about this over some time and last year we brought in an amendment to the Act that cut down the time between the filing of the tax lien and the final application for title from two years to one year. This doesn't mean that there is only one year between the time of non-payment of taxes and the application for title but that part of it was cut from two years to one year. This was done last year but there was a mistake made in that we did this in one part of the Act and didn't do it in the other part of the Act and so we now have a conflict in the Act.

What I am asking today, Mr. Speaker, is that we approve of this amendment which makes the one part of the Act read the same as the other part of the Act by reducing this two-year period to one year and I would like to read second reading to the amendments to The Tax Enforcement Act.

Mr. J.G. Lane (Lumsden): — Mr. Speaker, a couple of comments. First of all the statements just made by the Minister, of course, are in complete contradiction to the statements made by the Minister of Agriculture (Mr. Messer) when he said we were going to increase the protection for Saskatchewan farmers and, of course, this particular Bill reduces the protection for Saskatchewan farmers.

I am a little concerned for another reason because we think it is going to be happening in more than one piece of legislation. I hope that note would be taken of the fact that this particular matter was raised in the House when the other Bill was under discussion last year by the Opposition and it was suggested at that time that the change be made. Unfortunately it was a thing that had to be tied in with the other piece of legislation and the suggestion of the Opposition was ignored. I would hope in the future that the Ministers opposite would start to take note of the fact that 99.9 parts of the time we have good ideas and constructive criticism and only very seldom do we get political. I note, however, that as the Minister says it is desired by the municipalities and it is legislation which will make it easier for them to enforce their tax arrears and for that reason they should be supported.

Motion agreed to and Bill read a second time.

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Mr. Wood (Minister of Municipal Affairs) moved second reading of Bill No. 13 - **An Act to amend The Local Improvement Districts Act.**

He said: This Bill, Mr. Speaker, has to do with amendments to The Local Improvement Districts Act. There are two principal items in it and I would like to deal with them briefly.

Back in 1967, I believe, there were amendments to The Local Improvement Districts Act that gave to the Minister of Municipal Affairs, who is to all intents and purposes the reeve in the local improvement districts, the powers to do those things which the council of a rural municipality may do under The Rural Municipality Act. We know that there are other things that rural municipal councils can do that are not contained in The Rural Municipality Act and this amendment gives the local improvement districts the power to do things under other Acts as well as The Rural Municipality Act. It gives to the Minister the power to do things under any other Act that a rural municipality can do regardless of what Act it is under.

The second thing is in regard to the organized hamlet. I am sure that Members are all aware the difference between a hamlet and an organized hamlet. There is a little bit of history on this. Incidentally I used to be the Reeve of the RM of Saskatchewan Landing.

The village of Stewart Valley was the first organized hamlet in Saskatchewan. Mr. Norman Martin who is now the man in charge of the Property Improvement Grant Program was our secretary at that time and it was through him he evolved this idea of having a local group that could, even though they were still a hamlet with the finances handled basically by the rural municipalities, they could have an organized hamlet of local people who could handle most of the business for the hamlet. This has never been put into the Local Improvement Districts Act and there are quite a few hamlets around, in the local improvement districts, which would like to become organized hamlets and this will give them the power to do so.

I would like to move second reading to this Bill.

Mr. J.G. Lane (Lumsden): — Mr. Speaker, I beg leave to adjourn debate.

Debate adjourned.

Hon. G. MacMurchy (Minister of Education) moved second reading of Bill No. 16 - **An Act to amend The Archives Act.**

He said: Mr. Speaker, the proposed amendments in this Bill are of housekeeping nature. They are made necessary by the action of the Government in granting autonomy to the Regina Campus and creating two independent universities, the University of Saskatchewan and the University of Regina under the purview of the Universities Commission.

I should like to take the opportunity to talk a little bit about the Archives since we seldom do have any kind of a report on what is happening and the work of that particular board.

You will recall that the item is well down in the education budget and by the time we get to deal with it we are fairly well talked out. So only the Member for Milestone (Mr. MacDonald) and myself speak on it, and it passes through fairly quickly. So there have been some things happening that I think I should bring to the attention of the Members of this Legislature in this area.

The Saskatchewan Archives Board is a joint board with representatives of the province and the university sitting on it. The amendments of this Act make it clear that the board will continue in its role and both universities will be asked to name delegates to it.

The Archives Offices are presently located on the University of Regina and the University of Saskatchewan in Saskatoon. In the last two years our Government has set aside new funds to permit the Archives Board to hire two new archivists, one in each city, to improve the quality of the records of the history of Saskatchewan, which the board is responsible for maintaining.

Now perhaps to stir some debate in this Legislature, this afternoon, I will make a very brief political comment.

Mr. Bowerman: — That will be different.

Mr. MacMurphy: — It will be different for me, yes.

As in education, during the term of office of the Members opposite, the archives had some difficulty. But during the term of office of the Liberals the board was downgraded and its work was under stress because of the low priority the Members opposite held the job of preserving the historical traditions of this province. Members on this side of the House will recall, under the Liberal rule, that the Archives Board was moved out of its offices, out of its storage space in the Legislative Building here and sent down to the new university campus here in Regina.

There is nothing wrong with that, nothing wrong with such a move, except that at the time that it was done the new university was desperately short of space; it was hard-pressed for funds and it had difficulty in allocating sufficient room to the archives. Nevertheless the board was moved to the overcrowded university and at the same time there was a drastic cut in the storage space permitted for the retention of important documents.

Now since we took office, Mr. Speaker, we have taken several steps to upgrade the Archives Board and the services it provides. Here is what I want to report to the Members, in particular.

Several recent acquisitions are worth noting. A collection of poetry and papers belonging to Edna Jacques, an early Saskatchewan poet has been acquired. What will interest all Members is that the personal papers of R.L. Hanbidge an MLA in this province, in this province's only Conservative Government, I might add, a Member of Parliament and later one of our most popular and respected Lieutenant — Governors have been acquired since his very recent death.

The papers of the Saskatchewan Progressive Conservative Party, dating back to the early '40s are now a part of the

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collection and are available for scholarly work, of course, with permission of the party opposite. Here is a great addition too, Mr. Speaker, and I will remind the Member for Lakeview (Mr. Malone) about this addition, we are also very fortunate in acquiring the personal papers of Alf Gleave, a man whose record of service in the farm movement is very highly respected and whose papers will be of great use, in fact, will be a treasure house, for those interested in farm policy and in farm politics.

Another addition has come to the Archives through a project sponsored by my colleague, the Minister of Culture and Youth (Mr. Tchorzewski). And this project known as Towards a New Past, involved the tape recordings of some 550 conversations with some of our old-timers around the province, who were interviewed on events in our early history. Particular reference is to the development of our various ethnic settlements.

I am pleased to report that Toward a New Path has now become an ongoing project of selective interviews being stored and processed for future use by the Archives itself.

Now the Archives office is also moving into a new area, a new area of film and video tape. Recently the Board became one of the first in Canada to acquire television news films, with a series of recordings from the station CFQC in Saskatoon and CKCK here in Regina. I think the entry of this new form of documentation serves to supplement the substantial collection of original public papers. And that is now over 11,000 feet and in private papers now over 5,000 feet. Research articles based on these and other sources are published by the Archives Board in the magazine, which I recommend for all those to read, Saskatchewan History.

In closing, Mr. Speaker, I should just like to take the opportunity to thank the Archives Board for its work and I want to particularly recognize the contribution of Allan Turner, the provincial archivist who recently left for family reasons, for the Coast. I want to welcome our new acting provincial archivist, Douglas Bocking. I am confident that the Board will prove of increasing importance in maintaining records of the province's historical development for which many Saskatchewan people are now developing a growing appreciation.

Mr. Speaker, I am pleased that this Bill be now read a second time.

Mr. C.P. MacDonald (Milestone): — Mr. Speaker, just a very brief comment. I am very rapidly becoming convinced that the Minister of Education could make politics out of Santa Claus coming at Christmas time.

First of all I want to say that the amendments to this Act are of a housekeeping nature and certainly should receive the support of everyone in this Legislature and I don't mind hearing the Minister indicate some of the value and the contribution of the Archives Board and I should like to just point out that the people of Saskatchewan will be getting more and more benefit out of the work of this particular Board and the archivists of Saskatchewan, as years go by, as our history becomes more and more important and more valued, as generations continue to pass by.

I want to suggest that including both universities on the Archives Board is a natural evolution from the separation of the University of Saskatchewan into two specific institutions. I am also pleased to hear that there are going to be two new people hired by the Archives Board and I am certain they will make a contribution.

I do want to make a comment on the political comment of the Minister. The move to the University of Saskatchewan of the Archives Board was a very positive one and was done with a specific purpose and a specific role and that was a very simple one and one which makes common sense, I am sure, to everybody in Saskatchewan.

It is at the University that the research facilities in Saskatchewan are most adequate. It is at the University that most research papers are developed in the Province of Saskatchewan. It is at the University campuses that most of the people who are interested in research and the history of our province are located. And it was the kind of a move that would advance and give progress and also develop interest of not only the University and academic community in the history of Saskatchewan, but all citizens. And, of course, when it was moved to the University, thanks to the NDP, the University was in a very small state of development, but it was naturally expected that as the University developed so would the space and the facilities of the Archives Board. I know that the Minister knows that that is the fact and that is true. It was in no way an attempt of the former government to downgrade the importance of the historical documentation of what has gone on in the past in our province. And it was an intention of the Government to expand the importance and the role of the Archives Board and the contribution that they will make to future generations of Saskatchewan citizens.

Mr. Speaker, we will support the Bill.

Motion agreed to and Bill read a second time.

Hon. R. Romanow (Attorney General) moved second reading of Bill No. 20 - **An Act to amend The Land Titles Act.**

He said: Mr. Speaker, Bill No. 20 is an Act to amend The Land Titles Act.

A Land Titles Registrar must now accept for registration all properly executed transfers. If the transfer relating to several hundred parcels of land were registered, it, of course, has priority over all other instruments registered subsequent to it and because it is inconvenient for more to do so, one employee will normally work on it, with the result that the many titles to which the transfer relates are tied up by the one employee until he has completed work on that transfer. The result is that regular registrations, in the office, are disrupted.

In addition, if the description of one of the parcels in a transfer is incorrect the entire instrument must be rejected. When it is resubmitted for registration, after being corrected, the entire process of searching all the titles touched by the transfer must, once again, be done over. The proposed amendment and section would give the registrar discretion to refuse transfers relating to more than 20 parcels of land. If more than

20 parcels are to be transferred, more than one transfer will then have to be employed. As a result more employees are involved in that particular transaction and if there is a misdescription only the transfer containing that wrong description needs to be rejected and all the correct transfers can be processed in the usual and normal fashion.

Mr. Speaker, I believe this to be a worthwhile amendment which will speed up the process of The Land Titles Act and will not unduly inconvenience the public and should receive the support of all Members of the House.

Accordingly, I move second reading of this Bill.

Mr. E. C. Malone (Regina Lakeview): — Mr. Speaker, in connection with this Bill there are a couple of comments that I have to make.

I notice that the provision is for a discretionary judgment on the part of the registrar and I wonder how people will know when he is going to exercise his discretion. That is, if I submit a transfer covering many, many sections of land so I sort of take the chance that it will be accepted or won't be accepted. I should like to have some more particulars from the Attorney General on that particular aspect.

While I am on my feet, Mr. Speaker, in connection with The Land Titles system, I am not sure whether the Attorney General is aware of this, but this summer the operation of Land Titles Office caused many, many problems. I believe, myself, I submitted a number of documents for registration I think on one occasion it took almost three weeks for the documentation to clear the process of registration.

If, for some reason, there is a minor error or omission in the documentation, the documents would be rejected, which is entirely proper. But, again, they would have to be resubmitted and it would mean another three-week delay. This caused very great difficulties because on many occasions lawyers or others would be holding large sums of money in their trust account, waiting for these documents to be registered, and as a result nobody was collecting any interest on this money.

I wonder if the Attorney General has given any consideration to increasing the staff of the Land Titles Office for the busy periods during the summer so that this type of thing does not happen again in the future? And, as well, I wonder how the registrar will exercise his discretion when transfers of this nature are submitted to him. That is, is it up to the lawyer to phone and see if the transfer will be accepted or not? I would prefer the Act to read that he shall refuse rather than 'may refuse'. Perhaps the Attorney General could enlighten us on that.

Mr. E.F. Gardner (Moosomin): — Mr. Speaker, in this regard, the Member for Lakeview mentioned the fact that the shortage of staff and that the people in the land Titles Office are overworked and I am wondering if, when he is closing debate, he would care to comment on the office building that was built just prior to the changing of the Government, in Moosomin, for a Land Titles Office. It was designed to be a Land Titles Office it was built for that purpose. The intent was to re-establish the Land Titles Office there, that had been taken out prior to the time that we were the

government and consolidated in Regina. The Government talks about taking these various services to rural areas. There is a great deal of work of this nature done in southeastern Saskatchewan which now must be brought into Regina. With the building in Moosomin designed and built specifically for that purpose, the space is there, and it is unfortunate that the present Government saw fit to reverse the intention that we had, of establishing this Land Titles Office in Moosomin.

I wonder if the Minister would reconsider this decision in view of the heavy workload and the congestion in the city Land Titles Office and consider moving a portion of the Land Titles Office business for southeastern Saskatchewan back to Moosomin because the facilities are already there.

Mr. K.R. MacLeod (Regina Albert Park): — Mr. Speaker, in a healthy open party there are always opportunities for disagreement within the party. I should like to say that while I have every respect for the Member for Moosomin, I totally and absolutely and completely disagree and do not wish to associate with his remarks.

There was a study taken, as I recall, sometime between 1950 and 1964 and I won't come any closer than that, but I know that there were studies taken to determine exactly how much business was done in the Arcola Land Titles Office and where that work originated. I am told that 95 per cent or more of the business in the Arcola Land Titles Office originated from Regina, or other centres, principally Regina, but not in Arcola, and only 5 per cent of it originated throughout the whole territory of the Arcola Land Titles Office. It became, therefore, of no particular merit at all to keep it there and in fact, all the advantages were in taking it out of Arcola and putting it where the business was actually being done, namely the city of Regina.

Now, for political purposes, it might be nice to move a Land Titles Office to Moosomin, but it would be against all common sense and the only reason that the Hon. Attorney General (and I congratulate him) who did the consolidation and who had the courage to do that, namely the Hon. Robert Walker, I congratulated him for doing it at the time, (his work was correct and right) and the only reason that he didn't consolidate one or two other Land Titles offices in the province was because of political pressure, not because the work was being done where the Land Titles office is located.

So, I hope the Attorney General will accept our remarks as being a tie and leave the Land Titles system the way it is.

Some Hon. Members: Hear, hear!

Hon. R. Romanow: — (Attorney General) Mr. Speaker, I must make just one or two comments on the question of this particular amendment.

First of all, the Member for Lakeview asks how will the applicant, or the person who seeks registration know whether or not the document will be accepted or rejected if he comes with more than 20. This is a good question because the matter is left entirely at the discretion of the registrar.

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We are hopeful that the practice will arise that more than 20 parcels will not be described in the documentation and thereby hope to circumvent the question raised by the Member for Lakeview on that basis. Failing that, then it would be my view that the primary responsibility, although it's not stated legislatively would fall on the counsel or on the applicant to simply say, look, I have 25 or 30 parcels, or whatever. I can foresee the registrar of the Land Titles and the counsel or the applicant talking about the land in question. It might be a nice easy compact parcel of land with no difficulty, and is accepted. Where the problems have really arisen are the ones that come in with 40 or 50 and higher even at one time, and this really bogged down the work.

I am sorry that I cannot be more precise on this. I think that an easy relationship, which most counsel have with Land Titles registrars will continue and the thing will work. Our Land Titles people seem to think that it can work on this sort of discretionary basis.

On the question of the delays in the Land Titles system, this is a matter which has concerned me a great deal. We have just recently obtained Treasury Board approval for 23 new positions in the Land Titles system. Again, I don't want to be political, but this is one of these situations where with 23 new positions we have a very substantial hike in the Land Titles system and that, to look at in any one particular department, looks like a very substantial number. The simple fact is, in the last two or three years the Land Titles activity has been very dramatic in increase. There have been real estate sales - the Member opposite says 'things are booming' and they are booming, there have been real estate sales, there have been all sorts of transactions and the Land Titles system simply was not geared for this type of a search. We do hope that with the recruitment of these new positions and the adequate training that much of the pressure will be relieved. It is my hope we can get on to 'next day service', or 48-hour or 72-hour service as quickly as possible. This is the objective.

All that I can tell you is that this is how it arose and we have acted, we have the Treasury Board positions, it will still take several weeks to get the people recruited and operating, but I think that will straighten itself out, hopefully in the months ahead.

Now, finally on the question raised by the Member for Moosomin (Mr. Gardner) on the Land Titles Office for Moosomin. I would only say to the Member that while my Department will keep all his requests under consideration, I don't want to be overly optimistic for the Hon. Member. The simple fact of the matter is, in all honesty, as related by the Member for Regina Albert Park (Mr. MacLeod), the vast majority of the work out of Moosomin relates directly to the Regina situation. Part of the delay, or part of the streamlining of the Land Titles system was because of this action taken in the late 1950s. We agree that there is a need to decentralize government functions. No doubt about that. To decentralize government functions at the expense of providing a service to the public, including the public of Moosomin, I think would be a wrong way to go. Where the job can be done as ably and capably elsewhere, we should try to diversify and try to get it into that area. The way the Land Titles system is set up, I just don't think it lends itself to that type of decentralization, even though I would like to help the Hon. Member and his constituents out.

I would certainly hope that the Member would accept my explanation. He can make a political issue of it if he wants back home, but I simply say to you that this is one which really has no political input, or should have no political input because it simply just does not fit a type of decentralization.

I hope I have answered some of the questions, Mr. Speaker, in rebuttal with respect to this Bill.

Motion agreed to and Bill read a second time.

Mr. Romanow (Attorney General) moved second reading of Bill No. 22 - **An Act to amend The Election Act, 1971.**

He said: Mr. Speaker, Bill No. 22 is an Act to amend The Election Act, 1971.

The first group of amendments in the proposed Bill relate to sections 2, 4, 6, 7, 8, 9 and 19 of the printed Bill. I think they can be lumped together and thought of as a unit. These sections are in the nature of housekeeping amendments.

The Election Act, 1971 uses three terms, somewhat interchangeably. These terms are 'spoiled ballot'; 'cancelled ballot'; and 'rejected ballot'.

At times it is necessary to distinguish between these concepts. For instance, under certain circumstances a Deputy Returning Officer must place spoiled and cancelled ballots in a different envelope from rejected ballots. For the purposes of a recount or proceedings to controvert an election it is necessary to distinguish between these two types of ballots. On one hand there is a ballot which is rendered useless by a voter and returned by the voter to the Deputy Returning Officer for replacement, without even being put in the ballot box. Secondly, there is the kind of ballot which is taken from the ballot box after the close of the polls, it's in the box, but for some reason or other it is not counted.

The Election Act currently defines a rejected ballot to be one that is taken from the poll at the close of the poll and not counted for whatever reason. It is proposed to define the term 'spoiled ballot', as one that is rendered useless by the voter and returned by the voter to the Deputy Returning Officer for replacement, without being put in the ballot box. The term 'spoiled ballot' will then replace the term 'cancelled ballot' and there will only be the two defined terms in the Act.

Mr. Speaker, we are also removing the age limit for Returning Officers. I think this is but one more step that needs to be taken to try to improve the activities of people who are senior citizens in our society. We feel that this age limit is out of step with contemporary thinking as far as this Act is concerned. We agree with the requests of many that the age limit should be removed and accordingly this amendment is being put forward.

Now, Mr. Speaker, section 87 (a) of the proposed amendment establishes a new system whereby physically disabled people may vote by mail. In all of our programs the Government is trying to make it possible for disabled people to live as much of a normal life as possible. We believe that even though some

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voters may not be able to come to the polls they ought to be given the opportunity to exercise their democratic right by voting. The procedure in 87 (a) is relatively simple. The applicant applies to the Returning Officer of his constituency for a vote by mail. If the Returning Officer is satisfied that the voter is disabled physically, the Returning Officer mails the voter a ballot, which in turn can be remailed back to the DRO, or delivered personally by the disabled person or someone on his behalf. Only the physically disabled voter may use this procedure.

Now, Mr. Speaker, these amendments, I am advised, follow closely on the amendments which appear in the Canada Elections Act for voting by proxy and in other provincial legislatures notably the Provincial Legislature of Manitoba.

I should also advise, Mr. Speaker, that these amendments have been submitted to the Voice of the Handicapped, a provincial organization, for their review, and I am pleased to advise that the Executive Director has written back to our Chief Electoral Officer advising as follows:

The Provincial executive of the Voice of the Handicapped, on reviewing the major administrative details of the scheme, has decided that the scheme meets with the intent of its original proposal. The mail-in ballot will aid the handicapped to exercise their franchise. The Voice of the Handicapped, therefore, would support the Government's proposal, and sincerely appreciate its efforts in this regard.

This is signed by the Executive Director.

It is true that some sections of 87 (a) are capable of abuse or interpretation lending itself to abuse. Any suggestions that Members opposite, or others would make to try to close down the loopholes, we'll welcome, because we don't want abuses to operate either. But I do believe that on balance, and in principle, which is the purpose of this Bill, these proposals will go a long way to meeting the objectives of giving our physically handicapped an opportunity to vote, and I would urge all Members to join with us in giving that support for our physically handicapped.

Now, other amendments - the amendment to section 202 (b) in Section 10 of the Bill; and section 202 (j) in Section 12 of the Bill are related. Their purpose is to clarify the amendments introduced last year. It was not intended that a political party would have to disclose the identity of contributors who made contributions before the Act came into force. To make sure that no such interpretation could be placed on section 202 (b) and section 202 (j) we have enacted the amendments proposed in Section 10 and Section 12 of this Bill.

Section 202 (g) (iv) provides that no election officials, such as the Returning Officer or Election Clerk, shall be eligible to act as a chief official agent or official agent of a party. We are amending this section to add 'a candidate' to the list of people who are prohibited from acting as a chief official agent or official agent of a political party. A chief official agent and official agent have duties within the Act which might put a candidate in a conflict of interest if he were to act as a chief official agent, or official agent.

Sections 13 to 18 are also related somewhat. Some Hon. Members will be aware that special provisions apply to elections in far northern Saskatchewan, farther north of Saskatoon. The seats which used to be affected were Meadow Lake, Shellbrook, Prince Albert East, Nipawin and Athabasca. Now only Athabasca and Cumberland are affected, because of the representation act in the electoral boundaries redrawing. This section substitutes the new constituencies of Athabasca and Cumberland in place of the former constituencies, basically housekeeping.

Section 19 amends the forms to take into account the new names of the constituencies.

Now, Mr. Speaker, it is the Government's intention to proclaim the Bill as quickly as we can as it relates to the election expenses portion. We are hopeful that in this worthwhile objective we will receive the support of all Members of the House.

Some of these amendments are purely housekeeping, I would suggest that most of them are. Their adoption will only simplify the work of the Chief Electoral Officer and his staff and all of the work that we, as candidates, and those of us who are nominated will have to fulfil in the next election.

I believe there is one basically substantive amendment and that relates to the physically handicapped in giving them a vote. The vote-by-mail procedure, I submit to the Members, will be welcomed by disabled people, as I have indicated, by their letters. The removal of the age for Returning Officers will also, it think, be approved.

Accordingly, I see no reason why these amendments cannot be proceeded with now. With these few words I move second reading of Bill 22 - An Act to amend The Election Act, 1971.

Some Hon. Members: Hear, hear!

Mr. E.C. Malone (Regina Lakeview): — Mr. Speaker, in rising to speak about this Bill, I should like to restrict my comments only to the provision for physically handicapped people to vote. I agree completely with the intention as expressed by the Attorney General, to make some provision for them. I suppose it's something that is long overdue because these people are entitled to vote as much as anybody else. Because of their handicap, I gather, in the past they have not been able to do so.

But, at the same time as I say that, Mr. Speaker, I must point out that the provisions of this Bill, in this regard, as I read them, leave the Bill very, very open to abuse and I should like, by way of helpful criticism if I may, point out some of the responsibilities of abuse of this particular provision and hopefully the Attorney General will look into the things that I raise and make whatever corrections are necessary.

First, Mr. Speaker, nowhere in the Act is it defined what constitutes being physically handicapped, or incapacitated. Does this mean that if a person has a bad cold the day or the week before the election, that he can request a vote by mail? I suggest that it is certainly not the intention, but it is open to that interpretation. I would ask the Attorney General

to look into this further and see if there could be a little more narrow a definition included in the Act.

Secondly, there is no reference in the Act to a person being mentally handicapped. Is it the intention (and I'm sure it isn't the intention), hut it is conceivable that somebody who is mentally handicapped, as well as physically handicapped could receive a ballot and mark it when it would be inappropriate for that person to do so.

My greatest complaint about this, Mr. Speaker, is that this provision does not contain the usual checks to prevent abuses of the election procedure. I refer to the fact that in all elections there are provisions for scrutineers to attend at the polls to make sure that a person is on a voters' list, to make sure that he hasn't voted before, to challenge where necessary and so on. These provisions do not have these checks for the possibility of abuse. As I read in the existing provisions, all a person has to do is write in, say he is physically handicapped and have somebody else in the polling division sign a form to that effect. There is no discretion left to the Returning Officer once he receives the application and I don't see how he can determine himself whether the person really is incapacitated because there is nothing in the Act that says he has to do anything. Once he receives the application presumably he then sends out the ballot. At the same time the Returning Officer, when the ballot comes back, has no idea who has signed the ballot. All that has happened is that the ballot is returned to him - I shouldn't say signed - he has no idea who has marked the ballot. He just gets back a marked ballot. I gather again he really has no discretion in connection with that ballot if the forms that he has sent out are apparently completed correctly, with the emphasis on the word 'apparently'. I think one way of getting around this possibility of abuse, Mr. Speaker, would be to change the Act to the extent that if a physically incapacitated person or handicapped person wishes to vote in this manner that he must make his application to the Returning Officer within a certain period of time before the election, say 10 days or a week, or whatever would seem to be convenient. I think that once this application is received the Returning Officer should then be obliged either at that time, or again within a certain period before the ballot is sent out, to advise all candidates that he has received these applications and that unless he hears from the candidates within a set period of time he will assume that they have no objection to the ballots being sent out.

What this would mean, of course, is that once the Returning Officer gave the information to the candidates, the candidates could then do what they wanted with it. But presumably the candidates would first check the voters' list to see if indeed there was such a person. If there is any suspicion as to the so-called incapacity of that person the candidate can readily ascertain whether this was the case or not. He could make sure that that person really did exist. He could take all the steps that he had normally done on election day through the use of scrutineers at the polls. I say that it would be up to the candidate to make the objection, it wouldn't have to be the Returning Officer to pursue it. But he should advise the candidate and the candidate could then do what he wanted. If the candidate found out that there was some doubt as to the eligibility of the person he could challenge in the normal way that is done at the polls. I suggest with this type of amendment, it would do a great deal to cure what I call are 'the wide

open spaces in the Act for abuse.

A couple of other things occur to me, Mr. Speaker, which may not be of such seriousness, but I am wondering about the secrecy of the ballot. There is no assurance in the Act that the ballot would be secret because we don't know where the person would vote. There is a possibility, of course, that the person who voted would die before election and therefore would be ineligible to vote. There is no way of checking this out as well.

Again I ask the question: There is this need by a person in a poll to verify the application of the physically handicapped person by signing a form. There is also provision for a person in a poll to verify after the vote has been made. Is it to be the same person, or can it be two different people?

In closing these remarks, Mr. Speaker, I raise them to try and be of assistance to the Attorney General in this particular way. I agree with what he is trying to do but I fear greatly unless there is something more contained in the Act it is wide open to abuse and all we are doing is asking for a great deal of possible trouble and we are not really accomplishing the purpose that the provisions are for.

Mr. Speaker, I will have further comments to make on other portions of the Act at a later date, accordingly I would ask leave to adjourn the debate at this time.

Debate adjourned.

CHRISTMAS GREETINGS

Hon. R. Romanow (Attorney General): — Mr. Speaker, I wish to express on behalf of all the Members and to you, Sir, a Merry Christmas and a Happy New Year to all Members and staff. Make sure the Members of the Opposition have a Merry Christmas and a Happy New Year.

Some Hon. Members: Hear, hear!

MOTION

HOUSE ADJOURNMENT

Hon. R. Romanow (Attorney General): — Mr. Speaker, I move, seconded by the Hon. Premier (Mr. A.E. Blakeney) by leave of the Assembly:

That this Assembly do now adjourn and that it stand adjourned to a date set by Mr. Speaker upon the request of the Government and that Mr. Speaker shall give each Member seven clear days notice by wire and registered mail of such date.

Motion agreed to.

The Assembly adjourned at 4:31 o'clock p.m.