

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Third Session — Eighteenth Legislature
10th Day

Wednesday, December 1, 1976.

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

WELCOME TO STUDENTS

Hon. E.L. Tchorzewski (Humboldt): — Mr. Speaker, I take great pleasure in introducing through you to the Members of this House, a group of students from Viscount, Saskatchewan, in my constituency. They are a group of 26 students from Grades nine, ten, eleven and twelve. They arrived earlier this morning and have been to the RCMP Museum and I know they are going to the Western Development Museum later. I will be spending some time with them to answer any questions that they may have at about 3:30.

They are accompanied by their teacher, Miss Miazga and also Mrs. Eno and Mrs. Johnson, as well as their bus driver, Mr. Bird.

I would ask the Members of this House to join with me in welcoming them and wishing them a safe trip home.

Hon. Members: — Hear, hear!

Hon. W.A. Robbins (Saskatoon Nutana): — Mr. Speaker, I should like to introduce to you and through you to the House a group of 21 students from Bishop Murray School in Saskatoon Nutana constituency. They are accompanied by their teachers, Mr. Nieman and Mr. Buttinger.

I understand they have visited the RCMP Barracks and also the Museum of Natural History. I hope they enjoy the proceedings of the Legislature this afternoon and I will endeavor to meet them shortly after three o'clock. I think we are going to have our pictures taken. I am not sure that that is good for them to have their picture taken with me but we are going to get Paul in it too I think, which will improve the situation.

I am sure that everyone in the Legislature will wish them a safe trip home.

Hon. Members: — Hear, hear!

Mr. P.P. Mostoway (Saskatoon Centre):: — Mr. Speaker, I, too, would like to welcome the Grade seven and eight students from Bishop Murray School and St. Charles school in Saskatoon and their teachers, Mr. Nieman and Mr. Buttinger and Mr. Nicholson whom I believe is the principal at St. Charles School. Many of the students at Bishop Murray live in my constituency. I live close to St. Charles School and I would like to point out to you, Mr. Speaker, and Members of this House that I have a son sitting in the back row going to St. Charles. He tells me that it is the best school in Saskatoon along with Bishop Murray, and I agree with him wholeheartedly that they are two of the best schools. There are a number of others in my constituency that are on a par.

Hon. Members: — Hear, hear!

Mr. Mostoway: — I understand that they visited the RCMP Barracks this morning. They visited the Museum of Natural History and I am sure that they are going to be enjoying themselves in this House this afternoon. I, too, will be meeting with you later on. Hopefully, pictures will be taken. I want to express a desire that you enjoy yourselves today and usually one of the treats of a day like this is to stop in at MacDonalds. I don't know whether you are going to do it or not, but at any rate have a safe and a pleasant journey home.

Some Hon. Members: — Hear, hear!

Hon. H.H. Rolfes (Saskatoon Buena Vista):: — Mr. Speaker, may I join my two colleagues from Saskatoon in welcoming Bishop Murray school students. I do so, Mr. Speaker, because I had the privilege of being principal of that school for three years. I want to especially welcome my former colleagues, Mr. Buttinger, Mr. Nieman and Mr. Nicholson and a special welcome to the students from Bishop Murray.

Hon. Members: — Hear, hear!

Hon. E B. Shillington (Regina Centre): — Mr. Speaker, it gives me pleasure to introduce to you and to the Members of the Legislature Assembly 16 students from the Cornwall Street Tutoring Project. They are accompanied by their teacher, Tom Warner.

It is with real pleasure that I introduce these students, Mr. Speaker. These are the first group of students whom I have ever had the honor of welcoming to the Legislature in spite of the fact that most of my constituents live within eyesight of the Legislative Building, so I am pleased to see them here today. I will be meeting with them in a short while and I look forward to it.

Hon. Members: — Hear, hear!

QUESTIONS

GENERAL HOSPITAL BEDS CLOSED

Mr. E.F.A. Merchant (Regina Wascana):: — Mr. Speaker, I wonder if I might direct a question to the Minister of Health. Would the Minister indicate whether it is correct that he said in the House the other day that there were not 41 beds closed in the pediatric section of the General Hospital. Our understanding is that they were closed four and one-half months ago and I wonder if the Minister would amplify on that?

Mr. Robbins: — The information I received, Mr. Speaker, was that six out of 41 beds were closed, not 41 beds.

Mr. Merchant: — I wonder, Mr. Speaker, if the Minister might be good enough to check with the General Hospital and the officials

there, as I have, and I think you will find that 41 beds were closed four and one-half months ago and perhaps you could report again to the House in this regard?

STUDY ON MENTALLY RETARDED IN SASKATCHEWAN

Mr. W.H. Stodalka (Maple Creek):: — Mr. Speaker, a question to the Minister of Social Services. Are you aware of a news release that was issued today about a study that was done on the mentally retarded in the Province of Saskatchewan which indicates that Saskatchewan's mentally retarded are being treated as second class citizens and that Core Services has failed in its project of mainstreaming those retarded children into the mainstream of life?

Mr. Rolfes: — No, Mr. Speaker, I am not aware of that study.

Mr. Stodalka: — A supplementary, Mr. Speaker, could I ask the Minister of Social Services what his intentions are for Core Services, what are your long-range goals? Are you going to keep Core Services?

Mr. Rolfes: — Mr. Speaker, at the present time we are holding consultations with the Saskatchewan Association of the Mentally Retarded and other groups who are concerned about the services provided by Core Services and we have made no decision at this particular time. But I think it must be understood that when Core Services was set up it was specifically set up to facilitate and co-ordinate the services for the mentally retarded as they pertained to the Departments of Health, Social Services and Education. And it was felt at that time that within five or six years if Core Services had performed its functions that we wanted it to perform that many of these services may well then be put back with the line department. That decision will not be made until we have full consultations and discussions with all groups concerned.

Mr. Stodalka: — Supplementary, Mr. Speaker. The report also indicates that possibly the two institutions for the mentally retarded could be phased out in the Province of Saskatchewan. I wonder what the Minister's opinion is about the phasing out of these two institutions?

Mr. Rolfes: — Mr. Speaker, I don't know what report he is referring to but certainly I don't mind giving my own personal opinion of these two institutions. I think the two institutions certainly serve a function and there always, in my opinion, will be a function for them to operate. I think it is unrealistic to think that all individuals will be able to function in the community. But wherever possible we want to assure the people, that wherever possible we will make certain that all individuals who are capable of functioning in a community, services will be made available to them in their community.

BACKLOG IN VARIOUS COURT DISTRICTS

Mr. J.G. Lane (Qu'Appelle): — Mr. Speaker, I should like to direct a question to the Attorney General. A situation has arisen in Regina and I

understand that in various court districts in the Province of Saskatchewan that there is a four week delay in trying to obtain clearance certificates from the central registry; that high court judges are having an extremely difficult time getting stenographic help in order to get judgments typed and that there is a long delay in judgments being rendered because of a shortage of stenographic skills. At least in the city of Regina trial dates are being delayed anywhere up to four and five months. Now the Attorney General has given the assurance to this House in the past that he was on top of the problem and that he was taking adequate action to ensure that these long delays did not occur. Can the Attorney General tell us what he is doing to clean up the problems and the shortage of staff that exists in the various court houses in the districts in the province?

Hon. R. Romanow (Attorney General): — Mr. Speaker, first of all with respect to the central registration office, it is true that there has been a delay for quite some time. In the last little while the delay, the last year or so was more pronounced because of the increase of commercial activity in the Province of Saskatchewan.

With respect to the supposed or alleged shortage of stenographic help in Regina, I am pleased that the Member brings this to my attention because I cannot recall the judges specifically bringing it to my attention. But nevertheless I will look at this matter and see how serious the problem is now that the Member raises it.

On the question of court delays my position has always been that it would be ideal to get all the court files on as quickly as possible in as limited a time as possible but the fact is that this is not possible to do. Saskatchewan's record is as good if not better than most provinces in the Dominion of Canada and I think we have nothing there that warrants special action.

Mr. Lane: — By way of supplementary, I am going to table a document from the Director of Court Services, Court House, Regina to all offices of the sheriff, the local registrar, the sheriff and the local registrar and court reporters in the Province of Saskatchewan.

That particular document under signature of Mr. C. A. Huggett, in fact gives instructions to the various registrars of the Province of Saskatchewan to cut back in services to backlog such work as surrogate court work. That each sheriff's office should discontinue acting on chattel mortgages. That instructions are given to all registrars to allow the field work to backlog in all situations. That service work is to have a second priority. That all registrars are instructed to cut stenographic work to the level . . .

Mr. Speaker: — Order, order! Can the Member get to the point of his question immediately.

Mr. Lane: — Mr. Speaker, in fact, my question is, why has the Attorney General of Saskatchewan, through his officials given specific instructions to the officials of this province to cut back in staff and service to the public? I might add that the same document and I will have a further supplementary

indicates that the various departments may have insufficient funds to continue.

Hon. R. Romanow: — Mr. Speaker, may I say first of all that I do not intend to rely on anything that the Member for Qu'Appelle interprets out of any document. I am going to take a look at the document and draw my own conclusions as to what it specifically says or doesn't say. All that I can say to the Hon. Member for Qu'Appelle is that the budget of the Attorney General in this current year is something in the order of \$28 million for all services provided and when you were the executive assistant to the Liberal Attorney General, it was something in the neighborhood of about \$9 million.

Mr. Speaker: — Order, order! We are getting into a debate on this issue. If the Attorney General can terminate his remarks . . .

Mr. Lane: — Mr. Speaker, a further supplementary. The document I have and I would like to send a copy to the Attorney General, if I may, indicates from under what purports to be a signature of Mr. Huggett that in fact there are insufficient funds in the budget of the salary for Court Services to supply salaries for the next five months . . . I wonder if I can continue, Mr. Speaker.

Mr. Speaker: — Order, order!

Mr. Lane: — That in fact there are insufficient funds perhaps to continue and that perhaps all travel will be cut off as of January 1, 1977. How can the Attorney General tell this Assembly and the people of Saskatchewan that there are adequate funds when in fact it seems the court system is grinding to a halt under his department?

Mr. Romanow: — Mr. Speaker, I guess that is ruled as a valid question and I will treat it as so. But it is very difficult to answer something like that. I must say quite candidly that I am somewhat confused as to exactly where the Conservatives stand, on the one hand in their questions and their speeches, they criticize this Government for too many people and too much of a burgeoning bureaucracy and too much expenditure. On the other hand the Member gets up and selectively decides to place an interpretation on a memorandum which I haven't seen but I am going to peruse and says we are not getting enough money. I simply say this to the Member opposite, that he is the first member of the public, there may be a letter that has come into me that I haven't checked out, that I may have forgotten about. But he's the first member of the public who has raised this particular issue on this particular memorandum and brought it to my attention. I just don't believe one bit what the Member says about the quality of court services in the Province of Saskatchewan. I think it is at an all time high and I am prepared to back my record against anything that the former administrations have done.

Some Hon. Members: — Hear, hear!

COMMITTEE SET UP TO CHANGE TAX STRUCTURE OF CROWN CORPORATION

Mr. R.E. Nelson (Assiniboia-Gravelbourg): — Mr. Speaker, I have a question of the Minister in charge of Saskatchewan Power Corporation. At a meeting with the Hart Butte Municipality No. 11 and Government officials mention was made of a committee that was set up to change the tax structure of Crown corporations. Could I ask the Minister when the committee was set up, who the members are and when he expects a report back from that committee?

Hon. J.R. Messer (Minister of Mineral Resources): — The Member I think is referring to discussions that are being carried out internally within the Government in regard to the taxing or grants in lieu of taxes where the Crown corporations of the Government may be involved in expenditures or acquisitions of land, establishment of capital in rural municipalities. I am not able at this time as I conveyed to the members of the Hart Butte Rural Municipality to set a time when a final recommendation will be coming down from the Government. But we are certainly aware of concerns from the municipalities such as Hart Butte in regard to that matter and we are giving it due consideration.

Mr. Nelson: — Mr. Speaker, I don't believe he answered all the question. When was the committee set up and who are the members?

Mr. Messer: — I do not believe that the committee is structured in such a formal way that it has, in fact, a specific number of members who can be identified. There is a committee that is discussing the matter. It involves the Crown corporations, the Government finance office, and other departments of government who will also be related to input to such a decision of government, municipal affairs and the like of that.

CHECK-OFF FUND — CATTLE

Mr. W.C. Thatcher (Thunder Creek): — A question to the Minister of Agriculture. In the Minister's budget address some two or three days ago, the Minister . . . pardon me, Throne Speech, Mr. Speaker, thank you for the correction. The Minister made reference to consumers and their relation to the beef industry. Would the Minister tell this House today if his remarks pertaining to consumers was some indication that the Minister intends to remove consumer representation on the volunteer cattle check-off?

Hon. E. Kaeding (Minister of Agriculture): — Certainly not, Mr. Speaker.

Mr. Thatcher: — A supplementary question, Mr. Speaker. Would the Minister concede that the funds which are accumulated in this check-off fund come exclusively from cattle producers and exclusively the cattle industry. Would the Minister thereby tell us how do you justify having a consumer to administer funds which are totally raised by the cattlemen themselves?

Mr. Kaeding: — I think, Mr. Speaker, that the practice of bringing consumers into some of these boards is a practice which we should look at oftener. I think that many times the things that we want to discuss in agricultural or other areas would get a lot of benefit from consumer input. And I think to have one member of a consumer group on that kind of a board, doesn't hurt at all. It gives a greater dimension, it lets those people know in consumer groups that there are other problems in the agricultural field which they don't recognize if they don't have a chance to get into the board structure. When I was down in the United States a couple of months ago I talked to the people there and they were recommending that they put people on from consumers' associations on these kinds of boards simply so that they would be able to find out really what the problems are in agriculture.

Mr. Thatcher: — A supplementary question, Mr. Speaker. The Minister's comments are well taken, but specifically, Mr. Minister, I would ask you, do you concede that the money in this fund, the dollars that are there are exclusively from cattlemen, from cattle producers, and thereby how do you justify having a representative from the consumers who incidentally, to my knowledge are not representatives of any officially designated consumers' association, how do you justify them sitting on a board to administrate funds raised solely on a voluntary basis from the cattle industry?

Mr. Kaeding: — Mr. Speaker, I am sure that if there was any major unhappiness I would have been told about this long ago. I am sure that I would consider what my actions should be if I got a real serious complaint on that.

Mr. R. Katzman (Rosthern): — A supplementary. Is it not a fact, Mr. Minister, that your department people are now not allowing the people who put the money into this check-off account to do as they please with it.

Mr. Kaeding: — Certainly not, Mr. Speaker, I get my recommendations from the check-off board.

PEDIATRIC PATIENTS

Mr. E.F.A. Merchant (Wascana): — A question to the Minister of Health. I wonder if the Minister would comment on the growing practice in the pediatrics ward, necessitated by bed closures, of the transfer of medical patients to the surgical ward. Would the Minister agree that that is a very serious practice to have pediatric patients put on the pediatric surgical ward, the result being that children that come in for instance with tonsil problems, leave with pneumonia or chicken pox, as a possible result of these contacts.

Hon. W.A. Robbins (Minister of Health): — Mr. Speaker, I don't know where the Member gets his information, but I have been in consultation with the Administrator of the Regina General who informed me that they had no significant problems with respect to handling children in that hospital.

Mr. Merchant: — A supplementary, Mr. Speaker. Would the Minister agree that the mixing of children from the medical ward and children from the surgical is a very bad practice and would the Minister indicate whether it might be possible to ensure the House that this will not happen?

Mr. Robbins: — Mr. Speaker, I have not been informed by the authorities that it is happening and until I am I will not take any action.

Mr. Merchant: — Final supplementary. Would the Minister then be prepared to check, first on the number of bed closures to which I referred earlier, and secondly would the Minister check on whether in fact there has been necessitated a mixing of medical patients, medical problems and surgical problems at the General Hospital and report back to the House in that regard?

Mr. Robbins: — Yes, Mr. Speaker.

BACK LOG IN VARIOUS COURT DISTRICTS

Mr. Lane: — Mr. Speaker, I would like to direct a further question to the Attorney General. Should this copy of the memorandum which I have forwarded to you be accurate and there seems to be a reaction from the Attorney General which would indicate it certainly is, will the Attorney General advise this House if there will be an Appropriation Bill to ensure adequate funding so that the budget of the court services will not run out of funds for the next five months and that there will be adequate funds for the supply of court services in this province. Will you assure us that there is an Appropriation Bill before we adjourn on Wednesday or Thursday?

Mr. Romanow: — Mr. Speaker, it amazes me that the Conservative Member for Qu'Appelle views the matter of provision of court services of such extreme urgency that he urges the Government to bring down a special Appropriation Bill. Not on what one thought yesterday during the course of his speech was the so-called then urgent crisis of hospital costing and the like, I am interested in seeing his priorities in this regard.

The answer simply is that the question is hypothetical, I do not anticipate any special Appropriation Bill. I believe that the court services are functioning well, I have looked at this memorandum, very quickly. I think that the memorandum is a stringent call to live within the guidelines of the Budget as passed by the Legislature in March of 1976, no more, no less. Some of the wording can be open to mis-interpretation by yourself or others, but it is a call by Mr. Huggett, to say to all court people, look here we have a budget, we have to live within it like every other department does, let's live within it as best as we can. I support that type of a memorandum.

I don't think the court services have been affected one bit, and I urge all department people to follow that type of an approach in a period of restraint.

Mr. Lane: — Would the Attorney General not admit that a statement

in the same memorandum that at the present rate of spending,

. . . especially if no one is hoarding S4s, we are unable to have sufficient funds to continue,

and a direct statement:

be prepared to have your travel expense discontinued entirely or rationed after January 1, 1977.

and direct instructions to cut back in service.

Is this merely restraint or really a dismantling, for want of a better word of the court system, as governed under the Department of the Attorney General?

Mr. Romanow: — I'll let others than myself or the Member for Qu'Appelle be the judge as to whether or not the court service system is being in his words, dismantled. To repeat again, there is no doubt that in the last two or three years because of the unprecedented commercial and other activities in the Province of Saskatchewan, the court system has been strained. There are no doubts about it that it does have stops and starts and that there are some difficulties in this area. I am not going to stand here and say that's not the case.

But similarly, I will not adopt the judgments of the Member made for purely political purposes, purely political purposes, using the court services structure, to say that it is a matter of dismantling the entire court system.

Mr. Speaker: — Order, order! I think the Attorney General is entering into a debate, he is ascribing motives. I think that is not necessary in answering the question.

SWIFT CURRENT COURT HOUSE

Mr. D.M. Ham (Swift Current): — Mr. Speaker, I am not allowed to draw any imputation, that is why that question is being asked. So I won't. But I could if I was allowed to, and if I could I would make the imputation that perhaps there are some political reasons in that question as well. But I am not allowed to draw that, and I won't.

I simply say that I didn't know, but I do know now because of the memorandum in which it is pointed out here. The memorandum also indicates the situation in Swift Current is righting itself. I think in the next little while indeed it will be fully righted.

EXTENSION OF LAND BANK

Mr. L.W. Birkbeck (Moosomin): — A question for the Minister of Agriculture. Would the Minister of Agriculture make a comment on his report in the Business Review by the Saskatchewan Chamber of Commerce, in which he is suggesting an alternative to the present landownership to a system of public landownership, the question would be, would this alternative be an extension to the present Land Bank?

Mr. Kaeding: — Mr. Speaker, the comments I made in that particular Review were simply laying out some possibilities which there might be in land tenure in the province. I didn't advocate them as you will recognize if you looked at the article. I didn't advocate them, I simply said that these are some of the possible solutions. I leave it at that.

BACKLOG IN VARIOUS COURT DISTRICTS

Mr. Romanow: — Mr. Speaker, I think what I would have to ask the Hon. Member to do is to give me some documentation that the backlog is there and is of sufficient crisis to warrant that type of action. All I can say is the only commonsense answer. No Government or Attorney General is going to stand by and say we want the entire backlog to go to such an extent that the beneficiaries of the estate are going to be affected. We are doing our best wherever a backlog appears to add more personnel or do whatever is necessary. And if that should be the situation with respect to surrogate court work and if you would like to provide me with some documentation, rather than general statements, I will be prepared to look at the specific cases and we will take the necessary action as it arises.

Mr. Lane: — By way of supplementary, would the Attorney General not admit that the instructions, specific instructions from the director of court services to allow surrogate court work to backlog is not a matter of concern to the Attorney General? And why would the Attorney General of the province responsible for the administration of justice take such an unconcerned and political attitude as he has today when there is a severe cutback of expenditures and the problem is severe in the court services in this province.

Mr. Romanow: — Mr. Speaker, I want to again say that if one looks at this memorandum by any fair reading of it, one would say that this is a memorandum which says to all people in the court services area, try to live within your budget. I have not received representation from officials in my Department that say that the surrogate court work is backlogged to such a serious point that

we need to take the drastic action that the Member for Qu'Appelle indicates. Nor do I draw to the Members' attention, have you or the Member for Swift Current or anybody in this House had the courtesy of giving me any forewarning that there has been any such crisis in the past at all. I can only assume that any crisis, if it exists, exists only within your minds and the minds of the Conservative Party.

SASKATCHEWAN'S STAND ON FEDERAL IMMIGRATION POLICY

Mr. E.F.A. Merchant: — I wonder if I might direct a question to the Premier, Mr. Speaker. A few days ago the Hon. Mr. Cullen, the Minister of Immigration indicated henceforth the Federal Government would be prepared to consult with the provinces about immigration policy and I wonder if the Premier would indicate what our reaction as a province will be. We have a small population, will he be advocating a more open immigration policy and secondly, would this Government be prepared to recommend to the Federal Government that the point system which is interpreted as being discriminatory in some ways against some countries be abandoned and replaced with perhaps a fairer means of picking the immigrants to this country?

Hon. A. E. Blakeney (Premier): — Mr. Speaker, we have had ongoing but not very active consultations with the Federal Government with respect to the new Immigration Act and the various papers of various colors which preceded it. Our position has been that; one, we would like the immigration system to be as nondiscriminatory as possible, but we had no particular view on how the Federal Government ought to achieve that. Two, we wished that the proceedings of immigration, the procedures followed would be such as to direct people to Saskatchewan because we need more people and need particularly, more skilled people, and three, that we did not particularly favor legal requirements that people had to live six months in Saskatchewan or something of that nature, but we wished they could use suasion of one kind or another rather than the strict legal requirement.

ANNOUNCEMENTS

AGRIBITION AWARDS

Mr. J. Wiebe (Morse): — Mr. Speaker, I wonder if I could beg the indulgence of the House and Members of this Assembly and yourself, to make a brief announcement and also to congratulate a Member of this Assembly in his achievement at Agribition yesterday. I am talking specifically about the Member for Assiniboia-Gravelbourg, Mr. Roy Nelson, who entered a number of steer calves in the Agribition and was awarded not only the first in the weight class but also the Reserve Grand Champion for the commercial section. Let me also add that each one of these animals bore the original color in which they were born with . . . Might I also add that this is, I believe, the third year in a row that a Member of our particular caucus had the privilege of presenting livestock at the Agribition coming away with not only the Reserve Grant Championship but also top honors at Agribition.

Hon. Members: — Hear, hear!

Mr. E. Kaeding: — Mr. Speaker, might I add a comment. I was at the show

this afternoon where the Members' cattle were being shown and sold. I must say they were good cattle. It is good to know that he can do one thing well.

Hon. Members: — Hear, hear!

CONDOLENCES

Hon. A.E. Blakeney (Premier): — Mr. Speaker, in the last couple of days we have been saddened by the news of yet another former Member of this Assembly having passed away, a person whom a number of us served with. I should like to take this opportunity to extend our condolences to the family of the deceased.

Mr. Speaker, I accordingly move, seconded by the Hon. Member for Prince Albert-Duck Lake, Mr. Steuart:

That this Assembly records with sorrow and regret the passing of a former Member of the Assembly, and expresses its grateful appreciation of the contributions he made to his community, his constituency and to his Province.

James Ross Barrie, who dies on November 29, 1976 was a Member of this Legislature for the constituency of Pelly from 1956 to 1964 and again from 1967 to 1971 when he also served as Minister of Natural Resources. He was born at Morden, Manitoba in 1902 and received his elementary education there and his secondary schooling in Vancouver, British Columbia. For 28 years he operated a hardware and general store in Pelly and for ten years was also involved in a general insurance business. He served on the Pelly village council for 23 years and was village overseer for 19 years. From 1964 to 1967, he served on the board of directors of the Saskatchewan Government Insurance Office and was also a member of the Masonic Lodge and the Pelly Chamber of Commerce.

In recording its own deep sense of loss and bereavement this Assembly expresses its most sincere sympathies with members of the bereaved family.

May I add, Mr. Speaker, a rather more personal note. I served in this House with Ross Barrie for eight years, from 1960 to 1964 and again from 1967 to 1971. There were others who knew him better since they worked with him in Cabinet. I came to know Ross reasonably well and came to have a very considerable admiration for him. He was a courtly gentleman of the old school who was always courteous and soft spoken in his dealings at least in public and I suspect in private since he seemed very much to be made that way.

He served with distinction as Minister of Natural Resources and again maintained excellent relationships with people on the other side of the House, as I was. I felt that he served his constituents well. He obviously had a strong support, good deal of affection, in the constituency as is indicated by the fact that he was elected at least three times.

I would like, therefore, to take this opportunity to extend my condolences to his sister and to other members of the bereaved family.

Mr. D.G. Stuart (Leader of the Opposition): — Mr. Speaker, I should like to join with the Premier in paying a tribute to the late Ross Barrie. I worked with him for many years, both as a Member of our party, first as a Member of the Opposition, then in the Cabinet, and came to know him extremely well and had a great affection for him.

Ross Barrie was the kind of individual who helped to make this a better province, a good province, the kind of people we find in all political parties and in all walks of life. He served his community in a great variety of ways, not only in local government, but as a merchant in the community he gave a great deal of advice. People came to Ross Barrie both when he was an MLA and when he was out of office for advice and for help. I was always amazed at the lengths to which Ross would go to help anyone in trouble. People would come into Regina when he lived in here, they would find themselves in some difficulty, and it didn't matter whether it was the weekend or the middle of the night or what time of day it was or who they were, if they called on Ross he helped them, did his best to help them.

As the Premier said, throughout all this he had an outstanding quality that maybe is too much missed these days in that he was really a gentleman. He was a kindly, friendly man who held strong views but expressed them in a very decent, a very friendly manner.

I'd like not only to pay a tribute to him but also pass on my condolences to his sister with whom he lived, his sister and his brother-in-law, he lived with them for many years and the other members of his family, and to say in passing that the people of Saskatchewan have lost a fine man and a good friend and Saskatchewan is a better place for his having been here and his passing is a great loss to all of us.

Mr. R.A. Larter (Estevan): — Mr. Speaker, on behalf of the Progressive Conservative Party I, too, would like to join with other Members of this House in passing on condolences to the family. Indeed, this gentleman has given many years of his life to the province, both locally and at the provincial level, and it is our wish that our condolences be passed on with the other Members.

Mr. L.M. Larson (Pelly): — Mr. Speaker, I want to join with the Premier and the Leader of the Opposition and the Conservative Party in expressing condolences to the members of Ross Barrie's family.

I suppose I probably knew Ross Barrie as well as anyone in this House, as we grew up and lived as neighbors. I knew Ross from the time he started business in Pelly, I knew his association with people, I knew his attitudes towards his community, and I know of his attitudes towards a much broader perspective and spectrum than just his own community.

He was kindly, didn't hesitate to help anyone out if they were in financial difficulty. He assisted many with legal documents that they weren't able to interpret, and he did this to a large extent of his own free will and gratis.

I think one of the best ways to describe Ross was the time when there was an absconding of funds of the Arran Credit Union.

There was a run on what little that was left. Ross Barrie had money in their credit union. He said to people, 'I am not going to withdraw or ask for the return of my money, I'm going to help to rebuild the Arran Credit Union'. Simply because of this attitude he was able to instil in people a confidence that all wasn't lost, and today the Arran Credit Union is a thriving institution. This says more about Ross Barrie than many other things that could be said.

He was my political adversary. We fought many bitter elections. They were bitter and hard-fought. Ross was a good politician, a hard worker. Some he lost, some he won, but when the smoke had cleared away we found ourselves to be friends. I have spent time in this Assembly talking to him behind the rail when he was in government, as he has spent time talking to me behind the rail when I am in government.

So I join with the Premier and others in expressing sincere condolences to his family and his relatives. He is going to be buried in Pelly. I hope to attend the funeral, and I certainly know that Pelly will feel they have lost a very good friend and a very valuable person.

Hon. E. Kramer (The Battlefords): — Mr. Speaker, I should like to add a word or two to those who have already spoken. There isn't much more could be said that hasn't already been said of Ross Barrie, after the Premier and Dave Steuart and the Member for Pelly (Mr. Larson):.

I think that anyone who knew Ross can stand and sincerely say he was a good man and a good citizen. I can't say that I knew Ross so well, except across the floor and as a political opponent, but I have gained some insight into Ross Barrie as a person and as a character through the association with other people with whom he was associated while he was a Minister. Several members of the Department of Natural Resources who are still around and my present secretary, who strangely enough is probably one of the senior employees of the Government. She came to the Department of Natural Resources with the Resources when Canada turned natural Resources over in the early '30s, and she was my secretary when I was Minister of Natural Resources, she was Mr. Cuelenaere's secretary, and I think for a while she was secretary for Dave Steuart, and then for Ross Barrie, and I know that she had, this old Scottish girl, had a great respect for her Minister, and I think that says a lot more about the man than anyone could, and also the respect with which he was held by the employees and the staff and the Department over which he was Minister.

I say that I am proud to add my words of condolence to the family and friends of Ross Barrie on this sad occasion.

Mr. Blakeney: — Mr. Speaker, I move, seconded by the Hon. Member for Prince Albert-Duck Lake (Mr. Steuart):.

That the Resolution just passed, together with the transcripts of oral tributes to the memory of Mr. Barrie, be communicated to the bereaved family on behalf of this Assembly by Mr. Speaker.

I may add, Mr. Speaker, that the funeral is tomorrow afternoon in Pelly at 3:00 o'clock and I think a number of

Members will be attending the funeral. I, accordingly, will not be in the House tomorrow afternoon.

Motion agreed to.

SECOND READINGS

Hon. G. MacMurchy (Minister of Municipal Affairs): moved second reading of Bill 23 — **An Act to amend The Vehicles Act.**

He said: Mr. Speaker, one of the major announcements in the Speech from the Throne was that of 'Safety 77', a year dedicated to curbing waste and carnage on our roads and streets through traffic accidents.

On the part of the Government this would involve major legislative and policy changes in an attempt to create more safety on our roads. On the part of the public we hope that it will mean a good deal more attention to safe driving practices and actually doing those things that everyone knows but often do not bother about.

Legislative amendments to The Vehicles Act related to Safety 77 will come in three packages. The bulk of these will come in the New Year, as will the policy announcements related to the safety year. One particular package of The Vehicles Act safety amendments must be introduced and debated now in order to allow the program to be in place in 1977. This particular package of amendments to The Vehicles Act contains changes to 25 sections of the present Act which will provide for a new system of registering motor vehicles and licensing drivers in Saskatchewan. In both cases the realities of the number and kinds of vehicles on the road has made our present system out of date and not able to meet the needs of our current situation.

Let me deal with the driver licensing system first. At present there are three classes of drivers, operators, chauffeurs, learners. The operator's class covers all older operated vehicles which constitutes the biggest percentage of drivers. The chauffeur's class covers any commercial or public service driver. The learner's class covers those who do not yet have authority to drive independently.

The present system stresses a driver's occupation, rather than his or her qualifications. From a road safety standpoint the emphasis should be on a driver's qualification, not on his occupation. This is particularly true in view of the growing number of large sophisticated vehicles operated on our highways and in view of the more demanding traffic environment that we all find ourselves in. The proposed amendments would create eight classes of drivers. Drivers would be licensed according to the type of vehicle they are qualified to drive. For some classes, especially those related to the larger more complicated classes of commercial vehicles more stringent medical, age and ability standards will have to be met.

Briefly, the new classes of drivers are as follows:

- Class 8 — Snowmobiles
- Class 7 — Learners
- Class 6 — Motorcycles
- Class 5 — Private passenger vehicles and two axle trucks

- Class 3 — Trucks of more than 2 axles
- Class 2 — More than 24 passenger busses
- Class 1 — Power unit semi-trailers

The minimum age will remain at 16 for everything from private passenger vehicles down to snowmobiles, but it will be 18 years and a medical certificate will be required on everything from these up — that is busses, more than two axle trucks, semi-trailers and truck/trailer combinations.

In short, what the system does is break out each type of vehicle into its own class and requires that a driver learn to drive and pass his driving test in that particular vehicle. The requirements set are those that more accurately reflect the skills required to drive a particular vehicle.

Mr. Speaker, the system makes a good deal of safety sense. It has been implemented in other provinces and the results have been promising. It must be emphasized that drivers who now hold either operator's or chauffeur's licences will automatically receive equivalent standing under the new system. Grandfather rights will be extended to all those who now hold licences. Those operators who wish to continue driving their cars, or their trucks as they have always done will not have to do anything. They will simply receive the equivalent licence under the new system. Chauffeurs will be required to fill out an application form to more clearly specify the type of vehicle they are now driving. Grandfather rights will be extended for this vehicle. But if they wish to upgrade their licence to a higher class they will have to meet the appropriate qualifications, of course.

I repeat, Mr. Speaker, all those drivers who are now holding an operator's licence and who wish to continue driving in the same way will not be affected. They need simply to renew their licence this year as usual.

Of major significance to the driver will be that under this proposal he will be able to renew his licence and his plate in the month he chooses, rather than on the April 30th deadline that has always been the case. The April 30th deadline causes undue inconvenience to the public through line-ups and waiting times, as well as making the end pretty difficult to meet for some people at that particular time of the year. By choosing the month he or she wishes the driver will be able to choose that month which best suits his particular circumstances and will be able to renew on an annual basis in that month.

The second major change — motor vehicle registration, will improve the system from an administrative and a financial point of view. As in the case of the driver's licences, the realities have outstripped our present system, not so much from a safety point of view in this case, as from an administrative and a cost point of view. The increased number of vehicle registrations means that we have run out of numbers, the frequency of vehicle transfers means that we cannot keep up with the records, the demands for information by law enforcement agencies means that a new system must be found so that we can keep up with the records.

These proposals provide for the replacement of the present practice of issuing a new plate each year with one five-year plate. The five-year plates will be a combination of letters and numbers in order to allow enough combinations to cover all vehicles. The plate will be kept for five years and be issued

a new validation sticker each year.

As with the driver's licences themselves, you, the driver, will be able to choose which month you wish to renew in. When you go to pick up your licence this year you will be asked your month of preference and be issued a renewal plate and licence which will hold until your chosen month, after which you will renew on an annual basis.

This package contains a few other amendments which are more of a housekeeping nature, dealing with practices which have become obsolete over the years and are no longer followed.

The present Act contains a provision that the Highway Traffic Board may issue a chauffeur's licence without fee to any person who drives a vehicle used in connection with relief of distress. Under the new classified driver's licence system, this is repealed.

In addition, there is presently a provision which requires all chauffeurs to either be licensed as a chauffeur or to wear a chauffeur's badge. Again, under the new system to imply that there are any circumstances under which a chauffeur may not be licensed does not make sense, hence, removing the need for a badge in any circumstance as a substitute for a licence.

The present Act contains a mandatory provision that any employer who dismisses a driver or a chauffeur must report the dismissal and the reasons for it to the Highway Traffic Board. This provision serves no useful purpose. The Board is only concerned with a person's driving skills. These will be indicated on his driving record held by the Board. The Board is not and should not be interested in an employer-employee relationship. This section has not been enforced and is hereby repealed.

Finally, the present Act requires that all taxi drivers and bus operators must be certified by the local police, which must be renewed each year. This certification is presently termed a 'certificate of good character'. The concept is that those persons transporting passengers would be subject to some character scrutiny in addition to his driving skills. Many police chiefs hesitate to attest to the character of someone they do not know, and would prefer to either provide or refuse to provide a 'certificate of approval'. This section is amended to read 'certificate of approval', and the yearly renewal is removed. Certification will remain in effect until cause is shown to rescind the certificate.

Mr. Speaker, the introduction of the amendments to these 25 sections which provides for the new driver licensing system and the new registration system demonstrates the Government's commitment to make our roads and streets safer as well as its commitment to a more sensible and efficient administrative system.

Mr. Speaker, I am pleased to move second reading of this bill.

Some Hon. Members: — Hear, hear!

Mr. W.C. Thatcher (Thunder Creek): — Mr. Speaker, I have listened with interest to the Minister's comments and examined the bill. I don't believe that

the official Opposition can really protest very loudly about any of these provisions which are contained in this bill.

It does appear that perhaps we are going into a little bit of extended paper work in an administrative sense. I would question whether we really have to go to a total of eight categories in driver's licences. Granted, if it did have to be expanded I think we could question the advisability of going to eight. Nonetheless I believe the Minister did present a reasonably good case and in the interests of proceeding with this portion of the legislation, I believe I can say on behalf of the official Opposition we will agree to this bill in principle.

Mr. J. Wiebe (Morse): — Mr. Speaker, just a couple of brief comments in regard to this bill, let me first of all say that I approve of the Government's direction in regard to the five-year licence plate and the five-year licensing of the operator's licence. I mean many of us when we do purchase our licence plate on a 12 month basis by the time it is time to renew it we've just got to know what that licence number is and we have to start all over again. So I welcome this opportunity to be able to tell the service station attendant without thinking what my licence plate number is.

One question which I would like to ask the Minister when we get into Committee of the Whole and possibly he can answer that for me when he closes debate on this particular bill, but I notice that trucks with more than two axles or those who operate a truck with more than two axles will have to have a separate testing structure for operator's licences. Let me first off say that I don't argue with this, the question though that I would like to ask is, will there be any difference in fee for that particular operator's licence than what there would be for a class five. The reason why I say this is because many farmers in Saskatchewan today now find themselves the owners of farm trucks with more than one axle or more than two axles and I don't object to that farmer having to be licensed differently, I would object if a higher licence were assessed to that farmer because he does have a larger truck than what another farmer would who would be driving a single axle truck. This is the only question that I have in regard to this particular bill and possibly the Minister can answer that concern for me when he closes debate on this particular bill.

Mr. J.G. Lane (Qu'Appelle): — Mr. Speaker, I believe that the matter of the five-year licensing or long-term licensing has been under review for some considerable period of time and we have no quarrel whatsoever with the principle.

I will have several questions of the Minister during Committee and that deals with the review of driver's licences in the future. There seems to be some concern by the Safety Council with regard to, for example and I use clause (f): or clause (g):, people with mental or physical disabilities or people who are what is called habitual drunkards which I suppose is not a fair phrase, or addicted to the use of narcotic drugs. I would like to know how the department is coming to grips with the problem set out in those particular provisions. There is a reluctance, and I think a fair one, of citizens to report other drivers that they know are alcoholics or that they know are addicts or have a disability — their eyesight is going for

example — there is a reluctance of people to report these and yet there are so many people on the road who have a physical disability that they really shouldn't be driving. I think it would be unfair to ask the department to attempt to police it, I think it is an impossibility. But I would like the Minister to advise me during Committee as to what the department sees as its duty and how it comes to grips with what I think is a problem that all of us, as Members, are aware of and what particular action can be taken.

Mr. R. Katzman (Rosthern): — Just one comment when you are winding up, Mr. Minister could you explain, are you running into problems with people in the taxi field, as you suggested, those who are not constantly driving and so forth? Or you could handle it during Committee of the Whole if you could explain it better.

Mr. W.H. Stodalka (Maple Creek): — Just a note, Mr. Speaker, I don't know whether I heard the Minister correctly. If I didn't when he is going to close maybe he could answer what I am going to be referring to.

I think I heard you say that everyone had to be 18 years of age or over before they could drive a truck with three axles or more. I was just wondering how this would affect farmers who had trucks with two axles or more and who had sons 16 or 17 years of age who were part of the farming operations.

Mr. MacMurchy: — Mr. Speaker, I think that the more specific questions can be answered when the officials are here with me, particularly the chairman of the Highway Traffic Board under whose jurisdiction the policing and that sort of thing takes place.

I might suggest that when I laid out the various classes I laid them out in the narrowest way, the classes provide for broader application than I have indicated in my comments here. And I think we can deal with that there. I think that likely the farmer, for instance, if he has got a tandem truck will likely be able to drive his tandem truck as he is driving it now without having to get a special licence. That I think is the case, however, we shall be better directed when I have someone with me who can better answer the narrower regulations.

With respect to the Hon. Member for Qu'Appelle, the same kind of thing would apply.

Motion agreed to and bill read a second time.

Mr. MacMurchy (Minister of Municipal Affairs): moved second reading of Bill No. 33 — **An Act to amend The Snowmobile Act, 1973 (No. 2):.**

He said: Mr. Speaker, amendments are required to two sections of The Snowmobile Act to enable us to introduce the new systems, driver systems for registering vehicles and licensing drivers. These amendments are similar to those proposed just a minute or two ago in The Vehicles Act to affect implementation of these systems.

The Snowmobile Act authorizes the Highway Traffic Board to register snowmobiles and to license drivers of these vehicles.

Whereas The Vehicles Act provides the Board with similar authorization for all other types of vehicles.

Mr. Speaker the new vehicle registration system provides for the issuance of a single five-year vehicle licence which is to be renewed each year through the use of validation stickers. The system also provides for staggering renewal dates which are to be chosen at the discretion of the vehicle operator. An amendment is required to this Act to implement this system as it pertains to snowmobile licensing. A further amendment is required, Mr. Speaker, to allow for implementation of the new classified driver licensing system as it pertains to the licensing of snowmobile operators. In addition to setting minimum qualifications for snowmobile operators within this system, provision is made for the staggered renewal of operator's licences corresponding to their date of birth.

In closing, Mr. Speaker, two amendments are to be made to The Snowmobile Act to provide for implementation of the new vehicle registration and driver licensing programs as they pertain to snowmobile operations. By referring driver qualifications to the vehicles operated and simplification and streamlining of the vehicle registration system I think it demonstrates this Government's commitment to road safety and to improve the efficiency of Government programs that are delivered to the public.

I move that this bill be now read a second time.

Mr. Wiebe: — Mr. Speaker, just even briefer comments than the Minister. We certainly agree with the intent of this particular legislation and we intend to support it.

Mr. J.R. Kowalchuk (Melville): — Mr. Speaker, on a Point of Privilege, what bill were we talking about 22 or 33?

Mr. Speaker: — Bill No. 33.

Motion agreed to and Bill read a second time.

Hon. E.C. Whelan (Minister of Consumer Affairs): moved second reading of Bill No. 35 — **An Act to amend The Automobile Accident Insurance Act.**

He said: Mr. Speaker, for over 30 years The Automobile Accident Insurance Act has served the people of Saskatchewan well. The system ensures to a much higher degree than would otherwise be possible that each owner and driver of a motor vehicle is effectively insured.

It achieves this objective by a simple procedure — by combining licence and registration processes under The Vehicles Act with Insurance Certificates. However, in more recent years the number of vehicles registered in the province has risen to 707,000 by the end of the licence year 1975-76 and the number of drivers was approximately 512,000.

The sheer bulk of the transactions relating to the motor vehicle driver population has imposed a great strain upon the system which presently provides a common termination date for all certificates of insurance under the Act. This has resulted

in processing delays with accompanying public inconvenience, particularly where there has been a change in vehicle ownership. The inconvenience is experienced most particularly by those who have an insurance claim before the transfer is processed and by those who may wish to take a trip out of the province and have to wait for a new certificate of insurance to be processed.

The amendments in this bill are largely companion measures to The Vehicles Act amendments which are now before the House and which allow drivers' licences and vehicle registrations to be issued on a staggered basis throughout the year. The system change will permit a more orderly flow of renewals throughout the year with minimum delay, it will speed up the handling of transfers and speed up the refund of premiums when vehicle registrations are cancelled.

The majority of amendments in this bill are simply to accommodate the concept of staggered renewals. Under the staggered registration system, a car registration may be issued or renewed during any month of the year, generally for a 12-month period. The present concept of 'licence year', the period from May 1st in any year to April 30 in the following year, becomes irrelevant. Under the new system, premium rate adjustments may be made at any time during the calendar year when such adjustments appear necessary or desirable. While it is not contemplated that changes will be made more than once a year, a review of insurance experience will probably be made every six months.

The amendments provide that appropriate publication in the Gazette will be made of rates before they take effect. Clause 3 of the bill spells out in greater detail than currently the criteria by which motor vehicles and drivers are to be classified and rated. The principles expressed in this section follow current practice, but they provide guidelines by which the future developments of the rating structure should proceed.

The particular significance of the amendments proposed in this bill are in subsection (b): of Section 2, defining the 'violation record' and in Section 3 which relates to the classification of motor vehicles and drivers for the purpose of fixing basic premiums.

All other amendments contained in the Bill are housekeeping in nature, being companion to the concurrent amendments in The Vehicles Act, particularly, because the Act presently is before the House.

For instance, subsection (a): of Section 2 of this bill substitutes the term 'licence period' for 'licence year' in order to accommodate the issuing of licences on a staggered basis.

The amendments contained in Sections 4 and 6 relate as well only to that substitution of terms. Similarly, Section 5 simply substitutes 'driver's licence' for 'operator's licence' in order to conform with the terminology of the concurrent amendments to The Vehicles Act, whereas Section 7 only deletes the words 'operator's or chauffeur's', again, to conform with The Vehicles Act amendments which strike out all references to types of licences which are to be issued to drivers.

And so, the important aspect of these amendments is to be found in Section 3 which deals with the method of fixing basic premium rates, and in subsection (B): of Section 2 defining the

‘violation record’.

While the essence of this amendment is the same as the provisions of the present section dealing with basic rates, the language employed in this amendment has been expanded in order to establish more flexible guidelines designed to aid in the development of new rating structures which will permit of better isolation of poor drivers and of hazardous types of vehicle design. It is expected that the rating of drivers to their individual driving records will be conducive to safer driving habits on the part of all drivers.

Mr. Speaker, I have every confidence that these amendments together with the amendments under The Vehicles Act, will, at one and the same time, result in significant benefits to the people involved, to the owners and drivers of motor vehicles who are insured under The Automobile Accident Insurance Act, and in marked improvement in the administrative system.

Mr. Speaker, I have the honor to move second reading of this bill.

Motion agreed to and the bill read a second time.

ERROR IN PRESENTING SNOWMOBILE ACT

Mr. Romanow: — Mr. Speaker, it’s just been brought to my attention that we have made a grievous mistake, we have passed the wrong Snowmobile Act Bill and I’d like to rectify that somehow. I don’t think it should be a problem. That what the Legislature can do, it can undo, I suppose. Or what it has undone it can do.

We called Bill 33, it should have been Bill 22.

Mr. Mostoway: — That’s what you said wasn’t it.

Mr. Romanow: — I wish I had. So I don’t know what kind of a motion we need. Perhaps, Mr. Speaker, the House would give unanimous leave and consent to go to Bill 22.

Mr. Speaker: — If the House will bear with me, I’ll defer the, if I detected a request of some kind for assistance on Bill 33, I’ll defer that until a little later and we can proceed with Bill 22. The one the Minister wishes to proceed with.

Mr. Romanow: — Mr. Speaker, I’m sorry, I don’t seem to fully get the import of this because Bill 22, here’s the Minister now. He’s delivered all of his remarks to Bill 22. What happened was that Bill 33 had been called by mistake. We were of the view that was The Snowmobile Act. There is Snowmobile (No. 1): and Snowmobile (No. 2):. Can’t we just simply agree to change the titles to Bill 22 and record that as obviously an error? Do we have to go through some complicated procedure?

Mr. Speaker: — Rather than giving the Minister an answer, let me give you a question. Suppose that a Member had been here and heard Bill 33 passed and then he stepped out of the Chamber and

as soon as he stepped out of the Chamber you rescinded the bill or the passage of the bill on him? That puts the House in a difficult position and I want to seek guidance. I give you the question, I don't have the answer at this point. But I am seeking some guidance.

Mr. J. R. Kowalchuk (Melville): — Mr. Speaker, on a Point of Order. I did bring it to your attention that it was the wrong bill and I had hoped that there would be something done about this because I had prepared to make statements on Bill 33.

Mr. Speaker: — The Member did raise the question of which bill we were dealing with and I responded with Bill 33, which I was under the impression we were dealing with and I believe we were dealing with. Order! Is the House Leader prepared to call a different item altogether at this time and we'll try and come back to this a little later.

Hon. R. Romanow (Attorney General): moved second reading of Bill No. 19 — **An Act to amend The Election Act, 1971.**

He said: Well, Mr. Speaker, just before I start my remarks I should be absolutely sure that we're talking about the right bill and I think we are. This is The Election Act amendment.

Well, Mr. Speaker, I move second reading to Bill 19, An Act to amend The Election Act, 1971. This is a relatively short bill which provides a couple of housekeeping amendments to The Election Act and also I believe, one substantive amendment to The Election Act.

The amendments are intended to rectify a couple of problems which otherwise would arise if existing provisions of the Act were applied in the course of a by-election. The amendments do not represent any departure from the existing provisions of the Act. They are merely intended to rectify a couple of problems which have been identified.

Before discussing this bill, Mr. Speaker, I would like to outline to the House in very general terms and very quickly, some actions which have been undertaken with respect to the main body of this Election Act.

A thorough review is currently being made on this Act. Shortly after the 1975 general election, I asked a committee of officials to undertake a review of this Election Act. The committee consists of the Chief Electoral Officer of Saskatchewan and the law officers of the Department of the Attorney General.

The committees' assignment is two-fold. The committee has been asked firstly, to review the long standing provisions of The Election Act, those which have been in existence for some time, apart from the reporting and contributions aspect of the Act, with a view to identifying those areas which may have either fallen behind the times or which may be simplified. The committee has also been asked to review provisions of the Act which set out controls upon election campaign receipts and expenditures of recognized political parties and candidates.

Mr. Speaker, I'm hopeful that I will receive the recommendations of this body in sufficient time for a brand new Election Act to be introduced at the spring session of this Legislative sitting.

I want to hasten to add that no steps will be taken with respect to the major principles or concepts of this bill without prior advice and consultation and information to the representatives of all political parties with respect to the proposals of the committee and the proposed new features of this new Act.

When the bill is introduced it will hopefully incorporate many of the suggestions of all sides or if not, at least will have identified those areas where we agree to disagree.

Now, Mr. Speaker, I should like to discuss the bill which is before this House. I direct your attention to the amendment which is proposed in respect of Section 28 subsection (2): of the bill.

At provincial elections held up to and including 1971, a qualified elector was entitled to vote in the constituency in which he or she ordinarily resided on the day on which the election writ was issued. This requirement is fundamental to all election statutes in Canada, as well as a number of other jurisdictions.

When The Election Act was amended during the 1974-75 Session, however, Section 28, sub (2): was amended in an effort to bring about uniformity as much as possible with federal citizenship legislation. That attempt, unfortunately, in amending Section 28 (2): created a question of interpretation as to whether the test date for determining a voter's ordinary residence was the date on which the election writ was issued or the date on which the actual election was held.

The amendment which is proposed will make it unquestionably clear that the date on which an election writ is issued is the test date, the date to be regarded as the date for determining a voter's ordinary residence in conformity with the standard election laws in the Dominion of Canada.

I'm sure, Mr. Speaker, that Members of this House will agree that this is not a controversial amendment. Instead it will rectify any weaknesses in drafting or any oversights that have been brought to light subsequent to the election.

The next amendment can also be fairly described as a housekeeping amendment. The amendment which is proposed to Section 202 (e): is fairly simple. As the Act now stands, each political party which embarks upon a provincial campaign is required to register with the Chief Electoral Officer in order to become a recognized political party. It's the intent of the Act that the registration of a recognized political party shall be subsisting and shall not cease unless either the party itself wishes to terminate its registration or the party fails to endorse ten or more candidates at a general election.

The amendment which is before the House, Mr. Speaker, will simply make it clear that at a general election and not at a by-election, a recognized political party is required to endorse ten or more candidates in order to maintain its status as a recognized political party.

Mr. Speaker, the last amendment relates to perhaps the more fundamental aspect of the Bill. That is to say the application of election expense control laws during the course of a by-election. I repeat what I said a few moments ago, namely, that the whole subject of election expenses is being reviewed, not with a view to eliminating them or weakening them, but with a view to making them more straight forward, more understandable and if you will, more accepted by the political parties and the public.

At the present time, Section 202 (k): of the Act places a limit of \$175,000 upon the expenditures which a recognized political party might make prior to the issue of a writ of election for such things as transportation, election materials, rallies, advertising and the promotion of the general cause of the political party.

I might say, in passing, Mr. Speaker, that that limit of \$175,000 did not appear to be an unreasonably low sum, judging by the expenditures in the 1975 provincial election campaign when all three of the recognized political parties spent somewhat less, considerably less than the \$175,000 in their respective campaigns. But, nevertheless, as the Act is drawn at the present time the expenditures made by the political party between general elections, count against this \$175,000 limit. That's the limit that is part of the review of this committee that I referred to earlier.

Now, in order that the same concept of fair and uniform expenditure limits might apply to all recognized political parties during a by-election, as they apply during the course of a general election, it is proposed in the amendment which is before this House, the amendment to Section 202 (k):, that a ceiling be placed upon the expenditures of a recognized political party at a by-election in any constituency, other than Athabasca or Cumberland. In the event of a by-election in Athabasca or Cumberland, the limit in the printed bill before you would be raised or would be placed at \$11,250.

Now, Mr. Speaker, there will be a House amendment which will be introduced with respect to this bill and that is to this very Section of 202 (k):. As a result of reconsidering the matter carefully and listening to representations, the House amendment will propose that a recognized political party at a by-election should spend the larger of either \$10,000 or an amount determined by multiplying the number of names on the voters' list by \$1. In other words this would be virtually the identical formula which the individual candidate has during the course of an election campaign as set out 201 (v): of the Act.

If I can use a specific illustration, say in Saskatoon Sutherland, if this House amendment which I propose would be passed, the expenditure ceilings would be, say in the case of a political party in the case of the candidate, \$10,000 or \$1 per number of voters, whichever is the higher. Speaking from my own knowledge of Saskatoon, I would think that Saskatoon Sutherland would probably have about 14,000 voters. Therefore, the \$1 per voter would be \$14,000, the limit for the individual candidate, \$14,000 or \$15,000.

Now, coming to the House amendment which modifies the \$7,500 printed version, we would apply that same formula on the provincial party, so that the provincial party could spend \$10,000 or \$1 per the number of voters in Saskatoon Sutherland,

whichever is the higher. Again I am using my figure that it is likely to be 14,000 voters, the provincial party would have \$14,000 - \$15,000 to spend. so that a candidate carrying the flag of the New Democratic Party would be, using Sutherland as an example, entitled to \$28,000 to \$30,000 or \$32,000 depending on how the eventual enumeration breaks down in terms of the voters' list.

Mr. Speaker, I believe that this particular amendment and House amendment which I have explained is a fair and reasonable one. I personally believe that it is necessary in order to keep political parties in a by-election on an equally financial footing as they are on a general election, and thereby minimize the chances of the by-election being won by a political party with the most money to spend.

I wish to say in closing, Mr. Speaker, that these amendments will complement the general election expense controls and revelation sections of The Election Act which this House enacted in the sitting of 1974.

Before I conclude, Mr. Speaker, I know that some Members viewed with some concern as to how the election would operate. I am the first one to admit that there are certainly many deficiencies and problems which came to light. But in my judgment in the overall, namely as to the principal aspect of the bill, the limitation and revelation, I think the bill did achieve those objectives. We can argue about the ceiling limits and other aspects with respect to reporting and so forth, but if we believe as political parties in a democratic system, there should be this type of a mechanism, in our election law 1976 style, I think that the basic principles are a step forward in election reform.

I welcome the suggestions of the parties with respect to this bill. At a later date the comprehensive bill when it is brought forward to the House. Therefore, Mr. Speaker, it gives me a great deal of pleasure to move second reading of this bill.

Mr. D.G. Stuart (Leader of the Opposition): — Mr. Speaker, let me first say that I am pleased that The Election Act is being reviewed. It is complicated and it is clumsy and it is difficult and it badly needs streamlining. I hope this takes place. I think that when the Attorney General says that the limit of \$175,000 obviously is high enough because none of the three parties spent up to the full \$175,000. I should like to point out to him that certainly in the case of the Liberal Party, we didn't approach that figure too closely for the simple reason that we were afraid to because of the difficulty we would find ourselves in if we exceeded that amount. As anyone who has been involved in an election knows, that it is extremely difficult to control expenditures to within even a few thousand dollars in a provincial party. Once the writ is issued and the election is on, and people are letting ads phoning and saying run that ad three more times, change it or take it off, or put it in a better time slot, it becomes very difficult to control with any accuracy the amount you spend. I am sure all parties did the same we did and left ourselves a pretty healthy cushion so that we would not find ourselves running afoul of the law.

I would not want it to go on record to say that I think the \$175,000 is adequate, I don't think it is. I always view

with suspicion, a great deal of suspicion whenever the Government, any government, most especially the NDP Government start to tinker with The Election Act. I think it must be recognized and is recognized that as we approach an election, whether it is a by-election or a general election, the government of the day has a fantastic edge, they have the levers of power, they have the normal, abnormal advertising that takes place with government programs, and about Crown corporations. Where the line is drawn between what is good solid advertising on behalf of the Crown corporation, or proper dissemination of information on behalf of the government and political propaganda, that line has never been established and I don't have to remind the people of Saskatchewan that the Members opposite are past masters along with their Montreal advertising agency, Dunsky's at turning what is taxpayers' money, what should be just normal advertising to acquaint people with programs and to talk about Crown corporations into political propaganda, they are past masters.

I will use an example right now of an apparent step up in the advertising about potash, potash ads seem to be stepped up a good deal lately. SEDCO, in I think a hopeless effort to reclaim, beef up its tattered reputation is doing what appears to be even more advertising than has been the case in the past. Now whether this is leading up to a by-election in Sutherland, I don't know. But the suspicion is always there.

I think that the ceiling placed on this Act is too low in this bill before us. The reason I say it is too low is again the Government has the edge to begin with and they use that edge. The Government's edge gets bigger all the time, their advantage gets bigger all the time as they hire more people and they launch more programs and give more money to Crown corporations and to the various departments to advertise in every form, pamphlets, letters, mailouts, television ads, newspaper ads and so on, that their edge grows all the time.

In a general election if you use television, it covers many provincial constituencies and the cost could be spread over many provincial constituencies. This is not true in the case of a by-election, there will be a by-election in Sutherland, we all use the television and the radio, and the cost is just as high as if it was a general election. Yet the effects are spread over probably 15 or 20 provincial constituencies, but the whole cost of the by-election must be charged, as at the passing of this bill, and I am sure it will pass, to that constituency. I sincerely feel that the ceiling is too low. A suggested amendment outlined by the Attorney General helps, it is better than it was. I still hope that when he comes to look at the bill that he will even allow a larger amount than \$1 per constituent, \$1 per voter or \$10,000 whichever is the higher.

I think we ought to remember this that if you trace the history of by-elections or elections in Saskatchewan, there was no limit on the spending by any political party. I am not aware of any case, however the election went, whether it went for the government of the day or against the government of the day or for the Opposition or however it went, that the success in an election or a by-election ever could be traced to the party, the success of that by-election or election could be traced to that party that spent the most money. In other words, I have never been convinced that the spending of money has thwarted the normal will of the people of Saskatchewan.

I am extremely suspicious when a government in a very sanctimonious way as this Government does, we are going to put limits, but the limits are on whom? They are on the Opposition, because there is literally no limit on the number of civil servants who will be prowling around Sutherland from now until the by-election is called, until that election is held. There is no limit as to the mailouts the Ministers will find it incumbent on themselves to suddenly mail out, and Sutherland will be the target for a great many of those mailouts. There is no limit on that, they have the public purse. This leads me to a point that I am going to ask the Attorney General to consider.

If the Attorney General considered bringing in a further amendment, then I think in spite of our suspicions and a feeling that this particular bill is not necessary, in spite of that, we will support this bill. If the Attorney General will bring in a further amendment limiting government and Crown corporation advertising after a writ is issued in a by-election, in the same manner that it is now limited when a general election is called. When a general election is called and we brought this point up when the present Election Act was brought in, the Government acceded to it, which I appreciated. When the writ is issued, all government advertising must cease, and Crown corporation advertising must cease, except what is considered normal for the hiring of people or for announcements by the Telephone or the Power Corporation. I can't say that in the last election any Crown corporation or government department did do anything that I could have any complaint with or any fairminded person could have any complaint with. They followed not only the letter of the law, they followed the spirit of the law. That was a help, it meant that one of the edges, one of the advantages the Government had was at least taken away from them from the time the writ was issued to the election.

I would ask the Attorney General to consider bringing in a House amendment to do the same thing in regard to a by-election. I think this is fair and reasonable. If he will do this, I say again we view what they are doing with suspicion, we think the ceiling is too low. His suggested amendment is going to make it better, and more practical. I hope that he will consider going even further than he has, he said he will today. But if he would bring in that further amendment, limiting government advertising and Crown corporation advertising, after the writ is issued in the by-election, then I can say that we in the official Opposition will support this bill.

Some Hon. Members: — Hear, hear!

Mr. B. Allen (Regina Rosemont): — Mr. Speaker, I rise to support this bill. In doing so my remarks will be brief. I feel, and I feel this in all sincerity, Mr. Speaker, that there have been a number of issues raised in my mind about the principles of this bill. There was an article in the Star-Phoenix yesterday, it dealt with campaign contributions, it was under a headline that read, "Cowley requests A.G. Ratio Donation." Perhaps other Members have seen the article. I'll just quote a small section from the article, Mr. Speaker.

Former Saskatoon Star-Phoenix reporter Norma Greenaway said Monday, a Liberal candidate in Saskatoon during the last provincial election showed her a cheque for \$100 campaign contribution from the Star-Phoenix. The candidate showed her the cheque

after she had interviewed him for the paper saying, 'Even your company supports me,' Greenaway said.

Jim Struthers, executive vice-president of Armadale Publishers Limited which owns the Star-Phoenix said Monday, any contributions made by the newspaper would be disclosed if required under the election laws. I frankly don't think that any contributions that are made that are not subject to the requirements for disclosure are anybody's business, he said. Struthers declined to say whether the Star-Phoenix had made campaign donations.

Mr. Speaker, this is the second revelation in a couple of days that the media are making political contributions to selected political parties.

I believe, Mr. Speaker, and I believe it sincerely that these revelations raise a fundamental question in the public's mind. The question that it raises in the public's mind is this: can the media who are trustees, in effect, of the public's right to receive information maintain their integrity to report the news fairly, if they are giving contributions to selected political parties. If they select one candidate, or one party, as apparently they did in Saskatoon, and I heard it was Saskatoon-Riversdale and perhaps somebody could (Struthers or somebody): clarify that. If they did that in an attempt to defeat the Attorney General, how does this affect the public's attitude toward the media? Mr. Struthers says he did not have to say whether the Star-Phoenix campaigned against the Attorney General or not, by our present law he is right. He is absolutely right. He doesn't have to report this contribution. But if Mr. Struthers was an ordinary businessman, an ordinary citizen in Saskatoon, and made a contribution under \$100, I wouldn't have any real quarrel with that. I think that is quite right and quite proper. But I am not convinced that Mr. Struthers and company aren't in a different class if I can put it that way. He speaks for major daily newspapers in this province. I believe that we should at least have a closer look at that kind of donation.

I call, Mr. Speaker, on the Star-Phoenix and the other media to come clean, call on them to let the public know what the facts are, whom they contributed to. I don't know perhaps they contributed to some of our candidates as well . . .

Miss Clifford: — You better check if they . . .

Mr. Allen: — . . . Well I don't know if they have, and I don't think anybody knows if they have. But revelations I think that have been substantiated have been made that they are making these kinds of contributions. I think that they should come clean. I believe that they should let the people know exactly what has taken place. I believe that this is the only way, the only avenue, that the media has open to them now to restore the public's confidence in them.

Mr. Speaker, perhaps we as legislators as well should be looking at a new approach to how election Acts affect the media contributions. Given the trustee role that the media plays in a free society, I believe that we do need a new approach and that we should be having a closer look at it. I call once again on the media to come clean, to give us the facts, to tell

us how much and what parties, what candidates they contributed to in the last election.

Mr. Steuart: — What about The Commonwealth, you think they should come clean?

Mr. Allen: — Yes. Fine, absolutely, all the media should do that. Further, Mr. Speaker, I call on the Attorney General and the Government to sit down with the media in this province and come up with guidelines that will restore some confidence that the media are reporting the news fairly, and I am not saying that they aren't Mr. Speaker, I am not saying that they aren't doing that. But I am saying that with recent revelations there are many people in the province who would begin to question a newspaper which attacks the Attorney General in editorials and is also contributing to his opponent in Saskatoon Riversdale, some people might begin to question whether or not that newspaper's prime purpose was to defeat our illustrious Attorney General.

With those few brief remarks, I will say I will go along with the bill.

Some Hon. Members: — Hear, hear!

Mr. W. C. Thatcher (Thunder Creek): — Mr. Speaker, I can only say that if it was not the objective of the newspaper in Saskatoon to do whatever it could to defeat the Attorney General in the last election, it sure as hell should have been.

Some Hon. Members: — Hear, hear!

Mr. Thatcher: — Mr. Speaker, frankly I am getting a little tired of this witch hunt on the media that has been going on the last couple of days. Frankly, I don't know why anybody in our party should have any great love for the media because, I think any of you — at least those of you in southern Saskatchewan, I don't get a chance to read the northern papers that often. But anybody who has read the Leader-Post for the past year, I defy you to find one issue of the Leader-Post that somewhere, somehow on the first three to four pages doesn't shift the knife right into the Liberal Party and give it a twist.

Some Hon. Members: — Hear, hear!

Mr. Thatcher: — Nonetheless . . . Mr. Speaker, this heckling is bothering me could I have some quiet.

Mr. Speaker: — I sympathize with the Member that his comments should be heard, he should be given an opportunity to make them. And I would take this opportunity to remind the Member that it is Bill 19, The Election Act, and not contributions. I know that the Member is trying to stay within the principle of the bill. This is what I want to caution the Member on.

Mr. Thatcher: — Mr. Speaker, I shall certainly stay in exactly the same parameters as the speakers previous stayed within. Frankly,

Mr. Speaker, I was not particularly impressed with the procedures used in the last election for financial contributions and I don't intend to go into names or documents. But I did take a look at the financial statements submitted by some candidates, some MLAs. And it was a very common procedure to see a very sizeable donation if I may use for example without being specific, say the NDP Women's League or the Conservative Ladies Association or the Liberal such and such. These were taken and accepted as authentic campaign donations and yet where did these organizations, obviously subsidiaries of the major political parties, where did they acquire these funds? I see no evidence that they ever were investigated and I see no reason why they should have been.

Frankly, I really wonder if each paper that was submitted by each candidate, I have to say was it worth the paper it was written on. I can say that mine was. I don't know how many others were.

Mr. Speaker, if I may go back to the comments that the previous speaker made. If the Attorney General should ever sit down and set any guidelines on the media, I certainly hope that the media would do something that it certainly hasn't done since my time in this Legislature, stand up on its heels and fight this Government. Because this Government has had better than a fair break from the media. Of course the ones that have had the real honeymoon, an unbelievable honeymoon for doing nothing are my friends to the left. I would think they would have the most to lose. But this witchhunt that is going on about who gave what from the press, its relevance totally escapes me. If we are going to get down to this stage of the game where we are going to have limits proposed on the media, how about limits proposed on what unions can contribute to the NDP. Whether it be in cash or whether it be in very highly paid, highly skilled organizers. Let's do the whole thing if we are going to go that far. Because when we don't have a media that is free to do whatever they want, as I say they have sure been doing it to the Liberal Party this past year and one-half. But I would be the first to defend their right to do so because if you don't have the press watching government, then you have got fascism or you have got communism or call it whatever you want.

Mr. Attorney General, I would hope that the comments that have just come from the back bench will be ignored.

Mr. R.A. Larter (Estevan): — Mr. Speaker, I believe that the Attorney General knows that we do have some qualms about parts of The Election Act. I would go a step further than the Leader of the Opposition when he mentions the Government certainly does have a conceded advantage over the Opposition parties and that is they are using the Crown corporations in advertising continually every day. I would go a step further because once the writ is dropped and even with an amendment to restrain the government from advertising they still have the advantage of using materials which have been brought together, and they can purchase it the same as we can at cost through the Legislative Buildings. The only thing is that most of this advertising is slanted towards the Government and the party could use this and therefore they do gain an advantage there too.

The Member for Nipawin has something to say on this tomorrow, I would therefore beg leave to adjourn the debate.

Debate adjourned.

ERROR IN PRESENTING SNOWMOBILE ACT — BILL 22 AND BILL 33

Mr. Speaker: — Earlier today, there was some question raised as to the passage of Bill 33, An Act to amend The Snowmobile Act, 1973 (2):, as being a bill which had been passed in error. However, it is my judgment that the Bill has passed second reading and has been sent to Committee. The question before the House is, facing the House Leader is, how shall Bill 22 be brought forward.

I believe there are two options open to the House here. The first option is to leave Bill 33 as is, agreed to in principle in second reading and ready for consideration in Committee of the whole, then call Bill 22 for consideration in the normal manner.

The second option which is open to the House, is to have someone move a motion by leave rescinding all the proceedings today regarding Bill 33. Bill 33 will then return to the category of bills ready for second reading, and then the House Leader could call Bill 22 and deal with it in a routine manner. It should be noted at this time that the Votes and Proceedings will show Bill 33 as having been passed and later than an order rescinding the proceedings of second reading and sending it to Committee.

The option is before the House and the House must decide which to do. I will end it with a brief quotation from Erskine May, where it says on page 376:

Proceedings null and void — An order declaring proceedings to be null and void is employed where there has been an inadvertence or some form of irregularity in procedure.

Mr. Romanow: — Mr. Speaker, as much as I know all Members of the House will support Bill 33, and the one that we passed in error, I don't think that is the way we should go, because I am sure that there will be some Members who will want to express their opinions on it. Therefore, I am choosing the second option that you have outlined.

I would move, seconded by my colleague, the Minister in charge of Saskatchewan Transport policy, Mr. MacMurchy, by leave of the Assembly:

That all of the proceedings on Bill 33 — An Act to amend The Snowmobile Act, 1973 (2): taken this day Wednesday, December 1, 1976 be declared null and void.

Motion agreed to.

MOTION

NIGHT SITTINGS

Mr. Romanow: — I should like to introduce a motion which gives us night sittings for tonight. I would like to move, seconded by my colleague, Mr. MacMurchy, by leave of the Assembly:

That on Wednesday, December 1, 1976, Rule 3(3): be suspended so that the sitting of the Assembly may be continued from 7:00 o'clock p.m. until 9:30 o'clock p.m.

WITHDRAWAL OF UNPARLIAMENTARY REMARKS

Mr. Pepper (Chairman of Committee of the Whole): — Mr. Speaker, during the consideration of Bill 23, the Member for Thunder Creek (Mr. Thatcher): used certain unparliamentary remarks disrespectful to the Chair, which the Member refused to withdraw.

Mr. Speaker: — Based on the Chairman of the Committee's report I would ask the Member for Thunder Creek to withdraw the unparliamentary remarks that he made in the Committee.

Mr. W.C. Thatcher: — Mr. Speaker, again as I indicated to the Chairman, I would like to indicate to you, I am a freshman MLA and I do not pretend that I have had instant grasp of all the rules of parliamentary procedure. Very roughly paraphrased, I attempted to make a motion which the Chairman indicated was out of order. The Chairman indicated and I stand to be corrected that the amendment, the motion must be made under a specific clause or subsection of the bill. Then in ignorance or whatever you care to term it, I asked the Chairman to tell me specifically where this option, or amendment would fit in. After making this ruling the Chairman would not tell me. As I say, Mr. Speaker, I do not pretend to, just because I happened to win in a local election, that instantaneously I have grasped all the rules of parliamentary procedure. I mean no disrespect to the institutions of this Legislature, yet at the same time I think the point was valid. If you tell me that I am incorrect, that the Chairman should have told me specifically what clause or subsection that this motion would be appropriate. Therefore this led to the exchange.

Mr. Speaker: — The Member's explanation did not constitute a withdrawal. I am unaware of what happened in the Committee and I am not particularly concerned how the Committee conducts itself because that is the job of the Committee and the Chairman. If it is reported to me that an unparliamentary expression was expressed in Committee, the obvious next higher level to go to is to call in the Speaker and have the matter dealt with. Regardless of the Member's admission of not knowing where the amendment should go that doesn't constitute a withdrawal and I ask the Member to withdraw the unparliamentary comment.

Mr. Thatcher: — In that case, Mr. Speaker, while I refused to do it for the Chairman, in deference to the Speaker and to the higher authority, I shall therefore withdraw.

Mr. Speaker: — Then this Assembly is in the position to accept your withdrawal.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Romanow (Attorney General): that Bill No. 19 — **An Act to amend The Election Act, 1971 be now read a second time.**

Mr. R.L. Collver (Leader of the Progressive Conservatives): — Mr. Speaker, I have a few remarks to address to this particular bill. I have no objection at all to bringing by-elections under The Election Act and to limiting the expenditures by political parties and by candidates in by-elections just as we have done in the past for elections. This is a commendable effort and it is commendable that the Government has brought this in the light and prior to a by-election which has been necessitated recently. However, a by-election is a different animal than an election. In a political party, whether it is on the Government side of the House or the Opposition side of the House has unique problems during the course of a by-election. The problems that I want to relate this evening and relate specifically to this Bill is one of the tremendous cost of production. This is not the cost of advertising but the cost of production for television, for radio, for newspapers and so on that every party experiences. That the NDP experienced in the last election, that the Liberals experienced in the last election and the Conservatives experienced in the last election.

Production costs during the course of an election can be spread over 61 constituencies. Because production costs apply to 61 constituencies they don't apply constituency by constituency. Production costs, putting together the film necessary for a television shot, or radio time, or a newspaper ad, can be applied province wide during the course of an election. But during the course of a by-election which happens significantly after an election usually in which the production costs that were spent during the election are now no longer usable, are significant indeed and are going to cost each party a great deal of money.

Now I suggest that at by-election time the government of the province has in the production cost area a very significant benefit or gain in addition to the normal benefits derived from being in government. Normal benefits being the statements that can be issued by Cabinet Ministers, announcements which can be made, the natural press reaction to events that occur during the course of a writ. These are natural events that occur that give the government an advantage over the Opposition parties and these advantages I don't think can be dealt with. Certainly I understand as part of this latest Act that government advertising will be prevented during the course of a writ and that's a good thing. But these are natural advantages. What you might call an unnatural advantage occurs in the fact that film crews employed by the Government of Saskatchewan, photographers employed by the Government of Saskatchewan are taking pictures of the Leader of the Government Party, of the Cabinet Ministers of the Government Party, and it is our understanding that these production facilities, a radio room downstairs, for example, and the production from that are made available to anyone, to the Members of the Legislature, to the Opposition or to the Government on the basis of the cost of film. In other words, no production time is included whatsoever. No production costs

are included whatsoever. These are available, with preference if you want, towards Government Members because it is natural and normal that these employees of Government should be taking photographs of Government Cabinet Ministers and Government situations doing their job on behalf of the people and that's normal.

Now we suggested prior to the introduction of this bill a solution which this Assembly should definitely consider. The solution is not to raise the spending one dime, not to raise the amount of spending on a by-election or a general election one dime from that proposed in this amendment and that proposed in The Election Act. The solution that we suggest here is that parties should be able to make their determination as to whether they spend the total allotment considered under the amendment and under the Act and should be able to make their decision as to whether they spend their money at by-election time or at election time. By-elections are important to all of us. By-elections are important, however, even more so to the Opposition than they are to the Government. Because the next by-election for example in the Province of Saskatchewan will not change the Government of the Province of Saskatchewan but it could indicate to the people of this province, all the people in the province, it could indicate a dissatisfaction with the Government's policies. It could, and it's an opportunity for the Opposition parties to present its case to the people of that constituency in such a way as to attempt, if you want, to get them to react to the Government's policies that they have introduced since the last general election. And it is a very important event for the Opposition, perhaps even more so than the Government.

We don't have the opportunity to get the production costs provided for us by Government staff and I know it has been suggested that the Government has never used these production facilities, they are nevertheless there, they are nevertheless available to the Government for their use during the course of a by-election. By-election expenditures haven't been limited. And there may be the temptation on behalf of the Government to use that film, to use those production facilities. There may be a temptation. The Minister for Industry shakes his head when I say there may be that temptation there. Maybe.

What we are suggesting is this, supposing there are two by-elections and you've allocated \$11,500 to each party for expenditures for each by-election. That's \$23,000, so that means the total election expense by the party if there are only two by-elections between elections is going to be \$175,000 in the Act, plus the \$23,000 for the by-election. What we have suggested is, okay, that's \$198,000. Let each party determine how much it will spend on the by-election and how much it will spend on the general. And if it wants to spend \$20,000 on production costs during the course of a by-election, then it only has \$150,000 left to spend on a general election. It is limiting the expense but it's allowing each party the flexibility that is needed to bring into account the tremendous costs of production that may have to be spent during the course of a by-election and are spent during the course of a general election.

Now if it is the purpose of this bill to limit that in this particular Act to the cost of producing these ads, we have no objection to that either. If you want to limit the

expenditure on actual ads based on TV by the way you have done in this amendment, we don't object to that. To limit the amount of money spent on advertising in the newspaper, a specific ad or a specific number of ads in the newspaper, the actual money spent on advertising, that's fine. But what we are asking for, and I think rationally, is a flexibility in the production of advertising for by-elections that we have during a general election that we will not have during a by-election if this Act is passed. I suggest that each of the Members on the Government side of the House at this point try to remember what it was like and what it is going to be like when you are sitting on the Opposition side of the bench.

Mr. Rolfes: — I'll be too old to.

Mr. Collver: — Well, try to remember, Mr. Minister of Social Services, try to remember.

Hon. R. Romanow (Attorney General): — Mr. Speaker, I will be very brief in rebuttal. First of all the Leader of the Opposition from the Liberal Party (Mr. Steuart): wanted us to consider an additional House amendment with respect to the publicity that a government may engage in during a by-election period. Now I think that this is a worthwhile suggestion we will be incorporating in the House amendments the question of the amount of expenditure that a government can make during a by-election period.

There is a difficulty here, there are a number of difficulties here. For example, in a particular by-election in a particular area, we think that government advertising shouldn't be stopped through the entire province. The key to this whole thing is to make sure that nothing that government does by way of publicity is used to jeopardize the actual political campaign that is going on in a by-election and accordingly the House amendment that I have asked the department people to draft will try to achieve the goals of the Leader of the Opposition and I am sure the Leader of the Conservative Party as well, limiting publicity of government in the by-election but still allowing a government to carry on in its day-to-day normal activities with respect to places outside of the constituency affected. In any event I invite the Opposition parties to take a look at the proposed amendment and we can work from there.

I think the second point raised by the Leader of the Conservative Party which in a nutshell I think has to be interpreted as an argument for funds or for a higher type of ceiling for funds with respect to by-election campaigns. Whether you tag it on to the \$175,000 or whatever I think that that's the way the Leader of the Conservative Party's argument boils down. He argues that the proposed amendment of \$10,000 or \$1 per voter is really not sufficient. He argues as a corollary that it ties the hands of the individual party in setting its own priorities as to what it wants to spend the money on.

I guess these are really very difficult decisions to make because they depend in some ways on a subjective decision taken by each individual or each individual party. If you take the \$175,000 general ceiling which a party has in a general election and divide that by 61 ridings, roughly calculating it you are looking at about \$2900 per riding that a provincial party can spend in a general election, certainly as according to the 1975 election. You add to that, \$10,000 that the

candidate can spend and you are looking at about \$13,000 or \$15,000 if there is a higher voter registration in the constituency. On our proposed House amendment formula applying it to Saskatoon Sutherland, there would be anywhere from \$14,000 to \$16,000 allowed for the candidate and \$14,000 to \$16,000 for the provincial party on the estimates that one has of the voter stance in Saskatoon Sutherland, or a swing of about \$28,000 to \$32,000. And that is substantially higher in a by-election than one would get for a general election for an individual constituency. I agree it breaks down a bit because in some ridings the amount isn't equal to 29, it's higher or lower in some ridings. But basically the figure is a fairly reasonable one.

I would simply say that while I have some sympathy for the Conservative leader's argument that I can't accept it because I believe that his argument virtually amounts to an argument for no ceiling for by-elections. It is true that in theory there is a ceiling, a ceiling of \$175,000 and there is in theory a practical ceiling that a provincial party will be motivated to self-impose on it, knowing at the other end of the general election it may be handicapped somewhat. But, basically it is still a prescription for no ceiling and the whole policy of the Act is to have a ceiling and have ground rules for the parties so that all three or four parties whatever happens have a roof and a known roof by which they can make these expenditures. I guess I won't convince the Leader of the Conservative Party that we are giving all parties sufficient funds but I believe that on a \$28,000 to \$32,000 ceiling, using Sutherland as an example, that a good by-election should be run by the candidate and the political party in the individual riding. So I think at this stage of the game I am not free to accept the suggestion made by the Conservative Leader.

Mr. Speaker, with those few words of rebuttal, I move second reading.

Motion agreed to and bill read a second time.

The Assembly resumed the adjourned debate on the proposed motion of Hon. W. E. Smishek (Minister of Finance): that Bill No. 10 — **An Act to amend The Income Tax Act be now read a second time.**

Mr. Collver: — Mr. Speaker, I have a few very brief remarks to make about this particular Act. I can accept the intent of the Act which is to bring the taxation regulations more in line with Ottawa as I understand. What I cannot accept in this Act is providing to the Cabinet absolute discretionary taxation powers that this particular Act provides. As I understand this particular bill it is as basic and as fundamental a principle as that which has been fought out a hundred years ago and a hundred and fifty years ago in Britain and that is taxation without representation.

This bill, the way it is written enables the Cabinet to set the rules of taxation in Saskatchewan, without further reference to this Legislative Assembly.

This bill is a dramatic change, a dramatic change in the way our taxation rules are established.

Now I'm not going to go through this evening, because obviously we're not going to change the minds of the Members opposite to their continued policies of adding more and greater powers into the Cabinet, providing less and less powers to the Legislative Assembly, less and less powers to municipalities, less and less powers to everyone else, to individuals. This taxation without representation is as old an argument as exists in democratic countries. When we take the power to set taxation rules away from the Legislature and put it in the hands of the Cabinet we are usurping one of the very basic and fundamental rules of this Legislature and that is that it is incumbent upon the representatives to decide taxation levels, policies for the people that we represent.

This bill enables the Government, or the Cabinet to do exactly the reverse. Pass regulations and rules as they relate to taxation in Saskatchewan without further reference to this Assembly.

Mr. Speaker, I do not intend to support this bill. If there was any way I thought we could convince the Members opposite to make a change in it, I would try to do so tonight, but it is in keeping with their continued policy to strengthen the support, the strength of the Cabinet to the detriment of this Legislature.

Mr. Smishek: — The Hon. Member got so excited he's trying to light a fire.

Mr. Collver: — I apologize to the Speaker and the Assembly.

Mr. Smishek: — Mr. Speaker, if I may say the Hon. Member has completely missed the point of this bill, which is not the first time he's missed the intent and purpose. This bill does not give the Government any power to tax. Not at all. What this bill does, is provide by regulation to make royalties that are paid by industry to be deductible from income tax. What the Hon. Member has said is just totally incorrect.

Mr. Speaker, you may recall that last year we amended this bill to be consistent with the federal income tax of what is allowable and to ensure that the interpretations and the definitions of our Act are identical to that of the Government of Canada but no sooner we pass the bill, the Federal Parliament amended the legislation and therefore, our legislation which incorporated their intent and their interpretations became obsolete at the present time.

Now deductions are there in rebates for income tax purposes are to be paid to industry and we can't do it because the Federal Government changed the interpretation and definition. It's not money coming to the Government, the Government is not gaining anything from this. What it is, is to rebate and to allow the royalties for industry and individuals.

Now how the Hon. Member can come up with a conclusion that this gives the Government power to tax, it's beyond me, but this is not the first time the Hon. Member has not read the legislation properly and confused himself and tried to confuse the House. The intent is very clear. Under Section 5, to make

regulations not inconsistent with the provisions and intent of the section. Now if the regulations are made that are contrary or in any way inconsistent, then that regulation becomes itself subject to challenge by the law, because the law says so.

Now, Mr. Speaker, I think the Hon. Member should read the bill. He now has a lawyer in his caucus, perhaps the two of them might consult.

Miss Clifford: — They don't talk to each other.

Mr. Smishek: — Perhaps they don't. We are not trying to gain anything from this and the only thing is, so long as the Government of Canada, and I'm not quarrelling with them because the interpretations and definitions sometimes aren't able to be changed and all we're trying to do is to conform and the only way you can do it is when they change, every time we have to bring in an amendment, as we did last year. No sooner we brought in the amendment, two weeks after the House rose, it was obsolete. Now out of that situation the Member reaching the conclusion that this is somehow giving us the power to tax people without power, taxation without representation, all these allegations are just sheer nonsense.

Mr. Speaker, I move second reading of the bill.

Motion agreed to and the bill read a second time on the following Recorded Division:

YEAS — 34

Pepper	Larson	Vickar
Thibault	Whelan	Johnson
Smishek	Kaeding	Thompson
Romanow	Kwasnica	Banda
Messer	McNeill	Stodalka
Byers	Feschuk	Clifford
Kramer	Faris	Wiebe
Kowalchuk	Rolfes	Cameron
Matsalla	Cowley	Anderson
Robbins	Tchorzewski	McMillan
MacMurphy	Shillington	Thatcher
Mostoway		

NAYS — 6

Collver	Lane	Ham
Larter	Birkbeck	Katzman

SECOND READINGS

Hon. E.L. Cowley (Provincial Secretary): moved second reading of Bill No. 37 — **An Act to amend The Municipal Hail Insurance Act, 1968.**

He said: Mr. Speaker, this bill has a very brief amendment to The Municipal Hail Insurance Act, 1968. The board of the

Municipal Hail Insurance Association fixes each year the basic amount of indemnity payable for losses from hail. The amount may not be more than \$10 an acre and the basic amount is the amount of indemnity provided to all persons who participate in the plan. The basic amount fixed by the board has never exceeded \$6 per acre. Participants of the plan however, may apply for an indemnity in addition to the basic amount. The additional indemnity which must also be fixed by the board is presently limited by legislation to \$14 per acre.

The amendment proposed increases the maximum amount of additional indemnity to \$25 per acre as requested by the municipal hail people. They argue that this is more reasonable in the light of present value of crops.

I am pleased to report that the Municipal Hail Insurance Association remains in a strong financial position. Its surplus and reserves as at January 31, 1976 exceeded \$16 million. Their reserves provided the Association with investment income of over \$1 million last year. Income from reserves tends to stabilize premium rates while the reserve itself provides an important measure of safety or protection in the event of severe losses.

In view of the strong financial position the Association in my opinion has the capacity to provide the additional insurance coverage proposed in this amendment.

Mr. Speaker, I brought this forward at this time because the Municipal Hail Association asked that if it was possible they would like this brief amendment passed at this Session so that they could make the necessary arrangements for the next crop year. It's not really that they are expecting hail between now and February or March, but, therefore, Mr. Speaker, I move second reading of Bill No. 37, An Act to amend The Municipal Hail Insurance Act, 1968.

Mr. J. Wiebe (Morse): — Mr. Speaker, a few brief words in regard to this bill. I think it's a very timely and well deserved bill in terms of municipal hail. There's no doubt that many farmers throughout the province who have as a matter of habit been purchasing hail insurance through the municipal people, now realize that the amount that they've been limited to, does not adequately meet the needs which they now feel that they have. So in effect this bill allows them to compete and to provide the type of coverage that farmers throughout the province desire and I'm very pleased to see this small amendment being made.

Mr. R.A. Larter (Estevan): — Mr. Speaker, our party too in checking out this Act that was brought in tonight, we find that this is in very good order. I use this insurance myself and according to the municipalities it's very timely and we too support it.

Motion agreed to and bill read a second time.

The Assembly adjourned at 9:30 o'clock p.m.