

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
Third Session — Eighteenth Legislature
11th Day

Thursday, December 2, 1976.

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

WELCOME TO STUDENTS

Hon. J.R. Messer (Kelsey-Tisdale): — Mr. Speaker, I should like to introduce to you and through you to the Members of the Assembly a group of students from Mistatim High School. I was told they were going to be in the Speaker's Gallery. I don't see them there but I hope they are in the Legislative Building somewhere. They are accompanied by the principal of the school, Mr. Larry Monsees. I am told that the student council chose to organize their own tour of the city, I therefore don't know just what points they visited in the city. I am sure that they have chosen an interesting time for themselves. I hope that they will also enjoy their time at the Legislative Building, in particular that portion of it that is spent viewing proceedings in this Legislative Assembly.

I know that all Members will want to extend our welcome to them and wish them a safe journey home.

Hon. Members: Hear, hear!

Mr. R.A. Larter (Estevan): — Mr. Speaker, I should like to introduce to this House and through you to the Assembly the Grade Ten students from Midale Central School. They are accompanied by Mr. Arlin Ryan and the bus driver, Mr. Harold Krueger. They are from the famous country of the late Dr. Mainprize and right in the heart of the oil fields.

It is our hope that you have had a good day at the Mexibition and that you enjoy your stay here and have a safe journey home.

Hon. Members Hear, hear!

Mr. J.R. Kowalchuk (Melville): — Mr. Speaker, I, too, should like through you to welcome a group of 22 students from the Killaly High School. I am not sure where they are seated, but they are a group who live south of Melville near the Qu'Appelle Valley. It is a small school but it is one of the schools that at one time I had the honor of being chairman of the school unit. It gives me a great deal of pleasure to welcome them and I am sure you do as well.

I know that they will enjoy the House today and particularly in view of the fact that in the lobby I know they have already seen a wonderful display of the parliamentary system, the origination and development of the mother of Parliaments, Great Britain. I think there is just one of the greatest lessons to be learned from it and I know they will benefit from it. On behalf of all of us here I should like to make these students welcome.

Hon. Members: Hear, hear!

Hon. E. Kaeding (Saltcoats): — Mr. Speaker, I should like also to take the opportunity at this time to introduce to you and to the Members of the Assembly a group of students from the Garden of Eden of Saskatchewan, from the Saltcoats constituency. They are from Saltcoats and Bredenbury Schools and they are accompanied by their teachers, Mr. Farquharson and Mrs. Thies, and I believe their bus driver, Ron Popalich.

This is one group of schools that continuously comes to the Legislature to sit in on our sessions and we appreciate very much their coming here. I know they have had an interesting morning and I am sure they will have a further interesting afternoon. I want you all to greet the Saltcoats and Bredenbury Schools and wish them a safe journey home.

Hon. Members: Hear, hear!

Hon. G. MacMurchy (Last Mountain-Touchwood): — Mr. Speaker, on behalf of you, Sir, and on behalf of the Members of the Assembly, I want to introduce and to welcome ten students from the Nokomis School, it's a Grade Eight class. They are accompanied by their teacher, Scott Richardson. We hope that you have a very enjoyable and a very educational afternoon here at the Legislature.

Hon. Members: Hear, hear!

Mr. W.J.G. Allen (Regina Rosemont): — Mr. Speaker, I should like to introduce to you and through you to the other Members of the Legislature a group of 12 students seated in the Speaker's Gallery from Saskatchewan House. They are taking occupational English courses at Sask. House. They are accompanied today by Mrs. Joann Zikman. I look forward to meeting with them after three o'clock. I am sure all of us would like to welcome them to the Legislature this afternoon.

Hon. Members: Hear, hear!

QUESTIONS

BACK LOG IN COURT SERVICES

Mr. S.J. Cameron (Regina South): — A question for the Attorney General, I am wondering whether he or his department requested Mr. Huggett, whose memo was a subject of some comment here yesterday afternoon, to conduct an examination of court services in the four western provinces and, if so, whether that examination has been completed?

Mr. R. Romanow (Attorney General): — I quite frankly have to take notice of that question. I know that there are some studies but I would have to inform myself before I advise the House.

RUSSIA ENTERING POTASH MARKET

Mr. E.C. Malone (Regina Lakeview): — Mr. Speaker, I should like to direct a question to the

Minister in charge of the Potash Corporation of Saskatchewan. I wish there was something we could do about that title.

There is an article in the paper this morning, headlined, "Russia Believed Ready to Expand Potash Production", which I assume you are familiar with. This confirms that Russia is getting into the international potash market. Now I am not going to ask you to reassess your policy on nationalization because I know what the answer will be, but has your company or the research branch of the PCS, done any studies to see where Russia will be entering the market? That is are they competing with Saskatchewan for traditional customers Saskatchewan has developed through the years for the potash that will be soon produced from Russia and who are those customers if you are aware of them?

Hon. E.L. Cowley (Minister of Potash Corporation): — Well, Mr. Speaker, we have done some internal work and we have had some studies done with respect to marketing. I think that if the Member has read the Robertson Report which was tabled in this House, there was some reference there made to the likely expansion of the Soviet potash industry and that the Soviet Union would be in the future the major potential competitor with Saskatchewan potash, as they are the only country which has reserves of potash which come close to approximating those of Saskatchewan. The Soviet Union is a potential competitor in many areas where Saskatchewan potash is involved, for example, the United States. There have been some arrangements arrived at between the United States and the Soviet Union. While some of these are of fairly long standing I don't believe much, if any, Soviet potash has moved into the American market. But there is a potential competitor there and of course that is a major competitor we will have to meet because approximately 70 per cent of our current market is in the United States. They are also a potential competitor I would think in the Pacific rim countries which is another area where Saskatchewan would have somewhat of a natural market vis a vis our other competitors.

The difficulty in assessing the amount of competition that one faces from the Soviet Union has two aspects. One, there is within the eastern block a tremendous demand for potash. One of their difficulties may be, whether it is a need for foreign exchange versus a need to grow more wheat in the Soviet Union. So how much new production will go into export markets and how much will go into satisfying the demands within the Soviet Union, is a question that is difficult to answer. If you assume it is going into the export market then you have to look at the United States and the far East and so on. So that I think in a nutshell is some of the general comments I would have in response to the Member's question. I don't think it is a surprise. I think all of the people that we have talked to in the potash marketing end of things have suggested that there is ongoing in the Soviet Union a significant expansion of their potash production. The question is how much will they be utilizing themselves or within the eastern block.

Mr. Malone: — A supplementary, Mr. Speaker. The Minister has told us about the difficulties and I appreciate there are difficulties but in view of the Russian position and in view of these expected developments in Russia what have you done to protect the traditional markets for Saskatchewan? That is, have you entered

into long-term agreements with the customers? Are you doing anything to offset the threats from Russia for the sales of our potash?

Mr. Cowley: — Well, I think, Mr. Speaker, in the long run I suppose for export markets, two or three things will be determining factors with respect to Saskatchewan potash's success in meeting Soviet competition. One of them obviously will be the efficiency with which we can produce potash. A second one will obviously be freight rates, vis a vis the markets we are going into. We have suggested that we are prepared and I think the Premier did this at the world fertilizer conference in New York, that we were prepared to discuss and enter into longer-term contracts. To date we have not entered into any long-term contracts as a corporation. The Member will be familiar with the contract which was recently announced in the Pacific rim between Canpotex and Korea. We are using Canpotex as are most other producers in Saskatchewan as our marketer outside of North America.

Mr. Malone: — Supplementary question, Mr. Speaker. One of the great dangers of course, of Russia entering into the field with selling potash to the United States, is the suggestion that's been made, that they will endeavor to trade potash for wheat and this is not new. You are aware of this suggestion having been made in the past. The danger is, of course, we could not only lose a traditional customer in the United States for potash, we could lose Russia as a traditional customer for our wheat. Now, I'm asking the Minister, have you made any studies as to this field? Are you in a position to advise the House today whether there are negotiations in the United States between Russia and the U.S. to develop such a barter arrangement, or are you in a position to give us any advice at all today on this?

Mr. Cowley: — Well, Mr. Speaker, we are aware of some discussions that are ongoing between various groups within the United States and the Soviet Union. I'm not in a position to say as to what the details of that are. I think, obviously, we're not in a position to compete with the United States in this regard in that we are not much of an importer of potash. So the idea of us importing potash and trading for wheat, while it's a viable one for the United States, obviously isn't something we could compete with directly in terms of Saskatchewan.

The Soviet Union has been involved in the potash industry for a long time. I think if one checks the levels of potash production, you will find that the Soviet Union is the major producer of potash in the world. Now they are also a very large internal consumer. Everyone expects the Soviet Union to continue to export potash. Everyone expects Saskatchewan to continue to export potash. They expect us to continue to compete. the question is how much of a penetration will the Soviet Union made into American markets and in what areas. Areas where they have traditionally used Saskatchewan potash, in the mid-west, for example, or areas which have not traditionally been our market in the United States, which of course would be of considerably less concern to us.

We think that we have taken into account the fact that the Soviet Union will be a competitor in making our marketing forecasts.

Mr. Malone: — Could you tell us how you have taken this into account and be as specific as possible? What have you done to take this into account?

Mr. Cowley: — Well, Mr. Speaker, we recognize that the Soviet Union will be there, will be a competitor and will be selling potash into the United States. We have attempted to make an estimate of what areas they will be competitive with us and we have decided on the best advice we can get, that with that competition and other competitions, we still see a significant growing market for Saskatchewan potash in the United States.

CIGOL CASE — POTASH

Mr. R L. Collver (Leader of the Progressive Conservatives): — Mr. Speaker, I'd like to direct a question to the Premier. Yesterday, the Premier announced that the Legislature might be called back into Session over the holidays, if the Supreme Court rules against the Government of Saskatchewan in the CIGOL case. Would the Premier today, give us his assurance, that the Government of Saskatchewan will, before implementation, submit the retroactive bill to the Court of Appeal directly under The Constitutional Questions Act, in order to get an immediate ruling on the legality of the Governments actions?

Hon. A.E. Blakeney (Premier): — Several comments on that. The general answer is, of course, No, because I will not give now an undertaking of how I'm going to act three months hence or four months hence or two months hence, in the light of a situation which neither the Member for Nipawin nor I know. We do not know what the judgment of the Supreme Court on the CIGOL case or any other case is and accordingly we do not know what the appropriate course of action is and accordingly I am not willing to commit myself to a course of action now on facts which I do not know.

Secondly, with respect to the so-called immediacy of getting a decision, if Bill 42 had been submitted to the Court of Appeal under The Constitutional Questions Act, I can only assume that the Court of Appeal would have ruled it to be constitutional because they certainly said that when the matter came before them. Presumably then it would have been appealed to the Supreme Court and far from an immediate answer, one might have got an answer, but it would have been a very long way down the road and I'm not at all sure that I am prepared to wait, was prepared to wait last time, while the oil companies got \$4 million a month and while it wended its way through the courts at the expense of the taxpayers to the tune of \$4 million a month and I'm not sure that I would be prepared to do that in the future.

I know that the Member for Nipawin would believe that \$4 million a month was an appropriate payment to the oil companies, because there is a circular aspect to it, but we don't enjoy that circular aspect.

Some Hon. Members: Hear, hear!

Mr. Collver: — Supplementary question, Mr. Speaker. I am informed

that through the normal course of the court actions taken, it takes approximately three years by the time that a question of constitutional law is finally heard by the Supreme Court of Canada. Especially if the Government of Saskatchewan does not co-operate as, for example, it is not co-operating in the potash cases to get the matter heard as quickly as possible and, therefore, if there are delaying tactics taken, it could take to three years. In The CIGOL case, for example, the judgment will perhaps be down in February of 1977 and it was originally submitted in February of 1974, so it takes three years.

I am also informed that it takes six months approximately to . . .

Mr. Speaker: — Order! If the Member could get to the question.

Mr. Collver: — Mr. Speaker, if I could present this question, because the Premier has alluded to the fact just now that it would take a long time to go directly to the Court of Appeal. That's precisely the point of my question. So I'm attempting to clarify the question.

Mr. Speaker: — I'm aware of the fact and I'm sure the Member is, that the Member is allowed to provide a certain amount of background information in which to frame the question, but it seems to me like a recital of maybe more than is necessary to put the question forward.

Mr. Collver: — Here comes the question. Is the Premier not aware that a three year delay from now or from the implementation of the proposed retroactive legislation might only postpone the inevitable, that the Government of Saskatchewan might constitutionally be required to repay the money three years from now, anyway, if the court case is heard in the normal course, but if the case goes directly to the Court of Appeal and you get an immediate ruling or a six month ruling, at least you've got two and a half years if the ruling happens to go against you, that you can adjust your expenditure level? Would the Premier not agree with that concept?

Mr. Blakeney: — Well, I agree with a portion of it. Clearly when something is at issue and if there is a three year delay, then the consequences of a three year delay could be greater than a delay of a year and a half or what might happen if it were directly referred to the Court of Appeal. I don't know when the CIGOL case was heard by the Court of Appeal, but it was some considerable time back and I would think, therefore, that probably, if I accept the Member's estimate of three years from the time that a bill is passed until the time that it may be ruled upon by the Supreme Court, it might be cut in half by a reference to the Court of Appeal. I'm not prepared to admit that we should forego our revenues which I believe are justifiable revenues of the Province of Saskatchewan for eighteen months or for a shorter period of 12, 13, 14 months, while a reference is made to the Court of Appeal and while that reference then is appealed to the Supreme Court and while the hearing is going on and the judgment is being rendered. I think that would be unwise.

Mr. Collver: — Mr. Speaker, would the Premier be prepared to give his assurance to this Assembly today that after implementation, the Government of Saskatchewan would immediately submit this proposed retroactive legislation, directly to the Court of Appeal in order that the Supreme Court could hear the case and rule on its constitutionality as quickly as possible.

Mr. Blakeney: — The answer is the same one I gave to question number one. I am not prepared to give any assurances now as to what is going to happen four months from now, that the Government might do, based on a series of facts that I do not now have at my command. I will make and we, my colleagues, will make what we think is a rational judgment, but we'll make it on the facts at hand. The facts are not at hand and accordingly any commitment to act in the future, pursuant to facts which are not now available is an unreasonable request for a commitment and I say, No.

Some Hon. Members: Hear, hear!

Mr. Collver: — Would the Premier not agree then, therefore, that any suggestion of retroactive legislation in the light of facts that are not presently at hand is irresponsible behavior on the part of the Government of Saskatchewan?

Mr. Blakeney: — I do not agree with the Hon. Member. I think that there were prior to the phrasing of the Speech from the Throne reports to the effect that the CIGOL (Canadian Industrial Gas and Oil Limited): case might go against the Government. I think nobody can say whether it will or not, but obviously that possibility was raised, a possibility not previously contemplated to a serious extent because of the fact that we had been unanimously successful in the two courts below. It seemed to me that the Government owed it to anyone who may be making plans with respect to the possibility of that judgment going one way, to state its position, and we said that we would be prepared to introduce some legislation as stated in the Speech from the Throne. That seems to me only reasonable. We clearly are leaving our options open, but that was an option we were considering and one which, at least in our judgment, the public was entitled to know about.

WORK NOT COMPLETED BY HIGHWAYS DEPARTMENT

Mr. W.C. Thatcher (Thunder Creek): — A question to the Minister of Highways.

Mr. Minister, much of the work which had been planned by your Department has not been completed, much of it has not been started, a significant portion of it has not been tendered. Would the Minister explain to this Assembly today exactly what is going on in the Department of Highways, or what has caused this change?

Hon. E. Kramer (Minister of Highways): — I thought questions were a matter of urgency in this House, but with your permission I will try to briefly answer that question.

I can assure the Members opposite that the budget that they permitted us in this House has been spent, that the carry-over will probably be less this year than any number of years in the past of program, and that certain programs because of the unusual year in construction were completed much faster. Therefore, the progress payments on certain projects were required and in order to stay within the budget we had to delay the calling of other tenders that some people complain about. But the program, if we take the total amount of work planned and permitted by the budget, we are well in line and the progress of the total program has been successful and will not exceed the budget, but probably have less carry-over of any year in the last three or four.

Mr. Thatcher: — Mr. Speaker, is the Minister telling this Assembly that in effect you have overbudgeted or underbudgeted in some areas because by your own admission you have not even let tenders on work which you informed this Assembly, at Budget time, that you were going to do this year. And yet you haven't even let the tenders on it. And are you telling us that you have overbudgeted on the major portion of your work for this year and that is why you could not proceed with this additional?

Mr. Kramer: — No, I am not saying that at all.

Mr. J.G. Lane (Qu'Appelle): — The Minister just indicated that the budget for the Department of Highways was already spent and I believe we've got about four months left in the fiscal year, approximately. Does this mean one of two things — (a): that you didn't budget properly and in fact have overspent already so that projects in the next four months will not be done; and that in fact you have done exactly the same thing as the Attorney General did and have run short of money?

Mr. Kramer: — No, that's not true either.

Mr. Lane: — Further supplementary, Mr. Speaker,

Mr. Speaker: — Order, order! Next question.

WORKERS' COMPENSATION BOARD

Mr. W.H. Stodalka (Maple Creek): — A question to the Minister of Finance.

Does the Minister agree with the Saskatchewan Government Employees Association who state that because of the decision in the Workers' Compensation Board dispute that the Provincial Wage Control Board really doesn't have any legal power to roll back any signed contracts, and would the Minister comment on the significance of that particular decision?

Hon. W.E. Smishek (Minister of Finance): — Mr. Speaker, the Saskatchewan Public Sector Prices and Review Board is appointed by Order-in-Council and as the Government approved a set of terms of reference, it is true we did not pass legislation and while in that particular case the matter was referred to the court and a judgment has been handed down by the court. All I can tell the Hon. Member is that our board

has been very effective, it has worked, it has had the acceptance I think more than any other board. They are doing a fine job and in that particular case we are studying the decision of the court. It is only in one case that it has been referred and the Hon. Member may be aware that even with the Federal legislation that was passed by other provinces and the courts have dealt with it and have even overruled, e.g. in Ontario decisions by the federal board, despite the fact that they had legislation.

Mr. Stodalka: — Supplementary question, Mr. Speaker. Is the Minister contemplating making any changes to the regulations to ensure that any of the future decisions are binding?

Mr. Smishek: — Mr. Speaker, the terms of reference have been examined. There are no immediate plans for changing the terms of reference, but it may be necessary. We are monitoring the situation carefully and if the need arises to alter the terms of reference, we will consider it.

DEPARTMENTS OVERSPENDING THEIR BUDGETS

Mr. Lane: — We have now had an admission in fact that two departments have spent their budgets, close to spending their budgets, already with several months left in the fiscal year. Can the Minister of Finance tell us how many other Government departments are short of funds already indicating either poor planning or a misleading budget from last year?

Mr. Smishek: — Mr. Speaker, there are no departments that are short of funds.

Mr. Lane: — A supplementary to the Minister of Finance. I understand that two Ministers have already indicated otherwise. Are you prepared to stand by your statement? Now, Mr. Minister, I would like you to assure this House that in fact we are not going to have a deficit budget, an assurance given last year. One that seemingly has been a false assurance given by the Minister and that in fact, Mr. Speaker, we will have a balanced budget promised by the Minister.

Mr. Smishek: — Mr. Speaker, the Hon. Member has been very glib about talking about finances. I noticed the other day he made an allegation that 24 departments or branches or agencies of the Government were not audited by the Provincial Auditor. That is a complete falsehood and the Hon. Member as chairman of the Public Accounts knows that to be true but he is trying to catch some kind of headlines equally as he is trying to allege . . .

Some Hon. Members: Hear, hear!

Mr. Smishek: — Mr. Speaker, he is trying to make news for himself because of discrediting himself in the last several months. He knows that it is incorrect and he knows that moneys were provided. This Legislature approved the budget, it is a budget that is providing sufficient funds for all the departments and all agencies of the Government.

Some Hon. Members: Hear, hear!

Mr. Speaker: — Order! I will ask the Members to not put questions which are argumentive and which call for an argumentive answer, which is equally as undesirable as an argumentive question.

FARM WELLS IN POPLAR RIVER AREA

Mr. R.E. Nelson (Assiniboia-Gravelbourg): — Mr. Speaker, I have a question for the Minister in charge of the SPC. At the mining site at the Poplar River area, the pumping of water at the 70 foot level has now affected farm wells over two miles from the site. I am informed today that more farm water supplies have been tested and found unfit for human consumption. While SPC has attempted without success to find suitable waters in the area, can the Minister tell this Assembly what he intends to do to give these farm homes immediate suitable water supplies?

Mr. J.R. Messer (Minister in charge of SPC): — I have conveyed to the House on previous occasions that the Saskatchewan Power Corporation and its engineers have committed themselves to farmers if wells are affected, to replace that water by the drilling of other wells. I am aware as the Member has noted that there are problems in trying to re-establish adequate and acceptable qualities of water from deeper wells. We therefore are undertaking to look at purification systems or means of being able to treat that water so that it would be of an adequate and acceptable standard. If that is not successful we will have to undertake to provide sources of water by other means, that may be by the establishment of reservoirs on the farms which would be filled by hopefully natural runoff. If that's not the case it would have then to be filled by human means, trucking and filling these reservoirs. If that is not acceptable we'll have to find some other means of establishing a reservoir of water. But the commitment has been made and we will see that they will have adequate supplies of water. I know that it is somewhat frustrating during the interim of time where the pumping has in fact affected those wells and we are having difficulty in giving immediate good quality water.

Mr. Nelson: — Mr. Speaker, the Minister has assured us he is trying, I can assure the Minister it is not successful. Has the Minister considered piping water from the town water tower that is not too far away from the farms already affected?

Mr. Messer: — Mr. Speaker, I have not personally undertaken to consider that. I appreciate the proposal that the Member for Assiniboia Gravelbourg advances. I can assure him if having exhausted all other alternatives that remains to be a feasible alternative to consider. Yes we would consider that, and would hopefully reach the stage of consideration at a very early time so that these farmers who are affected are not affected for a prolonged period of time.

WELCOME TO STUDENTS

Mr. Messer: — Mr. Speaker, I wonder with leave of the House if I

could undertake to introduce a group of students who I thought were here earlier and introduced, but they came in only several moments ago.

Thank you, Mr. Speaker. I should like to introduce to you and through you to the Members of this House a group of students sitting in the Speaker's Gallery from the community of Mistatim. As I said earlier, they are accompanied by their principal, Mr. Larry Monsees. I see also another constituent of mine, Mr. Herbatiuk with them, there may be some other people as well. I know that they have arranged a tour of their own of the city, so I am not aware of where they have been. I hope they will enjoy the visit to the Legislature. I hope that they will take note of the proceedings in this Assembly and appreciate its democratic principles and practices.

I will be meeting with them at 3:30 o'clock to answer any questions they may have. I know, Mr. Speaker, that all Members will wish to welcome them and wish them a safe journey home.

Hon. Members: Hear, hear!

ANNOUNCEMENT

DISPLAY — RE PARLIAMENT HISTORY

Mr. Speaker: — Before Orders of the Day, I want to acquaint members with the comprehensive visual display which is being assembled in the upper rotunda of the Legislative Building, it has been referred to earlier today.

This particular display travelled to various centres of Canada and traces the history of parliament from Alfred the Great to the present day. It was originally prepared at the request of the Japanese Government. The display was first seen in the Museum of the Diet in Tokyo in 1973. The British High Commission which is organizing the tour says,

. . . All the historical milestones of orderly constitutional government are illustrated in the 22 panels which include reproductions of eight ancient manuscripts and parchments, such as the Magna Carta and the artist's impressions of the times.

The display details the history of parliament itself, rules that govern parliamentary procedure and how parliament makes laws. The display will be open to the public in Regina until late January or early February, when it will be shipped to Winnipeg for further display.

Prior to assembling the exhibit here in Regina, it was in Edmonton.

Mr. Collver: — Mr. Speaker, before the Orders of the Day, if I may, I should like to rise on a Point of Correction on the matter raised by the Minister of Finance — I'm entitled to correct a

mis-statement. Mr. Speaker, would you rule if it is a Point of Correction or a Point of Order. The other day you suggested to me I should rise on a Point of Correction to correct a mis-statement, that's what I am rising to do. I don't know if it is Order or Correction?

Mr. Speaker: — Can the Member state as briefly as possible what the Member wishes to bring forward? I can assure the Member if it is a Point of Debate I will rule it out of order.

Mr. Collver: — It is not a Point of Debate Mr. Speaker, I am prepared to table a document, if this is so desired. It is a list of the 27 organizations associated with the Government of Saskatchewan in which audit reports were not issued for the fiscal year 1974-75. It is located in the Public Accounts Committee of April 2, 1976. I would be more than happy to table this document, if that is what I have to do. Otherwise I am prepared to read the list into the record to correct the Minister's statement. I don't know which is preferable. Since this particular document has already been tabled in the Legislature one would hope that the list could be read there. If not I am prepared to read the list.

Mr. Speaker: — I believe what the Member is doing is re-presenting something that is already before the Assembly. His point is with regard to the interpretation of a document which has been tabled and I think that is a debatable matter.

I think we can move on to the next item of business.

WHITE PAPER — TRADE PRACTICES LEGISLATION

Hon. E.C. Whelan (Minister of Consumer Affairs): — Before the Orders of the Day I want to advise the Members of the Assembly that I have tabled a proposal for a Bill on Trade Practices as a White Paper. The two main objectives of the Bill are (a): to prevent or stop unfair, unconscionable acts or practices, and (b): to provide remedies for consumers who have suffered losses as the result of such practices, as well as providing protection and compensation for consumers.

Such a Bill would also provide trustworthy business people with the opportunity to operate in a marketplace where competition from unfair or unscrupulous operators would be curbed. The proposed Trade Practices Bill would have very broad application and affect more people in more ways than most other Acts of the Legislature. For this reason, we encourage both business people and consumers to write their comments to the Department of Consumer Affairs. We hope that all interested people will take this opportunity to have input into the vital area of Trade Practices legislation.

Mr. Lane: — Mr. Speaker, would the Minister accept a question prior to his taking his seat? Would the Minister assure this House that before any press conferences or anything on the particular Bill, that he will give us his assurance that it is not a direct copy of the federal bill as was done with legislation last year by the Department?

Mr. Whelan: — Yes, I will give you that assurance, it is a combination of several bills from several provinces that are quite

similar.

CONGRATULATIONS TO MR. AND MRS. PONTO

Hon. A.E. Blakeney (Premier): — Before the Orders of the Day I would like to make a brief comment. All of us, I think, have admired the bearing and youthful vigor of the Sergeant-at-arms, Mr. Ponto, and accordingly I think it will come as a great surprise to Members to hear that Mr. and Mrs. Ponto look forward to celebrating their 50th wedding anniversary on January 5th, next, before we reconvene. Because that event will take place before we reconvene I wanted to extend to Mr. and Mrs. Ponto our very best wishes on this occasion and to express the wish that they will have many more happy years together.

Hon. Members: Hear, hear!

RULING ON AMENDMENT TO ELECTION ACT

Mr. J.A. Pepper (Chairman of Committee of the Whole): — Mr. Speaker, during the proceedings of the committee I ruled an amendment, moved by the Attorney General, out of order, on the grounds that the principle of the amendment went beyond the principle of the bill. My ruling was challenged.

Mr. Speaker: — The ruling of the chairman of the committee has been challenged and the question before the House is: shall the ruling of the Chairman of the committee be sustained.

Ruling of Chairman sustained on the following recorded division.

YEAS — 28

Blakeney	MacMurchy	Faris
Bowerman	Mostoway	Rolfes
Smishek	Larson	Cowley
Romanow	Whelan	Tchorzewski
Messer	Kaeding	Nelson (Yorkton)
Snyder	Kwasnica	Allen
Lange	Dyck	Koskie
Kowalchuk	McNeill	Johnson
Matsalla	Feschuk	Banda
Robbins		

NAYS — 7

Collver	Birkbeck	Berntson
Larter	Ham	Katzman
Lane		

SECOND READINGS

Hon. R. Romanow (Attorney General): moved second reading of Bill No. 55 — **An Act to amend The Election Act No. 2.**

He said: Mr. Speaker, I'll call then Bill 55, The Election Act No. 2. I think all the Members are familiar with this. This

amendment seeks to deal with the question of Government advertising. The present prohibition with respect to general elections of course will remain. In the case of a by-election this proposed bill will prohibit publication of Government activities in the constituency in which the by-election is to be held. In the case where the constituency in which the by-election is to be held contains in whole or in part an urban municipality, keeping in mind the Sutherland situation, having a population in excess of 20,000 inhabitants the prohibition will extend to the whole of the urban municipality and thus publication of Government activities will be curbed in the constituency and in that area.

Mr. Speaker, I think we know fully the situation which has been before the Members for some time.

I move second reading of Bill No. 55.

Mr. J.G. Lane (Qu'Appelle): — Mr. Speaker, I should like to make a few comments.

We had a situation tonight develop and it developed solely because of the incompetence of the Attorney General of this province.

Can you imagine, Mr. Speaker, a government and an Attorney General . . .

Mr. Cowley: — . . . Mr. Speaker, on a Point of Order.

Mr. Speaker: — What's the Point of Order?

Mr. Cowley: — Mr. Speaker, it seems to me as I recollect the rules that a Member speaking in one debate in the same Session of the Legislature cannot refer to comments made in another debate, on another bill or whatever in that same sitting.

Mr. Speaker: — I think the Member is speaking to the principle of Bill 55 and must restrict his comments to the principle of the bill and not make his comments in the order of a Point of Order, which it appeared to me he was making.

Mr. Lane: — I have not yet commented on another bill.

Now, Mr. Speaker, surely the people of this province are entitled to a situation and actions by an Attorney General that can bring legislation before this House once. I don't know why the Attorney General found it impossible to have us discuss Bill 55 twice and deal with this amendment twice.

Mr. Speaker: — Order, order! I would ask the Member to not deal with what appears to be some kind of Point of Order, because within my knowledge this is the first time that this item has come before the House. consequently, I have to treat it as an initial discussion of Bill 55.

Mr. Lane: — This particular bill, Mr. Speaker, has

ample precedent and it has background which is vital to the discussion of this particular bill. Now we have to be assured by the Attorney General and he has failed to do it, that this bill will be able to get through a committee tonight. We don't have that assurance. We haven't had time, as the Opposition, to review the bill, make sure it is in compliance. I don't know about the other Members, but I just got my copy on my desk just now. If the Hon. Members are saying I had ample opportunity before, then they are saying, Mr. Speaker, I should be able to refer to what was before this House before, and I can't do that according to the rules and according to the Attorney General, and according to the Minister — irresponsible for the Potash Corporation.

Now, it seems to me that if we are going to discuss this matter then surely we should have had more time. We are taking an assurance from the Attorney General (I have to refer to matters before, I might add, Mr. Speaker), but we don't have any assurance that this bill is going to get through committee. As a matter of fact, referring to the past record of the Government their drafting is so poor that it's doubtful whether this particular bill is going to be drafted or has been drafted well enough to be able to get through the hard scrutiny of the chairman of the Committee of the Whole.

Now why the Attorney General with his terrible record on presenting legislation would not refer to those remarks in his second reading speech, again it is beyond me. Is it because the Attorney General is having so much trouble in his department; is it because the Attorney General's department is falling apart under his very nose that he keeps giving us an assurance that this bill is properly drafted and this amendment is in compliance with the Act. Surely, Mr. Speaker, that is something we were entitled to on the second reading speech of the Attorney General. Why he refused to give us his personal assurance that this bill was properly drafted, that there will be no more games played, why he couldn't give us that assurance is something I think shows the utter disrespect of this House which the Attorney General has shown tonight. We know it, the Attorney General knows it and I think Mr. Speaker, that the actions of the Attorney General in this Assembly tonight brought this House into disrespect, disrepute and it is time to stop the game playing and it is time to get on with the business and the people of this House and I want to hear from the Attorney General, that notwithstanding the poor shape his department is in; his bad record on bringing poorly drafted legislation before this House, that he will give us . . .

Mr. Speaker: — Order, order! Speaking about getting back to the business I would caution the Member that I haven't yet heard his discuss the principle of the bill that I see before me, as Bill 55. It seems to me his entire remarks have been directed as a quasi-personal attack on the Attorney General. I am unable to understand it, since the bill is new to me, it seems to me that the Member for Qu'Appelle should have made his intervention earlier in the evening when I asked leave. I didn't recall anyone saying they wouldn't allow leave for this bill to proceed. No one intervened at that time. It was granted leave to proceed.

Mr. Lane: — I think, Mr. Speaker, that I am referring in my remarks to an omission in the remarks of the Attorney General, an assurance which I think the Opposition Members deserve, and that

is an assurance that this bill because of the urgent matter, urgent being the fact that we expect to adjourn the House out of courtesy to Members to my right and that an assurance from the Attorney General that this bill is in fact properly drafted and it will get through Committee of the Whole tonight, an assurance that the Attorney General very pointedly refused to give us. I think that that refers directly to the remarks of the Attorney General in second reading, Mr. Speaker. And again, the Attorney General's record is so bad in bringing bills before this House, I hope that in his reply to this . . .

Mr. Speaker: — Order, order! will the member deal with the principle of the bill. He can call for the Attorney General to include something in his comments in closing the debate on the bill, if he wants. But, I don't think it requires an attack of any kind of the nature that I have heard.

Hon. R. Romanow (Attorney General): — Mr. Speaker, it is very difficult to close a debate in the light of the remarks made by the Hon. Member for Qu'Appelle. I do want to close by simply saying one thing which I think should be absolutely clear to everybody. This bill is identical to the House amendments which the Member for Qu'Appelle and the Conservative Party have had for, I don't know how many hours today. They know and he knows it. I think that I would be upset somewhat personally by the criticisms on what I think is a purely personal attack if they came from any other quarters than from where they do come.

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

Motion agreed to and bill read a second time.

MOTION

HOUSE ADJOURNMENT

Hon. R. Romanow (Attorney General): — I move, seconded by the Hon. W. E. Smishek (Minister of Finance):

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

ROYAL ASSENT TO BILLS

At 9:47 o'clock p.m. the Lieutenant-Governor entered the Chamber, took his seat upon the Throne and gave Royal Assent to the bills presented to him.

The Assembly adjourned at 9:50 o'clock p.m.