

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Third Session — Eighteenth Legislature**  
**12th Day**

**Monday, March 7, 1977.**

The Assembly met at 2:—00 o'clock p.m.

On the Orders of the Day.

**WELCOME TO SENIOR CITIZENS**

**MR. J. R. KOWALCHUK** (Melville):— Mr. Speaker, for many years I have had the privilege of introducing many young school students from the Melville constituency who have come to this Legislature to see this beautiful building and to get a glimpse of how the Members of the Saskatchewan Legislature work on their behalf.

Today, Mr. Speaker, I have the honor and the privilege of introducing through you, sir, a distinguished and a very honored group of people from the Melville constituency. In the Speaker's Gallery, Mr. Speaker, there are 50 people ranging in age from 94 down to 60, I think, 50 people, who still have the energy and the ambition and the enthusiasm to visit and get out and be seen and be heard and it is they that we are welcoming here today. Fifty people, senior citizens from Melville and I am sure that all of us here today are privileged to have this group and are welcoming them here and are very proud to have them here this afternoon on this opening day of the Legislature. It gives me personally a great deal of pleasure to introduce them to this House.

**HON. MEMBERS:**— Hear, hear!

**QUESTIONS**

**GOVERNMENT OF MR. LEVESQUE**

**MR. E. C. MALONE:**— (Leader of the Opposition):— Mr. Speaker, I should like to direct a question to the Premier. The question is similar to the one that was put to the Premier in the fall session by my predecessor and deals with the new Levesque Government in Quebec. At that time and at this time I should like to ask the Premier the intentions of the Government of Saskatchewan in dealing with the Government of Mr. Levesque? The Premier will recall at the time he answered Mr. Steuart's question that he indicated that he was going to wait or take a wait-and-see attitude and that was, in my view, an entirely appropriate answer. He indicated as well that he was going to wait until there was more evidence as to what the Government of Mr. Levesque's intentions were with Canada. I think now the evidence is in, that Mr. Levesque made it very clear in his speech to the New York financiers of a month or so ago that his government is determined to destroy Canada as we know it today. In view of Mr. Levesque's statements and statements of his Cabinet Ministers, has the Government of Saskatchewan changed its position and its attitude in dealing with Mr. Levesque's Government?

**HON. A. E. BLAKENEY:**— (Premier) Mr. Speaker, in answering that question, may I first tender my congratulations to the Member for Lakeview on being

elected Leader of the Liberal Party ..

**HON. MEMBERS:**— Hear, hear!

**MR. BLAKENEY:**— ... in a spirited and hard-fought convention. I appreciate the opportunity to respond at this resumed session of the Legislature to the first question asked by the Leader of the Opposition.

Our position is not dissimilar from that which we enunciated immediately after the election of the Levesque Government in November. I think it is now clear, as the Hon. Member says, that the Levesque Government or at least the Premier and many of his Cabinet Ministers, are committed to a policy of the separation of Quebec from Canada. Accordingly we will take that into account in our dealings with the Quebec Government, since we wish to give absolutely no aid or comfort to the Levesque Government or any other provincial government which has as its purpose the dismemberment of Canada.

**HON. MEMBERS:**— Hear, hear!

**MR. BLAKENEY:**— We will, therefore, have to assess each case on its merits if we get any requests for assistance over and above the assistance that all provinces provide in making Canada work, for example, the attendance at federal-provincial conferences, and the regular participation in discussions. Those will, of course, go on. Whether we will give any particular assistance to the Levesque Government, even of the kind which we would ordinarily give without thought or question to another provincial government, I think will depend upon the nature of the request. As it now stands we are not committed to give any particular or special assistance to the Levesque Government, nor have we been asked for any. Accordingly I think our position is slightly changed from that which I enunciated in November because of the reason stated by the Hon. Member for Lakeview (MR. MALONE) that we all now know a little more about the intentions of that government.

**MR. MALONE:**— A supplementary question, Mr. Speaker. I thank the Premier for both his answer and for his kind remarks before his answer.

In a more positive way, does the Government have any intentions of demonstrating to the people of Quebec and to the government of Mr. Levesque that the people of Saskatchewan in a very meaningful and real way are opposed to the separation of this province from Canada? And have you considered taking any such action as a speaking tour by yourself or by your associates in the Cabinet or by having anything done in this Legislature at this sitting to indicate to the people of Quebec the position of the people of Saskatchewan?

**MR. BLAKENEY:**— Mr. Speaker, I have indicated the views of the Government of Saskatchewan and I think probably the people of Saskatchewan on this issue in a number of public speeches in Saskatchewan and a couple outside Saskatchewan. One to the Canadian Club in Toronto and one to the Calgary Chamber of Commerce in particular attempted to outline our position.

With respect to whether or not it would be prudent and appropriate for me or for any of my Ministers to embark upon a speaking tour of Quebec, I am taking some counsel as to whether that would be productive or counterproductive. Heretofore there has been a custom in public affairs in Canada that Premiers did not go into other provinces and make speeches about matters which were thought by the residents of that other province to be matters of internal concern. That, I think, is understandable. In this case what might be regarded as a matter of internal concern to the people of Quebec is a matter of great concern to people outside Quebec and we, therefore, have to make an assessment as to whether or not it would be an asset or a liability to the federalist cause for any premier outside of Quebec to undertake in a speech in Quebec to express points of view as to what Quebec should do.

I note my colleague, the Premier of Ontario, ventured into this field lightly when he was in Quebec City, allegedly on another errand, to attend the Carnival, but he was fairly circumspect. We simply have to be very cautious that we do not give to the advocates of separation yet another stick to beat us with, to say that here are the "Anglos" coming into our province and telling us what to do. So I think the dilemma is clear; the solution is less clear at the moment.

**MR. MALONE:**— A supplementary, Mr. Speaker, again to the Premier. Have you received any communications from the Premier of Quebec or the Government of Quebec requesting assistance either financial or advisory or of personnel to set up social or economic programs in Quebec and, if so, what has been your response?

**MR. BLAKENEY:**— The answer is no. We have not received any communications from the Premier of Quebec nor any of his Ministers. At an early stage there were some suggestions that we might be receiving some sort of a request but nothing has materialized.

**MR. J. G. LANE:**— (Qu'Appelle) I should like to direct a question to the Premier. At the first Ministers' Conference the press reports seemed to indicate that there was a pretty strong reaction from some of the first Ministers against helping Quebec, whether they were accurate or whether they were in the heat of the moment, so to speak, at the time in their reaction to the election of the Quebec Government. Has there been any movement by provincial premiers to act in concert either formally or informally to work and try to come to grips with the particular problem and take a common course of action?

**MR. BLAKENEY:**— Mr. Speaker, the answer is, not so far as I am aware, I have not been involved in any such course.

**MR. LANE:**— By way of further supplementary, Mr. Premier, I am wondering in light of the really abject failure of the Government in Ottawa to come to grips with the problem that perhaps it wouldn't be time for the Premiers of Canada to use their powers and their abilities to try and take some definite action and come up with a common course of action, again in light of Ottawa's failure over the last 10 years?

**MR. BLAKENEY:**— Mr. Speaker, I am not one of the greater admirers of the Government at Ottawa. But nonetheless in some of these issues one might apply the adage that one bad general is better than two or ten or eleven good generals. And I am not suggesting that the Government at Ottawa is necessarily doing a bad job in this area. I think this is an area in which provinces should tread with some degree of care since there are many aspects of it which clearly are within the federal ambit. I, and my fellow premiers, I am sure, are prepared to give any assistance we can and would be prepared, at least in my case, to initiate some moves if I felt that they were likely to be productive. On the other hand I do not wish to inhibit in any way any efforts that the Government of Canada may be mounting since they are the Government of Canada, they are my government, even though they did not get my vote. I really must respect the obligation I owe to them not to interfere in their areas as I expect them to not interfere in appropriate provincial spheres.

**SOME HON. MEMBERS:**— Hear, hear!

### ENQUIRY INTO THE OPERATIONS OF REGINA CITY COUNCIL

**MR. E. F. A. MERCHANT** (Regina Wascana):— Mr. Speaker, I wonder if the Attorney General would indicate whether the Government has decided whether or not you will co-operate with the request by Regina City Council to look into the allegations of misconduct and the allegations of improprieties in the letting of contracts? I wonder also if the Minister would indicate whether you find yourself as a government in an awkward position because the Member for Regina Victoria (Mr. Baker) is both an NDP Member as well as the Mayor of the city of Regina?

**HON. R. ROMANOW** (Attorney General):— The answer is No and No.

**MR. MERCHANT:**— I wonder secondly, Mr. Speaker, if the Minister would indicate whether you have any contingency plan, if I may put it that way, to avert the possibility of three very excellent members of the City Council being kicked off the Regina City Council because of the operation of Section 32 (a) of The Urban Municipalities Act which you brought in as an amendment, a rather stupid amendment, which would result in people like Tim Embury being kicked out of the . . .

**MR. SPEAKER:**— Order. I should like to bring the House to Order on two points. First, with regard to the Member's question, I find it to be argumentative and tending towards debate. I would ask the Member to take a brief moment to rephrase the question if he feels it is necessary.

I would remind the public in the galleries that we have had some changes in the rules lately and that allows the people in the galleries to take notes as they see fit, but it does not allow the public to take pictures from the galleries.

**MR. MERCHANT:**— I suggest, Mr. Speaker, that the Minister has a clear understanding of that question and I think that the Minister understands that there is now the possibility of a private

prosecution being launched against all four city council members, including the Mayor, and all four being thrown off city council without the right to seek re-election for three years. If that should happen, is there any intention by the Government to intervene and stop the operation of the amendment that they brought in in 1973?

**MR. ROMANOW:**— Mr. Speaker, the question really is premature, since I have no official communication on the problem other than the newspaper story in Saturday's paper, but nothing has come to my attention. The question is based on a hypothetical set of circumstances, namely prosecution and I am simply unable to tell the Member until we have had an opportunity if that opportunity arises to deal with the matter in further detail at a later date.

#### **TEACHER-TRUSTEE PER DIEM INCREASE**

**MR. R. H. BAILEY** (Rosetown-Elrose):— Mr. Speaker, I should like to direct a question to the Minister of Education. Is the Minister aware of the recent Order in Council which granted the teacher-trustee bargaining team a very substantial per diem increase in payment?

**HON. E. L. TCHORZEWSKI** (Minister of Education):— I am aware of the increase that has been granted for the members of the negotiating committee who are the trustees, yes.

**MR. BAILEY:**— A supplementary question, Mr. Speaker. The per diem increase is 50 per cent as I read it in the Gazette. Can the Minister tell this Assembly whether or not this 50 per cent increase was approved by the Public Prices and Compensation Board?

**MR. TCHORZEWSKI:**— It is my understanding that all such proposals go to the Wages and Compensation Board and as to the disposition of that, I couldn't tell you unless I check further.

**MR. BAILEY:**— A supplementary question, Mr. Speaker. My understanding to the question is that it hasn't. Will this 50 per cent increase, Mr. Minister, be reflected in any way to the detriment of the current salaries which are now in dispute?

**MR. TCHORZEWSKI:**— I am tempted to make a speech, Mr. Speaker. First of all, let me make a correction. The current salaries are not in dispute. Negotiations are carrying on and I think they are carrying on relatively well. The increase in per diem has no effect at all on the status of those negotiations.

#### **RATE INCREASES FOR SGIO**

**MR. S. J. CAMERON** (Regina South):— Mr. Speaker, a question to the Minister in charge of Saskatchewan Government Insurance Office (SGIO). I am curious about the cynical timing of the announcement of the rate increases for SGIO. I should like to ask the Minister what accounts for the fact that that information was withheld from the public until

the day after the two by-elections?

**HON. E. C. WHELAN** (Minister of Consumer Affairs):— Mr. Speaker, I am very anxious to satisfy the Hon. Member's curiosity. He says he is curious. We announced them as soon as we had them ready.

**MR. CAMERON**:— A supplementary, Mr. Speaker. Would the Minister indicate whether or not the Board of SGIO approved the increases and if so on what date, and if so, if there is a written minute to that decision?

**MR. WHELAN**:— The question that the Hon. Member has asked is:— whether or not the Board of Directors of SGIO had dealt with it. Yes, they had, but they are not the only people that look at the rates and decide whether they should be approved.

**MR. CAMERON**:— My supplementary included the question, when? When did the Board come to a decision? And if so, is there a written minute for that decision?

**MR. WHELAN**:— I can't remember exactly, but I am sure you can get the exact answer to your question from the Crown Corporations Committee, but it was just a few days before the announcement. Then it had to go to the Executive Council.

**MR. CAMERON**:— May I ask the Minister if he would undertake to provide that information to the House, when it was approved by the Board, and if so, whether there is a minute, and would he produce the minute?

**MR. WHELAN**:— As I indicated earlier, Mr. Speaker, the Hon. Member will have every opportunity to raise the matter in the Crown Corporations Committee, when the financial statement of SGIO is before the Committee.

**MR. R. L. COLLVER** (Leader of the Progressive Conservatives):— Mr. Speaker, a supplementary on that question. Is the Minister aware that in every other year, at least since records that we can find are available, the information released the day after the by-election was released prior to February 28 in order to accommodate people such as taxi cab owners and people of that nature who would have sufficient time then to save enough of their money, set aside enough of their money, to be able to pay for the plates and insurance that they have to buy. In this particular circumstance, is the Minister aware that for the first time since we can find records it has been issued after February 28?

**MR. WHELAN**:— Well, there are a lot of things that are usually happening I suppose, but this is something that I should like to advise the Hon. Leader of that particular group, that this is the first time and is he aware that we were shifting the responsibility for licensing from the Department of Finance over

to SGIO and this all had a bearing on what took place. If you will search the records you will find that that never happened before.

**MR. COLLVER:**— The answer to his question, Mr. Speaker, is Yes, I am so aware.

### **GUARANTEES GIVEN BY SEDCO TO PROTECT SHAREHOLDERS**

**MR. R. E. NELSON** (Assiniboia-Gravelbourg):— I have a question for the Minister in charge of SEDCO (Mr. Vickar).

In view of the recent financial collapse of the Golden Acres Motel in Moose Jaw, would the Minister tell this Assembly if there were any personal guarantees given or taken by SEDCO from the original shareholders or others to protect the loan against the nearly half million dollar loan given to Fairview Development Limited of Moose Jaw?

**HON. N. VICKAR** (Minister in charge of SEDCO):— Mr. Speaker, the information I have, the guarantors who were responsible for the motel in Moose Jaw still remain, and I am not aware that there will be any changes at this particular time.

**MR. NELSON:**— I wonder if the Minister would at this time tell us just who they are, and if he has any problems I am sure he can ask his seatmate.

**MR. VICKAR:**— Mr. Speaker, I am sorry I can't give him that information as to who they are at this particular time. I think that will come out in due course.

**MR. NELSON:**— Supplementary. Would the Minister make those available and the amount of these guarantees at an early date?

**MR. VICKAR:**— Mr. Speaker, I think those things will come out in the Question Period during the Crown Corporations.

### **SHORTAGE OF FUNDS IN COURT SERVICES**

**MR. J. G. LANE** (Qu'Appelle):— Mr. Attorney General, in the last session we had asked you a series of questions on a memo submitted by the director of Court Services indicating that that particular branch of your department was short of funds. You subsequently denied it. You denied that there was a shortage of funds, you, in fact, I believe denied the memo originally. We note now that a special warrant was passed by the Attorney General's Department for approximately nine hundred and some thousand dollars. Can you tell us the specific purpose for which that special warrant was passed? We know that special warrants are only for a specific purpose and we would like to be informed as to why that amount of money was passed by special warrant.

**HON. R. ROMANOW:**— (Attorney General) Mr. Speaker, I don't have that information at my fingertips. Basically, if my recollection is correct, the bulk of that money was spent with respect to Land Titles office operations and overtime involved in Land Titles operations.

**MR. LANE:**— Would the Attorney General not admit then that we are faced with one of two things — either very poor planning by the Department that we have an expenditure of approximately one million dollars, and perhaps that the poor planning seems to be endemic to the Department in light of the Court Services branch. Now can you advise the House what specific actions you are taking in your Department to improve the planning for the expenditures proposed for next year, and what administrative changes you are making within your Department to make sure that this type of practice doesn't happen again?

**MR. ROMANOW:**— I intend to make no administrative changes. There obviously are some matters which will require attention from time to time. The Member will obviously know that not a year goes by where a department, be it the Attorney General's Department or some other department has not had occasion to have need for a special warrant depending upon the nature of the activities. Now it means if it is such that the Land Titles work has to be done and it requires overtime work and overtime personnel to do the job we are going to be paying that extra money to keep business going, and if you say we shouldn't be doing that and that we should be halting the operations of the Land Titles system, then I don't agree with you.

**MR. LANE:**— A further supplementary, Mr. Attorney General.

**MR. SPEAKER:**— Order, order. I'll take the next question.

#### **ENQUIRY INTO THE OPERATIONS OF REGINA CITY COUNCIL**

**MR. E. F. A. MERCHANT** (Regina Wascana):— Would the Attorney General indicate when you will be able to advise the House of the decision of the Government on whether to conduct an enquiry into the operations of Regina City Council, particularly in light of the fact that your colleague the Member for Regina Victoria (Mr. Baker) has had his salary reduced to what may or may not be an appropriate one dollar per year. And might the Minister also indicate if there is to be a long delay whether the Government might consider an appropriate reduction in salary of the Hon. Member for Regina Victoria to perhaps fifty cents a year for his contribution in the House?

**MR. ROMANOW:**— Well if I were to judge salaries by contribution of some Members of the House, I don't know how much I would be paying the Hon. Member for Regina Wascana, but it would be considerably less than fifty cents. That's not the test of course, and to answer the question, we are working on it to get an answer as quickly as we can. I can't be more definite than that.



**MR. MERCHANT:**— Would it be weeks or months?

**MR. ROMANOW:**— I hope within a few days, a week or ten days.

**MR. LANE** (Qu'Appelle):— A further supplementary, Mr. Speaker. Mr. Attorney General, does your tardiness in this particular area have anything to do with your inability to obtain a Deputy Attorney General for the last several months, and what actions are you taking in that regard?

**MR. ROMANOW:**— Mr. Speaker, there are two questions there. First of all with respect to the so-called tardiness to which the Hon. Member refers. This thing arose on Tuesday night. I think it was in my office Wednesday or Thursday, and today is Monday, and I just don't intend to proceed on something of this nature in a cavalier, flippant way as the Hon. Member for Qu'Appelle would want us to proceed. This is a very responsible matter. In fact the Premier draws to my attention, it arrived in my office on Friday. Now the Conservatives may want to deal with all sorts of issues that way and quickly, I don't subscribe to that.

With respect to the question of the Deputy, we are doing the best that we can to recruit a suitable replacement. We have had a number of interested people apply. Frankly, as far as I'm concerned I will take as long as is necessary to get the type of person who I think is going to be of the outstanding calibre for Deputy Attorney General and I am not going to be rushed into it.

**SOME HON. MEMBERS:**— Hear, hear!

### **EXPROPRIATION OF TWENTY THOUSAND ACRES OF LAND**

**MR. W. C. THATCHER** (Thunder Creek):— I should like to direct a question to the Minister of Agriculture (Mr. Kaeding).

I know that the Minister is aware that the city of Regina plans to annex or expropriate twenty thousand acres, much of which is prime Regina plains land. I should like to ask the Minister if he and his Department and this Government approve of the actions of the city of Regina?

**HON. E. KAEDING** (Minister of Agriculture):— Mr. Speaker, I think I have indicated in a meeting I had last week at the Farm Forum that I had some concerns about the annexation of twenty thousand acres by the city of Regina. I indicated some of my concerns at that time and I have indicated to some of the people in the Government my concerns. However, that is not my decision to make whether the annexation takes place and I would presume that the Government will deal with that matter in due course.

**MR. THATCHER:**— Supplementary question, Mr. Speaker.

Will the Minister tell this Assembly whether his Department or his Government is contemplating action upon this sort of expropriation throughout the province. I am sure that the

Minister is aware that this situation is not entirely unique to the city of Regina, that several other cities are equally guilty. The city of Moose Jaw comes to mind offhand. Would the Minister tell this House whether or not he plans to take a very serious look and perhaps implement some form or propose some form of restrictive legislation?

**MR. KAEDING:**— Mr. Speaker, I think you will be aware that last year there was the Land Use Conference convened by the Department of the Environment which discussed these very issues, amongst others, and that there will be a further conference again in April of this year of those same people who have now had a year's time to think about the things that were discussed in the original conference. We are looking forward to that conference as an opportunity to hear from a wide spectrum of people around Saskatchewan as to what they think our land use policy should be. Part of the land use policy would be the policy of annexations around cities, and I will be interested, as you will, to hear what the report of that conference will be. In the meantime we are not contemplating any action.

**MR. THATCHER:**— Further supplementary, Mr. Speaker.

**MR. SPEAKER:**— Final.

**MR. THATCHER:**— Has the Minister considered, in some form or another, putting in abeyance or a freeze on the action contemplated by the city of Regina until some form of government policy is proposed and discussed?

**MR. KAEDING:**— Mr. Speaker, I think the Member should recognize that that's really not a function of the Department of Agriculture, but rather a function of the Department of Municipal Affairs and that question should better be directed to that Minister.

## **STATEMENT**

### **PURCHASE OF POTASH MINE**

**HON. E. L. COWLEY** (Provincial Secretary):— Mr. Speaker, I have a brief announcement which I'd like to make. I'm pleased to announce to this House that negotiations between the Potash Corporation of Saskatchewan and Hudson Bay Mining and Smelting Company have reached a successful conclusion.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. COWLEY:**— Hudson Bay Mining and Smelting has agreed in principle to sell the Sylvite Mine and the refinery at Rocanville to the Potash Corporation of Saskatchewan. The sale is subject to ratification by the Boards of Directors of both HBMS (Hudson Bay Mining and Smelting) and PCS (Potash Corporation of Saskatchewan) and to the finalizing of the detailed purchase agreement.

We expect to close the sale and take over the mine on or before the last day of April. With this acquisition, PCS mines

will have a combined rate of capacity of 2.4 million tons KCL. PCS will rank as the second largest producer in North America.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. COWLEY:**— The price agreed to is \$144 million Canadian. I want to congratulate the representatives of both PCS and HBMS who worked long and hard to bring these negotiations to a successful conclusion.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. MERCHANT:**— Mr. Speaker, I must say we wonder whether those negotiations were successful for the people of this province or successful for the NDP politically.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. MERCHANT:**— A takeover, Mr. Speaker, in a forced way at a time when production is down, when layoffs are common in the industry and when those companies are rumoured to be in difficulty on their own ..

Mr. Speaker, we would be very interested in knowing where the money is from, whether the money will be borrowed and what kind of a debt load this Government now places on the people of this province? It is not good news to the Liberal Opposition, that the Government goes farther down the road of ensuring that this province will forever be involved in the potash industry in an improper way.

Mr. Speaker, it is also, I think, indicative of the way the Government has handled this and the SGIO matter, that quite clearly the Government knew that they had completed these transactions and chose not to make those announcements while the by-elections were going on in Prince Albert and Saskatoon.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. COLLVER:**— Mr. Speaker, by way of comment I would ask the Minister how many new jobs were added in the Province of Saskatchewan, how many new positions were added in the Province of Saskatchewan as a result of this money spent? What, in exchange for the interest rate alone on the \$144 million, what new capacity has been added to the Province of Saskatchewan for the production of potash?

**MR. SPEAKER:**— Order! Introduction of Bills.

## **ANNOUNCEMENTS**

### **NOTIFICATION OF VACANCY IN THE REPRESENTATION IN THE CONSTITUENCY OF PRINCE ALBERT-DUCK LAKE**

**MR. SPEAKER:**— I beg to inform the Assembly of the following vacancy in representation viz.:— in the constituency of Prince Albert-Duck Lake due to the resignation of D. G. Steuart, Esquire.

Secondly, I also beg to inform the Assembly that

Resolution No. 16 under the name of Mr. Steuart will consequently be dropped.

### **DEATH OF MR. LARSON**

**HON. A. E. BLAKENEY** (Premier):— Mr. Speaker, I should like to advise the House of a very sad piece of news. The Hon. Member for Pelly, Mr. Larson died very unexpectedly yesterday while he was engaged in skiing and some other activities. I understand that funeral arrangements have been made for Wednesday afternoon. I am suggesting to you, Mr. Speaker, and to other Members of the House that we have a formal condolence motion tomorrow and the House Leader will be in touch with the Leaders of the other parties or the appropriate officials of the other parties with respect to the House business on Wednesday afternoon. A good number of us will want to attend the funeral and we will have to take counsel as to whether or not it will be useful or appropriate for the House to sit on Wednesday afternoon.

I regret very much that Leonard Larson, who was in good health and in good spirits and generally enjoying life, should be taken quite so suddenly and when he was still very much in his productive years.

**MR. MALONE**:— The Premier will be making a formal motion of condolence tomorrow rather than now?

**MR. BLAKENEY**:— Yes, I will be making a formal motion of condolence tomorrow, because I know a number of Hon. Members will wish to speak, and the news is very sudden.

### **SECOND READINGS**

**HON. R. ROMANOW** (Attorney General) moved second reading of Bill No. 2 - An Act to amend The Summary Of fences Procedure Act, 1969.

He said: Mr. Speaker, I'm speaking to item No. 2, Bill No. 2, Summary Offences Procedure Act, 1969 and an amendment to that Act.

Mr. Speaker, the effect of the proposed amendments is to increase the number of enforcement officers who are entitled to use the enforcement procedures created by The Summary Offences Procedure Act and to clarify the scope of those procedures.

Now, pursuant to the authority vested in the Lieutenant-Governor-in-Council by Section 6 of the Act, The Litter Control Act, 1973 has been designated as a statute to which the enforcement procedures contained in The Summary Of fences Procedure Act apply.

An amendment at the last session of the Legislature to The Litter Control Act, 1973, designated officers appointed under The Provincial Parks Protected Areas, Recreation Sites and Antiquities Act and The Game Act, 1967, as enforcement officers for the purposes of enforcing The Litter Control Act of 1973. In order to ensure that such persons, given the power as we did by this Legislature, can utilize the enforcement procedure

contained in The Summary Offences Procedure Act, it's necessary to broaden the meaning of the term, peace officer, as used in the Act so as to include those officers who enforce The Litter Control Act, 1973.

When The Summary Offences Procedure Act, 1969 was first enacted the ticket form prescribed for it was the ticket already prescribed under The Vehicles Act. Since then a different ticket form has been prescribed for the former Act. The result is that the two different ticket forms may now be used for such things as offences under The Vehicles Act, The Highways Act and The Wascana Centre Traffic Bylaws. This has resulted in some confusion as to which ticket form may be utilized to lay an information and issue a summons with regard to such provincial offences.

As a result, the amendments to Section 6 of The Summary Offences Procedure Act delete all reference to a ticket under The Vehicles Act and specify that the statutes, regulations or bylaws to which The Summary Offences Procedure Act applies are set out in the regulations to that Act. Thus the statutes now listed in Section 6 sub (1) of the Act will appear only in the regulations.

In connection with this amendment it must be kept in mind that proposed amendments to The Vehicles Act will remove all reference to a ticket form and refer only to the ticket form prescribed by The Summary Offences Procedure Act. Furthermore, the regulations under the latter Act have been recently revised and set out the statutes and the regulations and bylaws for which the summary offence ticket information has been prescribed.

Mr. Speaker, I believe that these amendments are essentially housekeeping and I hope not controversial and I would move second reading of Bill No. 2, an Act to amend The Summary Offences Procedure Act, 1969.

**MR. J. G. LANE** (Qu'Appelle):— Mr. Speaker, a question of the Attorney General. Is there any reason why the Bill wasn't put before the Non—controversial Bills Committee?

**MR. ROMANOW**:— There is no reason. I think that this being in effect a peace officer kind of amendment, the full House should have its attention brought to it and that's the real reason. I could have given it to the Non-controversial Bills as easily, I suppose.

Motion agreed to and Bill read a second time.

**HON. MR. ROMANOW** (Attorney General) moved second reading of Bill No. 3 - An Act to amend The Limitation of Civil Rights Act.

He said: Mr. Speaker, this Act amends The Limitation of Civil Rights Act. The Limitation of Civil Rights Act amendment by adding clause D to subsection 2 of Section 12 exempts the Federal Business Development Bank from the provisions of sub-section 1 of Section 12, which prohibits charging the premiums of an insurance policy insuring the life of a mortgagor or vendor as collateral security to the account of the mortgage or purchase price or of such insurance premium forming a lien or charge on the land.

March 7, 1977

The Limitation of Civil Rights Act amendment, by adding Section 31 exempts from the provisions of this Act, mortgages given to secure a loan made by the Federal Business Development Bank under the Federal Business Development Bank Act of Canada, which was proclaimed to come into force on October 2, 1975.

The effect of these above mentioned two amendments, is that it facilitates the Federal Business Development Bank, considered a lender of last resort to provide risk financing to borrowers financing a business by exempting it from certain provisions of The Limitation of Civil Rights Act, which limits the civil rights of a mortgagee of land including the charging of certain mortgagee's fees, costs and expenses related to the mortgage ensuing on the mortgagor's personal covenant to make certain payments related to the mortgage.

The amendments grant to the Federal Business Development Bank the same exemption the Industrial Development Bank of Canada is granted under this Act, and recognizes that the Federal Business Development Bank established by the Federal Business Development Bank Act of Canada supersedes the Industrial Development Bank of Canada.

Further, the amendments extend to the Federal Business Development Bank a statutory exemption from the Act or any provision of the Act, similar to the right that the Act gives to any corporate body which may in writing agree that this Act or any provision thereof shall have no application to any mortgage or agreement given by it to secure the payment of money.

Mr. Speaker, I move second reading of Bill No. 3, an Act to amend The Limitation of Civil Rights Act.

**MR. LANE:**— Would the Attorney General permit a question to advise me or the House why this didn't go before the Non-controversial Bills Committee?

**MR. ROMANOW:**— Because I wanted to take it before the House.

**MR. SPEAKER:**— I think we're getting into a practice here which is not too desirable. When the Attorney General rises to speak again, I assume he's closing off debate, and rather than permit him to do that I must read the disclaimer here. It is my duty to warn the Assembly that the Hon. Member is about to exercise his right to close the debate and afterwards all Members will be precluded from speaking to this question. Therefore, if any Member wishes to speak, let that Member do so now.

Motion agreed to and Bill read a second time.

**MR. ROMANOW** (Attorney General) moved second reading of Bill No. 4 - An Act to amend The Regulations Act.

He said: Mr. Speaker, this is an Act to amend The Regulations Act.

At present The Regulations Act provides that a proclamation by the Lieutenant-Governor is not a regulation within the meaning of that Act. The Interpretation Act provides that a proclamation of the Lieutenant-Governor shall issue upon an

order of the Lieutenant-Governor-in-Council. The amendment will ensure that an order of the Lieutenant-Governor-in-Council directing the issue of a proclamation is not a regulation within the meaning of The Regulations Act. The situation after amendment will be that neither a proclamation of the Lieutenant-Governor nor an order of Lieutenant-Governor-in-Council directing the issue or proclamation is a regulation within the meaning of The Regulations Act.

I move second reading of this Bill.

**MR. LANE:**— Mr. Speaker, I'm sure the Attorney General on closing debate will give us an explanation of why this particular matter wasn't put before the Non-controversial Bills Committee.

**MR. ROMANOW:**— Mr. Speaker, I note that the Progressive Conservatives on the first day of the Legislature are raising one of the major issues of the House. They are raising this very important issue of why this and the previous two other Bills weren't referred to the Non-controversial Bills Committee.

I normally would like to refer most of these Bills to the Non-controversial Bills Committee, but it involves a rather delicate judgment call on my part as to how the Progressive Conservative Opposition would relate to me bouncing such legislation to the Non-controversial Bills Committee. And since it's almost impossible to read the minds of the Progressive Conservative Party, Mr. Speaker, I have decided that it's best to put these Bills before the House. They can be dealt with as expeditiously as possible. If the Hon. Member doesn't agree with them, he can speak to them. I'm not going to take my advice from the Hon. Member as to whether or not a Bill should go to the Non-controversial Bills Committee. It comes before this House in the best judgments that I see fit and I would simply ask the Hon. Member of the Conservative Party to try and get the debate elevated a little bit higher than simply asking whether or not it should be referred to the Non-controversial Bills Committee.

I move second reading of this Bill.

Motion agreed to and Bill read a second time.

**MR. ROMANOW** (Attorney General) moved second reading of Bill No. 5 - An Act to amend The Land Contracts (Actions) Act.

He said:— Mr. Speaker, this is an Act to amend The Land Contracts (Actions) Act and I will simply say on this that this is a companion Bill to the Bill which we dealt with just a few minutes ago, The Limitation of Civil Rights Act. It is a companion piece of legislation which deals with the Federal Business Development Bank Act, with the same explanation as before.

I move second reading of this Bill.

**MR. S. J. CAMERON** (Regina South):— Mr. Speaker, if I may direct a comment or two with respect to this Bill, not to the specifics of what this Bill does but with respect to the more general question about this Act and the

previous one, that is to say The Limitation of Civil Rights Act and The Land Contract Actions Act. What I would like to do is to tell Members of the Assembly some of the purposes and some of the proceedings that are necessary under these two Acts in certain events and then to suggest to you, the Attorney General and Members opposite, that I think the time has come when we should have a general review of these Acts to see whether others in other circumstances shouldn't be exempted from them.

Let me give you an example of what happens. There is an elderly couple who are both in their sixties and who have no income with the exception of their old age pensions, and believe me, no other income. They have one asset, that asset consists of a house which they sold for \$35,000 in June of 1975. In September the people who purchased the property began to default in making their payments. The payments I think were \$280 per month. They continued to default throughout September, October, November and into December and over Christmas. Then they made one or two spotty payments and then ceased making payments again for a long time. Now the only source of income, as I say, that these two people who sold the house had, was their old age pension. They sold the house banking on those payments to assist them in adding to the old age pension for sufficient income to get by on.

Now, those people, when they come to take some action to recover their monthly payments, are met with these obstacles to them. In the first place they have to go to the board, as the Attorney General knows, the Provincial Mediation Board, to get consent to take any proceedings. So they are required to make formal notification to the Provincial Mediation Board, wait 30 days, then they are entitled to proceed. Then, under The Limitation of Civil Rights Act they are restricted in suing to recover their property. They cannot sue for recovery of the monthly payments. So they are in the dilemma of having to take action to get the house back but the purchasers have paid \$4,000 or \$5,000 down so the courts are reluctant to give them the house back and they cannot sue for the monthly payments, they can't garnishee or take any other action in respect of them because they are not permitted to do this under The Limitation of Civil Rights Act. Then in order to get the house back they have to make an application by Notice of Motion served on the other people before a District Court Judge to get permission under The Land Contract (Actions) Act to carry forward an action. Then once they do that and get permission in due course, they then have to start an action in a regular way to recover their property.

Now what happens is that it is not at all unusual to find people in these circumstances with all those steps laid before them and their rights circumscribed as they are, being two years or more in getting the property back and in the meantime having no monthly payments and accumulating, not incidentally, fairly heavy legal bills. So I would like to see at one of these sessions and perhaps the next one would be a good time or between them, to consider having a committee of Members of the House review this legislation which goes back to the 1930s. It was introduced, as lawyers in the House will know, as a safeguard to people in those economic circumstances from losing their property. And I think that a committee of Members of the House should review these two pieces of legislation to see whether we ought not to be exempting from their provisions people in the category of the people that I have talked about.



There is no doubt these two Acts, in those circumstances, work a very real burden and hardship on people of that kind. So with those few comments, Mr. Speaker, I would like us over the course of the next year or so to direct our minds as Members of the Legislature to looking at those two pieces of legislation and understanding some of the burdens that are caused under it for some people.

**MR. J. G. LANE** (Qu'Appelle):— Mr. Speaker, I should like to make some comments.

The Attorney General again has failed to advise this House why this particular amendment did not go before the Non-controversial Bills Committee. That committee was set up to avoid the very practice that the Attorney General is taking us upon today and that is bringing non-controversial matters before this House. The committee was designed to expedite the proceedings of this House and why the Attorney General has chosen to avoid that particular practice and that speedy procedure, an answer hasn't been given by the Attorney General when he calls it a delicate judgment call. It was a bad judgment call and I submit it was very indelicate. The fact is the Attorney General is wasting the time of this House. A procedure has been set up to do this very practice that is non-controversial bills, and I have asked the Attorney General this question in the past, Mr. Speaker.

**MR. SPEAKER:**— I would ask the Member to direct his remarks to the principle of the Bill under discussion at this time.

**MR. LANE:**— The principle of the Bill, Mr. Speaker, is a very minor amendment to an Act, a very minor amendment that the Attorney General has admitted could have gone before the Non-controversial Bills Committee. The House is starting off this Session in exactly the way it ended last time with the Attorney General playing games, wasting the time of this House and I beg leave to adjourn the debate.

Motion to adjourn debate negatived.

**MR. ROMANOW:**— Mr. Speaker, I want to say first of all that in my judgment the remarks from the Member for Regina South (Mr. Cameron) on this Bill were indeed very substantive remarks. I believe that this kind of an amendment gives an opportunity for Members of the Legislative Assembly from all sides of the House to raise some very fundamental questions about the Bills that are before us. I must quite frankly confess that as far as my position was concerned I viewed The Land Contract (Actions) Act and the amendments kind of in a perfunctory, matter of fact, way. It is one of those pieces of legislation which one supports so much, has passed a number of years in the distant past and then forgets about. And what happens in the process are the types of things that the Member for Regina South raises. Members of this House should be aware as has been pointed out to us by the Member for Regina South that this Act affects a great number of people. It is not simply a lawyer's matter of interest. There are all sorts of people who are not involved in large corporation activities who come under the purview of The Land Contract (Actions) Act and the impact that is involved with it.

I think, accordingly, the suggestion that now is the time to

take a look at one of these basic institutional type Acts is a good suggestion. I am not sure that the suggestion that we refer it to a committee of the House is the best suggestion because if we did we might very well end up in a situation where the Member for Qu'Appelle (Mr. Lane) would try and make politics from the consideration of this kind of a Bill. Quite clearly, his approach to this matter which is because he views it to be a waste of time, that this House shouldn't have the benefit of listening to the remarks of the Member for Regina South. Well, I am saying that the people of Saskatchewan and the people of this Legislative Assembly have the full right to listen to the remarks of the Member for Regina South in this area and we don't need the Member for Qu'Appelle telling us what is a waste of time and what is not a waste of time. Quite frankly, Mr. Speaker, the attempt to adjourn this Bill which, if it hadn't have been for his remarks, could have easily gone through as it could have gone through the Non-controversial Bills Committee, shows a high degree of irresponsibility by the Conservative Party.

**MR. LANE:**— On a Point of Order, I believe the ruling was given about speaking to the principle of the Bill.

**MR. SPEAKER:**— Yes, I am trying to invoke that.

**MR. ROMANOW:**— Mr. Speaker, as I was about to say, a high degree of irresponsibility was shown by the Conservative Opposition. As I am saying in my remarks, I think this Bill could be referred not to a committee of the Legislative Assembly, not to a committee where Conservatives or others, be it this side of the House or the other side who want to make politics of The Land Contracts (Actions) Act, as the Member for Qu'Appelle tries to do, but we could refer it for example to the Law Reform Commission. This is an institution which is designed to try and up-date and to bring the laws into currency and to test the types of propositions that the Member for Regina South, I think, validly raises. Now whether he disagrees with my suggestion that it should go to the Law Reform Commission is another issue but I think the idea is a good idea. I am simply saying to the Members of the House let's not get ourselves into a situation where one person from one party can bring those types of comments which the Member for Regina South brought forward today to a halt simply by the kinds of irresponsible action the Tories are trying to implement in this House on us very early in this Session.

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

Motion agreed to and Bill read a second time.

**MR. ROMANOW** (Attorney General) moved second reading of Bill No. 6 - An Act to amend The Reciprocal Enforcement of Maintenance Orders Act, 1968.

He said: Mr. Speaker, the amendment to The Reciprocal Enforcement of Maintenance Orders Act, 1968 redefines 'court' insofar as the Queen's Bench Court is concerned to include local master of that court. Presently the Act gives jurisdiction to Queen's Bench judges to hear 'show cause' applications for the enforcement of arrears owing under extra provincial maintenance orders which are registered in the Court of Queen's Bench in Saskatchewan. In a number of cases in a few judicial centres in Saskatchewan, a

problem has arisen whereby Queen's Bench judges refuse to hear these applications on the grounds that they should be heard by local masters and in turn the local masters feel that they do not have the jurisdiction clearly spelled out by the Bill. As a result no one is prepared to hear the applications.

This amendment, simple as it may be, is an important one as it will clarify the situation, clearly providing that both the Queen's Bench judges and the local masters have jurisdiction. In addition to solving the immediate problem of clarifying who has jurisdiction, enforcement proceedings generally will be facilitated in the outlying judicial centres where Queen's Bench and District Court sittings are less often held. The time lapse between registration of the maintenance ordered and enforcement of same will be reduced since maintenance orders registered in the Court of Queen's Bench may be dealt with at the District Court sittings as well as at the Queen's Bench sittings.

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

**MR. LANE:**— Mr. Speaker, again it is a matter for the Non-controversial Bills Committee.

Motion agreed to and Bill read a second time.

**MR. ROMANOW** (Attorney General) moved second reading of Bill No. 7 - An Act to amend The Interpretation Act.

He said: Mr. Speaker, I rise to amend this Act about proclamations of the Lieutenant-Governor, which are issued following a recommendation by the Lieutenant-Governor-in-Council. This is a complementary amendment to the earlier one passed by this House today with respect to The Regulations Act. The amendment will ensure that the failure to publish a proclamation in its entirety does not invalidate a proclamation and prescribes the time within which a notice of a proclamation shall be published in the Gazette.

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

**MR. LANE:**— Mr. Speaker, again another earth shattering piece of legislation by the Attorney General. Again, I can simply remind the Attorney General the practice of this House and the procedures that exist. I know I am a little surprised that I have to call to the attention of the Government House Leader of the procedures that were established but perhaps the Attorney General can enlighten us somewhat on this particular Bill and tell us what caused the amendment and what proclamations or partial proclamations were issued that caused the problems that led to this legislation?

**MR. ROMANOW:**— Mr. Speaker, I think the question of the Hon. Member can be best dealt with in Committee, clause by clause.

Motion agreed to and Bill read a second time.

**MR. ROMANOW** (Attorney General) moved second reading of Bill No. 9 An Act to amend The Attorney Generals Act.

He said: Mr. Speaker, the proposed amendment to subsection 2 of Section 4 of The Attorney General's Act is necessary because of the physical move of the Department to new headquarters at the City Hall in Regina. You will note that the Act presently allows students at law to be employed in the Department in the Legislative and Executive buildings.

The other amendment being proposed is to remove the maximum number of students at law who may be employed in the Department which is presently set at three. With the increased work-load to the staff of the Department and the Department carrying out civil and criminal duties, it would be best to take off this ceiling inasmuch as more than three students could be utilized.

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

**MR. LANE:**— Mr. Speaker, this Bill I think may not be non-controversial. I note the lack of the removal of the ceiling of the number of articling students in the Attorney General's Department. I am not sure the Attorney General was expecting this today in light of the previous legislation that went through. We also note the failure or the inability of the Attorney General of Saskatchewan to hire a deputy minister. The Department of the Attorney General long considered one of our most senior and prestigious departments of government has gone the longest time without a deputy attorney or a deputy minister of the Department in the history of this Department of the Attorney General in the Province of Saskatchewan. For the Attorney General at times today to simply get up and say that he will take all the time in the world to get a deputy minister is not adequate and I think he knows it. A man that is charged with the administration of justice in the Province of Saskatchewan, I submit, Mr. Speaker, has shown a total lack of concern within his own Department to obtaining the key personnel necessary to have the Department function and function properly. I would have hoped when it is public knowledge that the Attorney General can't get a deputy, he is also having a great deal of difficulty hiring new staff, and new solicitors, I would hope that we would have the assurance of the Attorney General that his removal of the ceiling of the number of articling students is not really a cheap and easy way to avoid the hiring of staff. Because if that is the intent the deterioration that we have seen within the Attorney General's Department, because of the Attorney General's inability to obtain a deputy minister and senior personnel, will continue. Should that situation continue I submit the administration of justice in Saskatchewan will deteriorate and the Attorney General himself must take full responsibility.

I am going to ask for leave to adjourn debate and I would hope the Attorney General would supply me with the information of the number of articling students he intends to hire. I would hope the number of articling students is considerably fewer than the number of lawyers he intends to hire in the Department. I'll await that assurance from him and I beg leave to adjourn debate.

Adjournment negatived on the following Recorded Division:

YEAS

Collver  
Larter  
Bailey

Lane (Qu'Appelle)  
Birkbeck  
Ham

Berntson  
Katzman

-8

NAYS

Blakeney  
Pepper  
Bowerman  
Smishek  
Romanow  
Messer  
Snyder  
Kramer  
Baker  
Kowalchuk  
Matsalla

Robbins  
MacMurchy  
Mostoway  
Whelan  
Kaeding  
Kwasnica  
Dyck  
McNeill  
MacAuley  
Feschuk  
Faris

Rolfes  
Tchorzewski  
Shillington  
Vickar  
Skoberg  
Nelson (Yorkton)  
Allen  
Koskie  
Thompson  
Banda  
Rolfes

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**MR. LANE:**— . . . other quick lesson procedure for the temporarily official Opposition.

Mr. Speaker, I should just like to say that what we have seen today is the fact, quite simply, and we are calling to the attention of the House, that there is a procedure in this Assembly regarding Non-controversial Bills, so that the House is not tied up. I am sorry that the Attorney General has not taken the procedure. I don't know whether it is simply because he tried to get all the bills on the Order Paper, in the fall. If that is the type of practice that we are going through, then simply the past practice of the House establishing a Non-controversial Bills Committee has been aborted; I say the Attorney General is not following a proper practice and I would hope that we can continue with the debate.

**MR. SPEAKER:**— I appreciated the Member's comments a short while ago, when he drew to my attention that another Member was not speaking to the principle of the Bill. I would caution the Member that his remarks didn't appear to me to be the principle of the Bill.

**MR. S. J. CAMERON:**— (Regina South) Mr. Speaker, it is obvious to Members that we did not rise in that vote in one way or another because we want to indicate that there are times in this House for Members to take stands with respect of political matters and political issues, but there are clearly times when that is inappropriate.

Now the Member for Qu'Appelle (Mr. Lane) ought to know, particularly as an experienced Member, that what he was doing here this afternoon was simply playing little games for some little partisan advantage ..

**SOME HON. MEMBERS:**— Hear, hear.

**MR. CAMERON:**— . . . wasting the time of the House.

**MR. COLLVER:**— On a Point of Order,

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Mr. Speaker . . . speaking to the principle of the Bill.

**MR. SPEAKER:**— Order. I expect the Member will relate his remarks immediately to the principle of the Bill.

**MR. CAMERON:**— . . . says to us in the course of his own remarks that he is going to give us a quick lesson in procedure. He has now had a very quick lesson in maturity and rather rapidly in this Session.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. CAMERON:**— The purpose, Mr. Speaker, and even the newer Members know this, the purpose of rising to ask for an adjournment with respect to a debate on a Bill is to go away and do some research. Now he has had two and a half months to research a bill which consists of one paragraph and still he seeks an adjournment to do some research. It wastes the time of the House and the Hon. Member ought to know if he knocked on any doors in the course of those two by-elections, that there is one point of view which people are expressing again and again, and I don't know when Members opposite are going to get the . . .

**MR. COLLVER:**— I don't think that the Member is speaking to the principle of the Bill, again.

**MR. SPEAKER:**— Order, order! I don't think the Member's Point of Order is well taken.

**MR. CAMERON:**— No doubt the Leader of the Progressive Conservative Party will get a little tougher hide. He knows that he is going to have difficulty with that particular Member. There is no question as to what he has done in this instance. He has made little infantile remarks in respect of this Bill and infantile remarks with respect to the other bills and indeed he has led us to a rather infantile standing vote in respect to that rather simple question.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. CAMERON:**— I thought, as a matter of fact, whether I should direct some comment to the Attorney General's Department as well, in a general sense, because Members know that I have had some concerns about it in some respects. But when we considered whether it was appropriate to do that, with respect of this particular Bill, which deals with one small particular matter, we concluded that it wasn't the appropriate time and that the time will come later in the Session. And what we ought to be doing with respect to this Bill is directing some substantive comment to it and if we can improve it we ought to be improving it and certainly not playing little games in respect to it.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. ROMANOW:**— Mr. Speaker, I want to say that I obviously agreed with the decision of the House with respect to the adjournment. I

want to reiterate to the Legislature that this Bill has been on the Order Paper since November 28 or 29. It has been there for quite some time. The Conservative Party and the Liberal Party had an opportunity to take a look at this Bill, in full detail, from the period of November to March and the Conservatives asked for an adjournment of this Bill on this area because the Member is in a fit of pique over the question of whether or not I am in Non-controversial Bills Committee or not in Non-controversial Bills Committee.

Mr. Speaker, I want to say that I believe we have a very good Attorney General's Department. I believe that there are many areas of improvement necessary. I believe that there is a need for more lawyers; there is a need for a permanent deputy; there is a need for more administrative streamlining. I am the first to admit that. There always has been that need, even when the Member for Qu'Appelle (Mr. Lane) was executive assistant to the Attorney General. And if he wants I would be very pleased at the appropriate time, in Estimates, pleased because we are going to meet this argument in Estimates head on, of the exact kind of administrative and personnel quality of the Attorney General's Department that there was in 1971 when I became Attorney General compared to what we have in 1977, when the Member for Qu'Appelle was advising the Attorney General as to the Attorney General policies; the number of lawyers; the number of magistrates; the amounts of pay; the administrative difficulties. I want to meet that argument and I look forward to meeting it.

What really bothers me is this: not that my Department should be above criticism, far from it as I have received much of it for six years. I am going to receive much more in the two years or three years before the next election and even after the next election I expect to receive another four years' criticism. That is not the point.

The point is that in that criticism I ask all Members, of which the Member for Qu'Appelle is one and the Conservatives to be just a little bit responsible. As the Member for Regina South (Mr. Cameron) says, there is a time to be political and there is a time to be responsible and when you come to the Attorney General's Department when you are looking to administration of justice not on this Bill, I think that kind of comment is the height of irresponsibility. I am very disappointed.

Here we are today about to see two new colleagues of the Conservative Party and I wonder what they think of the actions of their Conservative caucus? I tell you, Mr. Speaker, it is indeed a very shameful situation and I certainly hope that the Member for Qu'Appelle does not continue in this vein for the balance of the afternoon.

Motion agreed to and Bill read a second time.

**MR. ROMANOW** (Attorney General) moved second reading of Bill No. 20 - An Act to amend The Securities Act, 1967.

He said: Mr. Speaker, this is an Act to amend The Securities Act, 1967. The amendment proposed is indeed one which I am going to admit from the beginning should have been taken to the Non-controversial Bills Committee, because it is strictly a printing omission; nevertheless I think that it can be dealt with here fairly quickly.

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The amendment is to correct a printing omission in Section 26 of the Act, which omission occurred a number of years ago. The omission was brought to the attention of this Department by the committee presently revising and consolidating statutes. I felt that this was the fastest way to get the correction into play by passing it through the Legislature, and I move second reading of this Bill.

Motion agreed to and Bill read a second time.

**MR. ROMANOW** (Attorney General) moved second reading of Bill No. 21 - An Act to amend The Police Act, 1974.

He said: Mr. Speaker, this is an Act to amend The Police Act, 1974. The amendments to The Police Act, 1974, have been proposed to cope with problems identified by municipal boards and police commissioners and the Saskatchewan Police Commission after one year's experience with the new Police Act.

I might say that all indications are that the new Police Act is being run to the reasonable satisfaction of the local authorities. We have an excellent Police Commission in place, chaired by Mr. Tom Wakeling, a prominent Regina lawyer and two other members. Some of the activities of the Police Commission, of course, involve the Police College and standards of discipline and to recruit training.

After one year of operation of the new Police Act some problems have been identified to us by the Commission and through the Commission by the local authorities.

I think these problems can be summarized and identified as follows:

1. The Act in its present form, allows a deputy chief of police to be a member of a police association for the purpose of collective bargaining.
2. In small police forces the chief of police or his only other officer may be involved in the internal investigation of a breach of discipline or suspected breach of discipline, by a member of the force, and therefore I hope all Members agree with me, should not be under those circumstances involved in hearing a charge against such member. Under the present Police Act there is no alternative for a hearing before some other independent person or tribunal.
3. Police personnel employed by rural municipalities, or towns, or villages having a population under 500 persons, do not come within the meaning of police force under the current Act, and therefore not subject to the standards and disciplinary provisions in the Act or regulations made by the Saskatchewan Police Commission and now in effect respecting standards and discipline.

Mr. Speaker, Boards of Police Commissioners for our cities in this province and The Saskatchewan Police Commission itself have emphasized consistently the need for consistency. Speaking to the first problem, they have argued that it is inconsistent for a Deputy Chief of Police who frequently acts in a managerial capacity being a member of an association for the purposes of collective bargaining. In the absence of the Chief of Police



through business or holidays or sickness, or whatever, the deputy chief must of necessity assume the responsibilities of the chief. In essence, the deputy chief acts in a managerial role in carrying out his own responsibilities as deputy chief.

The amendment proposed to Section 33 of the Act, recognizes the managerial responsibility of the deputy chief, his special capacity and includes him as an agent of the employer. The effect of this amendment is that a chief or deputy chief of a municipal police force will not be included in an association or unit for the purposes of bargaining collectively.

I am advised that the proposed amendment is consistent with the situation in the Provinces of Alberta, Manitoba, Ontario and British Columbia, where the deputy chief of police is also excluded from being a member of an association for the purpose of bargaining collectively.

Now the amendment to subsection (6) of Section 36 was to correct an error that was made in the drafting of that section initially. The reference should have referred to subsection (4) of Section 16. Accordingly the correction here is of little consequence.

To deal with the question of discipline, the amendment to Section 41 provides that a Chief of Police or officer who is involved in the investigation of a breach of discipline by a member of the same police force, cannot sit as the presiding officer in the tribunal hearing of a charge for such breach of discipline. Where there is no other officer in the same force to hear the charge, the member charged may request the matter to be heard by the Board of Police Commissioners, by three members of council where there is no Board of Police Commissioners or by an officer of another police force. This provision, while not perfect, will, at least, ensure that a charge for a breach of discipline would be heard by an independent tribunal, one that has not been involved in any aspect of the investigation from which the charge or suspected charge resulted.

The amendment to Section 45 of the Act is designed to have rural municipal police personnel subject to the same standards and disciplinary procedure as that applicable to other municipal police forces.

In the past, our rural municipal constables were very restricted in the duties that they could perform which were limited basically to the enforcement of municipal bylaws in The Rural Municipality Act. But that is not so much the case now. In fact, some rural municipalities, especially those adjacent to the larger urban areas, such as the RM of Corman Park in Saskatoon and area and the RM of Sherwood near Regina feel the need to employ their own constables. In those rural municipalities which have been able to employ either experienced police officers or constables who have taken the 15 weeks of instruction provided by the Saskatchewan Police College under our Police Act, those constables are involved in a wide variety of enforcement of provincial statutes and investigations. Those are criminal of fences, such as impaired driving, willful damage or dangerous driving and other more serious of fences they are involved with, although these cases are subsequently investigated by the Royal Canadian Mounted Police.

The point being that these police officers carry on a much higher degree of responsibility than up to that time it had

been accepted that they should carry. Since one of the major objectives of The Police Act is to establish and maintain a high standard of policing for all areas of the province and to meet this it is considered essential that police officers follow basically some degree of consistency and uniformity with matters of discipline and related matters of discipline, it is essential that this amendment be introduced and that police officers employed by rural municipalities and other towns and villages as I have described, be subject to the same standards and regulations of other municipal police personnel in the Province of Saskatchewan.

Mr. Speaker, those comments outline the three major problems as we see them, as the Police Commission see it, with respect to this Act and describe the proposed solution to overcome those problems. I think they make good sense and accordingly I move second reading of Bill No. 21, an Act to amend The Police Act, 1974.

**SOME HON. MEMBERS:**— Hear, hear!

**MR. J. G. LANE:**— (Qu'Appelle) Just one comment on the desire of the Attorney General to apply the same standards to our basically non-urban or non-major urban area of police forces. I would hope the Attorney General could explain in his closing remarks whether, as is usual, there will be a demand for an increase in salary as a result of the higher standards being applied. I would think, although your desire and your goal is admirable, I think there may be some problems and greater pressures on the rural municipalities and the villages in particular. I would hope that the Attorney General would be prepared to assure us today that in the police grant formula that these particular matters will be taken into account and that we can move towards the obvious goal of having top-flight police forces in rural Saskatchewan.

**MR. ROMANOW:**— Mr. Speaker, in response to the remarks made by the Member on this Bill, I would say that many of the things that he refers to are essentially taken care of as a result of the competitive factors which may operate. You will find in these areas, like the RM of Corman Park and the RM of Sherwood, since there is a large degree of policing required, partly because they are in a central or very close to a central area, central population area like Saskatoon or Regina, the competitive market demands that there be the kind of police officer who is more or less of equal training and ability to the police officers right next door across the municipality line, say in the city of Regina. The economic market, the geographic area and the nature of the problems now tend to blend a little bit to such an extent that the rural municipalities find that they have to pay the going rate in order to make sure they have adequate police people. I don't think that is very much of a problem.

The question is: whether or not in paying for this competitive demand there is sufficient available funds from the Provincial Government to the local authorities to assist them in meeting the policing needs. This is of course, a very subjective opinion. Some would say that there are not sufficient funds. I am sure that if I spoke to the rural municipality or to the city of Regina, or the city of Saskatoon, they will say that our police grants are insufficient to take into account the costs of our policing.

I would say and remind the Members that you will know, two years ago I believe it was, we introduced a very generous formula for cost-sharing of policing costs with the municipalities, very generous indeed. The first six mills taken care of by the local authority, everything over that, two-thirds of which is carried by the province, one-third by the local authority, and this has amounted to a substantial jump in the police costs from what they were up until that time. I think the percentage figure was something in the neighbourhood of a 300 per cent increase, designed to strengthen the hand of the local governments in their job of doing policing.

We are always facing increased demands for more funds in this area. Again, it is a subjective matter as to whether or not those demands are adequately met. Personally I believe that they have been to date. I am not saying that they couldn't use more, I am not saying that perhaps if I had my way that we wouldn't likely give them more, but in the competition for funds which are available, I think the job has been a very admirable one, where Saskatchewan basically is leading many of the other provinces. I think this matter can be further explored, Mr. Speaker, after the Budget is delivered, in which case I am sure that the Minister of Finance may have some comments to make. Then we can have a further discussion during Municipal Affairs Estimates, or if you want in the Attorney General's Estimates. Mr. Speaker, I move second reading of this Bill.

Motion agreed to and Bill read a second time.

HON. G. MacMURCHY (Minister of Municipal Affairs) moved second reading of Bill No. 11 — An Act to amend The Rural Municipality Act, 1972.

He said: Mr. Speaker, this Bill is straightforward, it makes clear the power of a municipal council to class dikes as local improvements under this Act and to set realistic interest charges in relation to them.

As the legislation stands, street improvements, sidewalks, bridges, embankments, culverts, and so on, may be classed as local improvements. In a number of communities, flooding in the last few years has led the councils to construct dikes around rivers and creeks within their jurisdiction. These structures are clearly intended as a benefit to adjacent property. The Local Improvements Act was legislated to permit the costs of such beneficial projects to be assessed against the property bordering the works.

Provision is made in these amendments for a local government to encourage property owners to improve their property by granting loans repayable through a 10-year mechanism similar to the local improvement levy. The Bill that is before you will also permit the cost of borrowing money to be charged at a realistic rate. The Act contains a six per cent interest ceiling for local improvements which means that the municipality as a whole must pay the difference contrary to the intent of the legislation. This amendment removes the interest ceiling and allows the council to set a rate in line with its true costs. I move this Bill be read a second time.

**MR. R. A. LARTER:**— (Estevan) Mr. Speaker, I should like to ask the Minister of Municipal Affairs, or discuss a few things that have happened over the past years. I happened to be in an area where we

have had extensive flooding in the Souris basin. I realize that the Federal Government has backed off their agreement with the Emergency Measures Organization (EMO) and with the municipalities.

I wonder if the Minister realizes the hardship it is placing on the people that have built dikes in this area. I can imagine this is designed to take the place of our lack of being able to go as far as we want on the EMO controls now, and transfer this responsibility to the municipalities and the property owners themselves. We have many people in the Souris Basin that have spent many thousands of dollars on the proposals that were put before them by the Emergency Measures Organization. The temporary diking had to be done at the expense of the landowners and the ordinary expense of taking some protection was at the expense of the landowners, but any permanent diking could apply under this municipal and EMO ratio to the Government. Since the Federal Government has backed off, there are many people down there who are faced with heavy interest rates on bills they should be paying for putting in permanent dikes, and for dikes that were definitely needed. These are concerns I have over this transferring without fulfilling obligations that, to the knowledge of all these people, were going to be met under the Emergency Measures Organization.

**MR. MacMURCHY:**— Mr. Speaker, I think I can appreciate the concern of the Member for Souris-Estevan. I think it probably would be better if we had our question and answer session during the Committee of the Whole, where we can talk relative to the role that we intend EMO to play in the future, and also the new policy, which is in the formation stages, of assisting in disaster situations by this Government.

Motion agreed to and Bill read a second time.

**MR. G. MacMURCHY** moved second reading of Bill No. 14 - An Act to amend The Planning and Development Act, 1973.

He said: Mr. Speaker, this Bill provides the legislative authority for an innovation in land use planning in the Qu'Appelle. The Qu'Appelle Valley is a source of livelihood for thousands of people in southern Saskatchewan. It provides recreation for many thousands more. Water from the valley supplies Moose Jaw, Regina and dozens of towns along this route. Wild life in many different forms finds a habitat in the Qu'Appelle. Several Indian Reservations border the valley and its historic traditions go back to the very earliest days of settlement and beyond.

Mr. Speaker, a few years ago the Government at Ottawa, the Government of Manitoba and our Government here in Saskatchewan undertook a joint study to propose what action is needed and how it might be taken to preserve, improve and manage this asset in the best interests of all people who depend on it for different reasons. Today the Qu'Appelle Implementation Board is in operation. Its offices are decentralized with headquarters at Fort Qu'Appelle and work is well under way on the Qu'Appelle plans. A very large investment in the Qu'Appelle system will be made over the next number of years. This investment involves land, recreation facilities, channel improvements, flood control, beautification and dedication of certain portions of the valley to those uses for which they are best suited on the long term. In order to get the best value from this investment a co-ordinated system of land use planning is very important. This amendment will make possible a series of planning commissions to which

authority can be delegated. Each commission will be made up of a majority of people representing the municipal government to whom responsibility for planning can be turned over. Six or perhaps more commissions are foreseen. Each of them would take in land from several municipalities; any municipality included, in part or in whole, would be eligible for representation on the planning commission. In this way, local governments will be accorded a vehicle to manage their affairs while at the same time permitting work to proceed over the larger areas that must be used to provide effective planning.

Considerable discussion and consultation has taken place with the municipal people in the area and as a result of these discussions, it has been agreed that the municipal delegates on each planning commission will be able to nominate certain interest groups for representation on the commission. Of the six commissions all will have representation from Saskatchewan Wildlife Federation, and most will have representation from the Cottage Owners' Association. It is also expected that the Qu'Appelle Valley Development Association and the Natural History Society will name delegates to most of these commissions. The Qu'Appelle Planning Commission could offer a precedent for co-operation between governments elsewhere in dealing with common problems in the common interest. I am very pleased to move second reading of Bill No. 14.

Motion agreed to and Bill read a second time.

MR. G. MacMURCHY moved second reading of Bill No. 32 - An Act to amend The Urban Municipality Act.

He said: Mr. Speaker, this Bill to amend The Urban Municipality Act contains several matters of substance and a few housekeeping amendments. I will attempt to reveal them very briefly.

Section 23 is to be changed so that the new areas of a city can be added to city council electoral divisions without having to go to the expense of creating a boundaries commission for the same purpose. Cabinet will be given authority to add a new area to an adjacent division or to several adjacent divisions in order for people who move into the new area to have a vote. Under the law at present, a city could annex land and it would not be added to an existing division with the result that when the land is sub-divided and people move in, they would have no vote unless a full scale review of boundaries was undertaken.

The new provision is intended to save time and effort for city administrations. It will have no effect on the normal process of redistribution because the amendment includes a clause preventing its use in years when a boundaries commission would be at work.

The amendment to Section 26 is housekeeping to change the reference from subsection (1) to subsection (2). The same applies to Section 30, where the reference is changed from the University of Saskatchewan to the University of Regina. Housekeeping is the reason for the amendments to Sections 32 and 33. Sections 37, 38, 41 and 94 are minor changes that allow for procedures to appoint councillors, call meetings and delegate authority to committees.

Section 97 is a substantive change. In recent years under this Government many new programs have been made available to

help local councils build and operate recreation centres, hire recreation directors and run programs in small towns and rural areas. The legislation as it stands is not as broad as it could be in authorizing councils to take advantage of these programs. People in these centres deserve every opportunity to benefit from assistance and recreation, to have a voice and to play an active part. This provision specifically allows a council to appoint a recreation board, to take on a full scale role in recreation and to operate facilities jointly with organizations like the Lions Club or the Kinsmen Clubs or whatever.

Section 165 will also be amended in a significant way. In order to give local councils authority to haul away vehicles parked improperly on property such as shopping centres and the fire lanes would be an example which would come to mind.

Clause 13 is a housekeeping change. It will amend Section 201 to allow general participation in recreation rather than in specific areas only.

Clause 14 broadens local councils' powers to provide fire protection generally.

Clause 15 allows the use of a resolution rather than a by-law to exercise powers to order the clean-up of untidy premises. By-laws require considerable preparation and time on the part of a council staff, while a resolution is simple and straightforward. The change was requested by councils and we are pleased to grant it.

In keeping with the spirit of Clause 11, Clause 17 provides for a council to enter into agreements with other councils or school boards, library or hospital boards, to acquire a joint office building. This power is already available to rural municipalities. Several of them have made good use of it. I had the pleasure of speaking at the opening of a joint office in Lanigan which was part of my constituency in 1974. Lanigan built a very attractive building which is shared by the school board. In Govan, the Govan school unit board, the RM of Last Mountain and the town of Govan joined together to build a joint office building which was opened in 1975. Nokomis has a similar arrangement with the library in that community. These are real assets to these towns and districts and they offer an example to others.

Clause 17 specifically empowers local governments to enter into agreements of this sort and I have no doubt this will be put to wide use.

The amendment proposed to Section 317 will enable local governments to invest surplus funds in short term securities. No such power is spelled out under the existing statute. By adding this power, council will be in a position to earn interest on money that otherwise would bring in little or nothing. It is a small change, Mr. Speaker, but a very useful one.

Finally, Clause 22 proposes perhaps the most important single amendment. A change here will put the assessment of all business premises in the province on a uniform basis and update the rates from the present 1947 standards.

Clause 26 dovetails with this change by eliminating the alternative assessment systems presently in use.

The Act, as it stands, allows each municipality to set its business assessment independently from its neighbours, or from any other municipality in Saskatchewan. Because of varying taxes a business may locate in what might otherwise be a less desirable area, not only in the terms of the business' own needs but also in terms of the best overall interests of the municipality from which it draws its services or employees. The uniform assessments system puts all businesses on an equal footing from which taxes may vary according to mill rates. Uniformity means that the decision as to where to locate a business will be made on the basis of availability of services and other business factors which should allow municipal councils to arrange their affairs in a more rational and in a more planned manner.

The amendment to Section 379 is a simple matter of raising the penalty ceiling for overdue taxes from nine per cent to ten per cent. With interest rates as they are today the old seven and nine per cent ceilings are too low to have the impact they were written into the Act to provide. A ten per cent ceiling is much more in keeping with the present cost of money. The amendment was requested by several councils and we see no reason not to enact it.

Mr. Speaker, this Bill confers a number of useful powers on our local governments. It cleans up many small problems.

I am pleased to move second reading of the said Bill.

**MR. G. H. PENNER:**— (Saskatoon Eastview) I wonder if I could address some remarks with regard to the Bill. I agree with the Minister that there are many parts of the Bill that are desirable and simply do tidy up parts of the present Act. I do have a concern, however, with regard to Clause 22, Section 321 amended and that has to do with this business of standardizing the assessment of property, or the assessment of the business, or in other words the business tax. If I understand the Bill correctly, it is really aimed at the city of Saskatoon whose method of assessing businesses now is based on a fair rental value system. Using the fair rental value system means that if you have, for example, a barber shop out in the Pleasant Hill area and you have another barber shop of exactly the same size situated in the Midtown Plaza, they are not going to have to pay the same business tax. I think, Mr. Speaker, it can be reasonably argued that they should not both pay the same business tax. Clearly the person who is established in the Midtown Plaza has some advantages with regard to the kind of advertising he has, the kind of locale that he has, that is not available to the person situated out in the Pleasant Hill shopping district or in the Albert shopping district or any other part of the city.

The attempt in the proposed amendment to standardize the system or payment is one that I have some questions about because, for example if we standardize it on the basis of the person out in Pleasant Hill or in the Albert district then that standardization is likely to be too low for the people down in the Midtown Plaza. If you use the Midtown Plaza as the rate then it is likely to be too high and the business out in the smaller suburban shopping area is not likely to be able to pay. If you set it in the middle then it is clearly unfair to both of the business establishments.

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Mr. Speaker, some of the concerns that I have raised before you now I have raised with the Minister privately and I'm going to ask or beg leave to adjourn the debate so that the concerns that I have may be followed up more specifically before we come to doing anything further with the amendment.

I, therefore, Mr. Speaker, beg leave to adjourn the debate.

Debate adjourned.

**COMMITTEE OF THE WHOLE ON BILL NO. 56 - An Act respecting Certain Elections in the  
Constituencies of Prince Albert-Duck Lake and Saskatoon-Sutherland.**

Sections 1, 2 and 3 agreed to.

**SECTION 4**

**HON. A. E. BLAKENEY** (Premier):— Mr. Speaker, I want to make a point. I ask that all Members note that the structure of these bills is such that the provisions of The Elections Act will be complied with notwithstanding the passage of this Bill and that the Returning Officer will make a return to the Chief Electoral Officer, the Chief Electoral Officer will make a return to Mr. Speaker, and that if any irregularities occur the rights pursuant to such irregularities are preserved. That is also true with respect to The Controverted Elections Act. If the irregularities are fatal or would have been fatal had this Bill not been passed then this Bill would not have become operative and each of the Members, as the Bill states, "shall cease to be a Member of the Legislative Assembly." So the rights are preserved, we are not obliterating any rights but rather assuming that there will be no difficulties and accelerating the seating rather than precluding any objections that there may be with respect to controverted elections or irregularities under The Elections Act.

**MR. R. L. COLLVER** (Leader of the Progressive Conservatives):— Are you making that comment in general or with anything specific in mind?

**MR. BLAKENEY**:— I was making it only in general, Mr. Chairman. I've not at this time disclosed any specifics.

Section 4 agreed to.

**MR. CHAIRMAN**:— Explanation of the Premier is agreed then and we come to Section 5.

Section 5 agreed to.

**ROYAL ASSENT**

At 4:11 o'clock p.m. His Honour the Lieutenant-Governor entered the Chamber, took his seat upon the Throne and gave Royal Assent to Bill No. 56 - An Act respecting Certain Elections in the Constituencies of Prince Albert-Duck Lake and Saskatoon-Sutherland.



## ANNOUNCEMENTS

### PRESENTATION OF MR. H. LANE

**MR. R. L. COLLVER:**— (Leader of the Progressive Conservatives) Mr. Speaker, I have the honor to present, Mr. H. W. Lane, Member for the Constituency of Saskatoon-Sutherland.

**HON. MEMBERS:**— Hear, hear!

**MR. SPEAKER:**— Let the Hon. Member take his seat.

**HON. MEMBERS:**— Hear, heart

### PRESENTATION OF MR. G. N. WIPF

**MR. COLLVER:**— Mr. Speaker, I have the honor to present Mr. G. N. Wipf, Member for the Constituency of Prince Albert-Duck Lake.

**HON. MEMBERS:**— Hear, hear!

**MR. SPEAKER:**— Let the Hon. Member take his seat.

**HON. MEMBERS:**— Hear, hear!

## SECOND READINGS

**HON. G. 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, there are three basic amendments to The Snowmobile Act, 1973, proposed in the Bill before us. Two are of a housekeeping nature and the third is the larger issue of more clearly setting out the responsibilities of the landowner and the snowmobiler with respect to trespassing and civil liability.

To deal with the two minor amendments first, they propose to refine the definition of snowmobile from what it is in the present Act. The present legal definition encompasses everything from what most of us think as snowmobiles, bombardiers and the all-terrain treaded vehicles that are closer to industrial equipment than to recreational vehicles. This Act proposes to place a maximum weight of 1,000 pounds on vehicles to be classified as snowmobiles. All those which we would ordinarily call snowmobiles fall well within this weight limit, narrowing the definition to prevent owners of heavy industrial vehicles from registering and licensing them at a cost which is quite out of keeping with the size and the use of the vehicle.

Secondly, the present Snowmobile Act empowers councils and municipal corporations to make by-laws which govern the operation of snowmobiles on public highways or in designated areas within the boundaries of the corporation. The Act fails, however, to make the contravention of such by-laws an offence. In order to make these by-laws enforceable, amendments are proposed to Sections 21, 36, 37 and 38.

The major issue of the Bill deals with clarifying the land-

owners' and the snowmobilers' rights and responsibilities as they relate to trespassing and to civil liability.

Mr. Speaker, as we know the present Act has raised a great deal of confusion in the minds of the public as to the responsibility of a landowner toward a trespassing snowmobiler.

The proposed amendments clearly separate the issues of posting and civil liability. Whether or not land is posted has nothing to do with the responsibility of the landowner towards the snowmobiler. It has always been this way in a court of law and the difficulty is that this is not spelled out in the present Act.

Separation is accomplished in the proposed amendment by first dealing with the matter of posting. A new section is then added which deals specifically with civil liability of each party. The present Act is silent on the matter of civil liability.

To deal first with the posting. The posting requirements are set out in Section 25 of the present Act and are modified in the amendments before us. The present Act requires posting at each corner gate and every 1,000 yards, signs reading "Snowmobiling Prohibited." In the eyes of the public these requirements are too stringent. Consultation with snowmobilers and landowners, last spring, indicated that both are prepared to accept posting requirements which are modified to require signs only at corners and every half-mile, with a "no trespassing" sign or similar words to that effect. The proposed amendments also provide that such posting requirements apply only on land outside the limits of a city, town or village.

Let us be clear about the purpose of posting. Posting requirements in the Act make it an offence under the Act to trespass on posted property, therefore, if a landowner wished to be able to call on the RCMP or his local police department to prosecute snowmobilers for trespassing on his property he must first post his land according to the Act. But that is where posting ends. When it comes to civil liability what becomes important is whether the snowmobiler was there with the consent of the landowner or whether he was not. In order to make it clear that lack of posting alone does not necessarily imply the landowner's consent for the snowmobiler, a new subsection is added to the posting section. This subsection indicates that for the purpose of civil liability lack of posting under the Act does not imply consent.

The proposed Act then goes on to spell out civil liability. According to the provisions of the new Act, the only duty of care owed to a trespassing snowmobiler, that is someone who is on the property without consent, is that the landowner must not create a danger with a deliberate intent of doing damage to the snowmobiler. In other words, the landowner must not be guilty of willful intent to harm. Toward a person with a common business or material interest with the landowner — for instance, a person whom the landowner is charging a fee for the use of the property, or a machinery salesman invited by the landowner — the landowner must use reasonable care to prevent harm or damage to the person from unusual danger. This would include appropriate warnings about an open well, a dugout, an unusual pit that the landowner knows about or ought to know exists. Both these responsibilities apply regardless of whether the land is posted or not. In simple terms then, the liability boils down to this: if the snowmobiler is there without the landowner's permission

then the landowner is not responsible for the safety of the snowmobiler except that he must not do wilful damage or harm. If the landowner has a common material or business interest with the snowmobiler, then the landowner must at least warn the snowmobiler of unusual dangers.

Mr. Speaker, these amendments merely incorporate into law the common sense approach. We found, last spring, when we discussed the matter with snowmobilers and landowners that this approach was perfectly acceptable to both. What was unacceptable was the confusion that had arisen out of the present legislation.

We believe these amendments clear up the confusion and establish in law the rights and duties of owners and snowmobilers which is widely acceptable.

Mr. Speaker, I am pleased to move second reading of the said Bill.

**MR. J. R. KOWALCHUK:**— (Melville) Mr. Speaker, I should like to make a number of comments about this legislation. I think it is a fairly important Bill. It is important because of the fact that a lot has been said in the last year in regard to some of the snowmobile proposals that had been made in regard to this legislation. I think it is important that this be said again on the floor of this House, some of the things that the Opposition Party had, indeed, made a lot of noise about. I was surprised, Mr. Speaker, at the treatment received for the error that was made by the Hon. Minister in reading the wrong Bill at the last session. I say that it is easy for anyone to get into that kind of a situation. I was disappointed at the kind of treatment that it got in the press, the press which loudly proclaimed about the abuses of this kind of proposed snowmobile legislation. The farmers have a full right to expect some protection and I agree with them, but the press treated it like a joke, saying that the Attorney General had to get consent and leave of the House to bring this back in. That was all that was said as I read it in the Leader-Post.

The amazing thing, Mr. Speaker, was how the whole exercise had gone on. There was discussion in second reading on this Bill, and everyone voted for it and none the Members of the Opposition were aware they were continuing on the wrong Bill. That was amazing, that was really caretaking of legislation, not paying any attention to what was being said.

The amendments presented in this Bill in this Legislature overall are good, Mr. Speaker, especially the new Section 33A which provides that “. . . barring gross negligence, the occupier or owner of land is not responsible for the safety of trespassing snowmobilers.”

What makes this Section acceptable by farmers and other rural property owners is that this Section 33A is not only good in itself, but that it is not tied in any way to Section 25, which provides another legal restriction to snowmobilers and that is the posting of land. One is not tied to the other.

I wanted to say more about this Section 25, but I first want to complete my comments on 33(A) and while I, as a farmer and a property owner, appreciate this section because my land like much of the farm land is quite far away from my residence and I

don't see it all winter and only intermittently, and certain pieces of machinery are left on this land over the winter, as well as other forms of permanent farm obstructions, such as barbed wire fences — some of them lying down, some of them standing up, stone piles and brush piles and so on.

The blanket protection given by this amendment is I say, fair to the farmer and other property owners. This provision of no deliberate intent to do harm or damage is imposed on the snowmobiler and that is precisely the intent of this Section of this Act.

The need for revision in The Snowmobile Act has become evident in the last couple of years after the initial Act of 1973. This we anticipated when the Act was brought in.

If I recall correctly a number of departments were involved in the preparation of The Snowmobile Act, one being the Department of Tourism and Renewable Resources. A number of major issues were raised as the snowmobile operation was being considered:

1. The use of snowmobiles by hunters and trappers.
2. The use of snowmobiles for purposes of recreation. It was evident that the Department of Tourism and Renewable Resources, more than any other department, had a great deal at stake as to what kind of snowmobile act was going to be brought in.

I remember saying then that I had hoped that in the future, in future deliberations on this Act, that the Department of Tourism and Renewable Resources and other departments, like Environment, be involved in any amendments that were going to be written in. I don't know if any of these departments, as such, were involved in these amendments. My sincere hope is that they will be consulted in the future.

Communication such as this will lead to additional sections being added or will lead to improvements to amendments made which brings me back to Section 25, Mr. Speaker. In this amended Section a change in the signing was made where farmers' postings were to be at each corner gate and every 100 yards, as I have already told you, on a 10 inch by 12 inch sign which read, "Snowmobiling Prohibited." The important change is that now these signs can be of the same size but placed only in corners at every half-mile, bearing the notice, "Snowmobiling Prohibited" or "No Trespassing" or words of like meaning.

I say that this change is good but it doesn't go far enough. Signs now should be posted at every half-mile and coincide, in some respects, with the Tourism and Renewable Resource regulation of, "Hunting Prohibited" signs. I thought that a few more steps should have been taken to include the possibilities of co-ordinating two signs on one board rather than two separate signs, each of the same legal description. I thought that it would have been a good idea to co-ordinate two signs rather than to have two separate signs on the same corner, on the same quarter of lane, posted side by side.

I wish to make a few more comments relevant to the Bill, but in no way are they meant as criticism but should be interpreted as "sign posts" - or "danger signals" that are being raised by concerned people in the ever-present, ever-dangerous, ever-far-reaching presence of the snowmobile all over the landscape. A vehicle that knows no bounds except open water, a vehicle that now transgresses on the last home and haven of wildlife, a

vehicle that is now counted in hundreds and thousands in Saskatchewan alone, with few restrictions on its use except that you must be 16 years of age. A vehicle that is a death trap for many every year; deaths in Canada due to snowmobile accidents have continued to mount. I do not know last year's count but I think it was well over 50.

We must consider this vehicle, Mr. Speaker, and equate it with the car, and deal with it in a similar manner. Those of you who heard the T.V. program on the "Ford Car" and the "Ford Dynasty" will remember that, according to the most recent statistics, two million Americans have suffered death in the car since its arrival on the scene in the early 1900's. That is a ghastly figure with respect to the loss of lives and many more millions physically and mentally deformed. I think it is most shocking. The snowmobile, although a smaller machine is of the same killer type, the same category, I say Mr. Speaker.

On the lighter side of discussion, the commentator on the T.V. program with tongue-in-cheek, commenting off-hand on the two million accidental deaths, stated that he calculated, although he did not have accurate statistics that were available, that probably an equal number of Americans were conceived in the car as well.

I don't know if the snowmobile will eventually receive that kind of notoriety, but the danger signals of that vehicle as a lethal weapon, is true, is here, and, we legislators have to deal with it.

And I believe Mr. Speaker, that in the near future, more and more restrictions will have to be placed on the snowmobile and its uses. It is not like the car that must have roads to travel on, nor like a boat whose travelling is restricted to water, nor like an airplane for which rigid rules of travel are imposed. The snowmobile is a newcomer on the scene; it is a vehicle that has polluted the last out-post of the wilderness, and as I have already stated, the last sanctuary of the wild animal and bird, with little chance of lawful or legal control by either the conservation officers or the police.

Statistics from Tourism and Renewable Resources and others, records from the RCMP, show that the unlawful use of the snowmobile is widespread. Of the many known practices of infractions, only a handful can be brought to justice. Enforcement of restrictions of the snowmobiles is most difficult, almost impossible, even in the aspect of hunting.

I believe that the time is coming shortly, Mr. Speaker, when much stricter regulations regarding snowmobiling will have to be imposed, as I have already stated. The long-standing rule of man's freedom to walk on, or have accessibility to all lands, private and public, may have to be looked at in the context of restrictions of snowmobile use.

I think, Mr. Speaker, that before anything like that is done, we should do what we started out to do three years ago, that is, meet with the Snowmobile Associations to discuss these problems, work towards the establishment of more snowmobile rendezvous areas like the one at Lumsden, and do within our power everything possible to protect our people and protect nature through positive action related to snowmobiles. I think one of the provinces that is really ahead of us in this regard is Quebec, and I have many statistics on that, which I am not going to

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belabour you with, but as I said, we have got to deal with those problems, Mr. Speaker.

I should like to say more, and accumulate more material and put it into form which I know should be presented at one time or another to this House.

The amendments that we have on paper here today are a beginning. They are good amendments including that of applying regulations regarding the use of alcohol while driving the snowmobile.

I will certainly support the changes to the Act, Mr. Speaker.

**MR. C. P. MacDONALD** (Indian Head-Wolseley):— Mr. Speaker, as you know the Member for Regina South (Mr. Cameron), was the critic on The Snowmobile Act of a year ago and led the debate which caused the Government to withdraw that Bill and to reintroduce the one today. Unavoidably the Member for Regina South (Mr. Cameron), is at a meeting and has prepared some very important comments, I think, on this very important Bill, and because of his absence, in order that he may have an opportunity to speak I should like to adjourn the debate.

Debate adjourned.

**HON. E. KAEDING** (Minister of Agriculture) moved second reading of Bill No. 16 - An Act to amend The Conservation and Development Act.

He said: Mr. Speaker, The Conservation and Development Act was designed to provide for establishment of local governments known as Conservation and Development Area Authorities which are comprised of a number of farm members. It gives the area authority, the powers to construct, to operate, to maintain and administer flow control projects within the boundaries of a specified area.

Above normal precipitation throughout most of Saskatchewan for the three years preceding 1976, as well as the fact that many farmers are undertaking drainage on their own land, without recognizing the detrimental downstream effects, has resulted in numerous complaints of flooding and requests for assistance from the Government.

Consequently, a study has been implemented to look into the effects of all drainage being undertaken and to recommend policy legislation and changes which would deal with the problems more effectively. Briefs and recommendations are being invited from Farm and Wildlife Organizations, wishing to make a contribution to the study.

The official of the committee will then review all proposals and then recommend the necessary changes in The Conservation and Development Act, as well as other related drainage legislation.

The completion of this study is expected to take several more months. In the meantime, to ensure proper operation by the Conservation and Development Area Authorities the following housekeeping amendment is proposed for Section 26 of the Act for authorized remuneration and travel expenses not exceeding \$15.00

per day and 10 cents per mile respectively. This does not provide any incentive to the 450 Area Authority members to allow their names to stand for election or re-election every three-year term. Also, since most of the Area Authority work results in direct contact with Rural Municipal Councils and other local government personnel the disparity in remuneration and travel expenses becomes even more pronounced and difficult to justify.

The proposed amendment will give the Area Authorities the right to pass a resolution fixing the amount of remuneration and travel expenses to be received by the Area Authorities. This will bring The Conservation and Development Act in line with The Rural Municipal Act which was amended in 1972, and allow the Area Authorities by resolution to fix the amounts from time to time as conditions require.

Payments will only be made to members of the Area Authority, after a claim is filed with the secretary-treasurer, itemizing the expenses incurred, services performed or meetings and conventions attended, as well as the mileage travelled. The claim will be authorized for payment by the Chairman or by resolution of the Board.

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

**MR. J. WIEBE** (Morse):— Mr. Speaker, just a few brief comments in regard to this particular Act and especially with regard to the comment that the Minister (Mr. Kaeding), made in introducing this Act. It is very plain, simple and straightforward and I don't think there is any possible objection from our side of the House with regard to our support of this particular Act. But the comments that he made in introducing this particular Bill certainly deserve some form of comment from Members on this side of the House, where he very weakly and mildly tried to defend his Government's position in regard to land drainage and water works in the Province of Saskatchewan.

I say, Mr. Speaker, that it's a shambles, just look at what the budget said in 1976 in regard to what this Government thought its priority was in terms of drainage of farm land in the Province of Saskatchewan. It was drastically cut. Now they are using the excuse that they want to get a study established to take another look at the problem and what is happening.

Mr. Speaker, the problem is here. All of us have had a chance to look at it. The Saskatchewan Association of Rural Municipalities has sent brief after brief to the Department of Municipal Affairs as well as to the Department of Agriculture, expressing their concern on the lack of any activity by any Government Agency in regards to land drainage in the Province of Saskatchewan. Not only that, the Saskatchewan Federation of Agriculture, has provided brief after brief after brief to this Government in regard to what they consider is an urgent need and provided recommendations for doing something positive to reclaim the millions and millions of acres, and we can say millions of acres in the province, that are being lost each and every year because water is allowed to sit on some of our most productive land in this province.

The Minister will remember last spring, when we were talking about the budget, how wet it was around the City of Regina, and

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I asked him to do the same thing that I did, and get in an aircraft and fly over the City of Regina, and you would have found at that particular time that there was more water showing than there was land showing in an area as productive as Regina.

We noticed that during the by-election the drainage project was announced in the Duck Lake area, I wonder why? Was it, hopefully, to attract a few votes?

Mr. Speaker, while I disagree with the method of the announcement, I must agree that work like this is work that must not only be done in the Duck Lake area but in all areas of the Province of Saskatchewan. I ask this question, why in the world is that announcement made prior to the results of the study which you say is now taking place in the province? Why can't you continue with projects like that throughout the rest of the Province of Saskatchewan without the study as you mentioned before the by-election and do it right now for the rest of the people of this province?

And I hope that on Thursday, when the Budget is brought down by the Minister of Finance (Mr. Smishek), that we will see within that Budget a drastic increase in the amount of funds that are going to be made available to the Department of Agriculture as a whole, which was grossly neglected last year, and to looking at water development and the water resources of the province.

Mr. Speaker, yes this province needs a drastic increase because it has been neglected so terribly in the past.

Motion agreed to and Bill read a second time.

MR. KAEDING moved second reading of Bill No. 17 - An Act to Amend the Saskatchewan 4-H Foundation Act.

He said: Mr. Speaker, the amendments to this Bill are very minor. The Saskatchewan 4-H Clubs have long been known for the major training and educational programs for farm boys and girls. Its success is indicated by the vigorous support and enthusiasm shown by its members and the public at large. Through activities embodying the spirit of rural community friendship, the 4-H Program has contributed greatly to the enhancement of agricultural growth and community involvement among young people.

To continue in the tradition of the benefits and achievements of the 4-H Program, I am introducing an amendment to improve the administration of the Program. At present The Saskatchewan 4-H Foundation Act specifies that the trustees other than the executive positions shall be the Dean of the College of Agriculture of the University of Saskatchewan, the Deputy Minister of Agriculture and the President of the Saskatchewan Wheat Pool. The amendment will enable the Dean of Agriculture of the University, the Deputy Minister of Agriculture and the President of the Saskatchewan Wheat Pool to designate their respective representatives in writing should the need arise. The provision of allowing an alternate will provide much needed flexibility in carrying out the provisions of The Saskatchewan 4-H Foundation Act.

I move second reading of this Bill.

Motion agreed to and Bill read a second time.



MR. KAEDING moved second reading of Bill No. 18 - An Act to amend the Horned Cattle Purchases Act.

He said: Mr. Speaker, the amendment proposed to this Act is a minor amendment and it clarifies the procedures for administering the fund. The Horned Cattle Purchases Act was established to reduce the instances of damage to livestock caused by the sale of horned cattle which would come mixed with horned, with dehorned or polled cattle in the market and slaughter process.

The Act implicitly sets out conditions under which funds so collected may be expended. The penalties are not part of the consolidated revenue of the province but are set aside in a separate fund to be used solely for assisting or funding projects which will benefit the livestock industry. Over the past few years the expenditures have been for such activities as providing funds for joint federal-provincial research projects carried out at Pathlow and an agricultural research station at Melfort to determine ways of improving the productivity of parkland pasture. It has been used to provide a grant for the Saskatchewan Research Council to conduct research into methods to improve cereal straw and alfalfa as livestock feeds. It is providing an annual operating grant to the Canadian Western Agribition. It is used to provide a grant to the Alfalfa Dehydrate Research Laboratories, grants to the Western College of Veterinary Medicine and a whole series of agricultural projects have been funded by this particular fund.

Mr. Speaker, the usefulness of The Horned Cattle Purchases Act has been questioned in some quarters. It can be pointed out that the penalty which is \$2 per animal has become relatively small as the value of the dollar has decreased. It can also be pointed out that a percentage of horned cattle continues to be marketed. However, on balance, Mr. Speaker, it is my contention that The Horned Cattle Purchases Act does continue to provide a useful purpose and that it should be retained for some time.

The incidence of horned cattle marketed has gradually declined over the years and it is not certain that this decline has levelled off at the present time. While some of this decline may be attributed to the use of polled breeding bulls in the Saskatchewan beef herd, it is also certain that The Horned Cattle Purchases Act has served to remind Saskatchewan producers over the years the importance of dehorning as one aspect of good cattle management and I believe that it continues to serve that purpose.

The amendment to The Horned Cattle Purchases Act proposed in this sitting of the Legislature will provide the following amendment to Section 6 (1) (b) of the Act. That Section presently provides that funds can be utilized for, and I quote, "discharging expenses incurred by the Minister for the improvement of cattle as may be approved by the Lieutenant-Governor-in-Council." That provision provides some difficulty in application. It has been the practice of the Minister to seek approval of the Lieutenant-Governor-in-Council for grants made from the Horned Cattle Trust Fund Account. However, this Section of the Act requires that the Minister incur expenses before the expenditures can be approved by the Lieutenant-Governor-in-Council. The amendment would specifically provide authority to make grants approved by the Lieutenant-Governor-in-Council by inserting the words, "making grants and" into the Section.

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May I summarize by saying that I believe that The Horned Cattle Purchases Act will continue to provide a useful service to the Saskatchewan cattle industry for some time to come and that this minor amendment will improve the administration of the Act.

I, therefore, move second reading of Bill No. 18 to amend The Horned Cattle Purchases Act.

**MR. J. WIEBE** (Morse):— Mr. Speaker, just a brief comment in regard to this Bill. We, of course, will be supporting it. However, the only comment which I would like to make is that I hope that in the future when the Minister of Agriculture does make grants available to various well-deserving farm organizations throughout the province out of this particular fund and other funds like the ten cent per head checkoff, that the Minister of Agriculture give credit for that grant to the cattlemen of the Province of Saskatchewan, not to the Government of the Province of Saskatchewan, as has been the case in the past. The money that is being used to give grants to these various organizations which does not come from the general taxpayer, does not come from any of our natural resources; it comes directly from the rancher and the farmer who sells cattle and who is involved in the Horned Cattle Fund in this regard. I just hope that in the future, credit will be given in that direction instead of having a tendency to heap credit upon oneself.

Motion agreed to and Bill read a second time.

**MR. KAEDING** moved second reading of Bill No. 49 - An Act to amend The Agricultural Research Foundation Act.

He said: This is another very minor amendment to The Saskatchewan Agricultural Research Fund. The Saskatchewan Agricultural Research Foundation was established in 1926 from surplus funds generated through the operation of the Canadian Wheat Board in 1919. Since its inception the Saskatchewan Research Fund has contributed greatly to the development and promotion of agriculture innovations and technology. Through appropriations from the fund, research has been conducted in areas of concern, such as plant and animals, land utilization, crop pests, soil conditions and financial matters.

To continue the work of the Saskatchewan Agricultural Research Foundation, I'm introducing an amendment to assist those in charge of administration.

At present, according to the Act, the trustees shall be the Minister of Agriculture, the Dean of the College of Agriculture and the Chairman of the Board of Governors of the University of Saskatchewan. The amendment will enable the Minister of Agriculture, the Dean of the College of Agriculture, the Chairman of the Board of Governors of the University to designate their representatives in writing should the need arise. By allowing the trustees the option of appointing a designate, the administration of the Research Foundation will be facilitated.

I, therefore, move second reading of this Bill. Motion agreed to and Bill read a second time.

## MOTIONS

### HOUSE ADJOURNMENT

**HON. R. ROMANOW** (Attorney General):— Mr. Speaker, the Premier mentioned earlier in the afternoon that we would be consulting with the parties respecting House business for Wednesday, which is the day of the funeral for Mr. Larson, Member for Pelly, and I have done so and I would like to move by leave of the Assembly, Mr. Speaker, seconded by the Hon. Mr. Messer, Member for Tisdale, by leave of the Assembly:—

That when this Assembly adjourns on Tuesday, March 8, 1977, it do stand adjourned until Thursday, March 10, 1977.

If I may just speak very briefly on this, that means no House sitting on Wednesday, Budget Speech on Thursday, Government business on Friday, resumption of the Budget Debate on Monday. That would be the mechanism of operation.

Leave granted.

Motion agreed to.

The Assembly adjourned at 4:54 o'clock p.m.