January 12, 1978

The Assembly met at 2:00 p.m.

On the Orders of the Day.

QUESTIONS

Pelly By-election

Mr. S.J. Cameron (Regina South): — One wonders where to begin. I will ask a question of the Attorney General. Arco Signs, as the Attorney General knows, is refusing to give the information to the Chief Electoral Officer about the amount that was spent there by the Conservative Party on signs. I'm sure that Arco would do that if its client, the Conservative Party, authorized the release of that information, so I want to ask the Attorney General whether he has requested of the member for Nipawin, the Leader of the Conservative Party, the release of that information by Arco to the Chief Electoral Officer?

Hon. R.J. Romanow (Attorney General): — No, I have not.

Mr. Cameron: — By way of a supplementary, I'm sure that the Leader of the Conservative Party would be happy to have Arco release that information on the assumption that there is nothing there to hide. Can I ask the Attorney General now whether he will ask the Leader of the Conservative Party to authorize Arco to release that information?

Mr. Romanow: — No, Mr. Chairman. I have indicated that this matter is being reviewed by the Chief Electoral Officer. I don't know whether the Conservatives are or are not responding to her request that they sit down to discuss the returns. I think we should await and see the developments there.

Mr. Cameron: — They sure get into the facts quickly I must say, as additional supplementary there.

If it was found that the New Democratic Party or the NDP candidate in Pelly should have overspent or filed returns that weren't in accordance with the requirements of the law, would the result of that be to vitiate the by-election?

Mr. Romanow: — I don't know. I don't have a legal opinion handy. My offhand guess would be that the answer is no, it would not. I think there are types of offences which . . . so-called corrupt practices which have been around in the law for years which might have an effect on the seat of any candidate, but in the context of the questioning that is taking place, my offhand guess would be no.

E & H Tax

Mr. J.G. Lane (Qu'Appelle): — I would like to direct a question to the Minister of Industry and Commerce.

My understanding is that the government today had the pleasure of meeting with the

representatives of the Canadian Federation of Independent Businessmen representing probably one of the most not listened-to minorities or discriminated against minorities in Canada (that being the small businessman). They make some proposals to the government, I understand, one of which is some provision to minimize the red tape that the small businessman is faced with. Will the government today commit itself to a study such as that established by the United States government which is on paperwork and government rules and regulations, designed to reduce to the absolute minimum the overbearing workload and overbearing burden of paperwork and red tape faced by the small businessmen of Saskatchewan?

Hon. N. Vickar (Minister of Industry and Commerce): — Mr. Speaker, yes we had a very informative meeting this morning with Mr. Bullark. I enjoyed very much the discussions that the Premier and I had with him. Some of the programs that he outlined to us were to be federally instituted, one of which is the one that the hon. member is just mentioning. For your information that happens to be part of a form of program that we have been looking at, although we cannot develop a program of that nature without more federal assistance because the paperwork primarily stems from the federal office.

Mr. Lane: — Would the minister not admit that the government of Saskatchewan can in fact implement its own policy and own program and I would hope you would take input from the opposition in that . . . implement its own program without waiting for the federal government? I would suggest and I think the minister would agree that waiting for the federal government in a proposal like this would probably do irreparable harm to the small business community.

My second supplementary is your comments on that proposal. Then secondly, a second proposal made by the Canadian Federation of Independent Businessmen was a flat percentage of the compensation for collecting retail sales tax — would the maximum be established? Would the government commit itself today to the establishment of such a flat rate compensation for collecting E and H tax and would you today advise us what the maximum would be?

Mr. Vickar: — Mr. Speaker, it is very difficult for me to answer that question that you make a statement on the policy that we expect to implement at this stage of the game. I would suggest to the hon. member that he wait for maybe a couple of months and that he will have his questions answered.

Question not Specified

Mr. E.F.A. Merchant (Regina Wascana): — Mr. Speaker, a question to the Minister of Mineral Resources, in the absence of the minister in charge of the Potash Corporation who I gather has been absent for the last couple of weeks (Perhaps on government business) but it has been a long time.

Mr. Romanow: — No it hasn't.

Mr. Merchant: — All of this and all of last.

Mr. Romanow: — Where are your boys — where is Penner?

Mr. Merchant: — Well he's not a full-time . . . he was here until 10:10 . . . he's not a full paid government official.

Mr. Romanow: — Don't point a finger.

Mr. Merchant: — I'm not pointing a finger.

Mr. Romanow: — That's fine.

Mr. Speaker: — I will take the next question. The member for Thunder Creek.

SEDCO — Manager

Mr. W.C. Thatcher (Thunder Creek): — Mr. Speaker, question to the minister in charge of SEDCO. Mr. Minister, a great deal of time has gone by since SEDCO lost for whatever reason its manager. SEDCO has done a great deal of advertising, the minister in this Assembly indicated quite some time ago that he would have a manager to present to us in early November. This has not worked out and the minister, I think that it is time, that he told this Assembly categorically and the people of Saskatchewan when can an important department such as SEDCO be properly managed.

Hon. N. Vickar (Minister of Industry and Commerce): — Mr. Speaker, to answer the latter part of the question I think that SEDCO to this point has been properly managed by the people involved and to the answer the first part of the question, yes, we have been looking continuously for a proper man that we thought could fill the bill and I think that I'm just about ready to make an announcement.

Mr. Thatcher: — With all due respect, that is rather an old answer. May I respectfully ask the minister that since this . . . I think the minister will concede an unusual amount of time has gone by in order to fill this vacancy. The fact is that SEDCO and the minister and your Board of Directors feel it so paramount that you go externally to look for a manager. Is it then safe for the opposition to conclude that not only you but the board and your government feel that the personnel that you have within SEDCO obviously, are not of top quality since that you seem to feel that none of them are qualified to fill this post.

Mr. Vickar: — Mr. Speaker, no that is not a fact.

Mr. Thatcher: — Final. May I then ask the minister if the top job in SEDCO has been offered internally?

Mr. Vickar: — Mr. Speaker, yes, it has.

Potash Corporation — Purchase of Land

Mr. E.F.A. Merchant (Regina Wascana): — Mr. Speaker, since I've last had the opportunity to addressing you I note that the minister in charge of the Potash Corporation hasn't had an opportunity to join us and in his absence I direct the question to the Minister of Mineral Resources. Is it true, Mr. Minister, that the Potash Corporation of Saskatchewan has recently purchased 15 acres of land on 42nd Street in Saskatoon, prime acreage. I wonder if you would indicate the approximate cost and indicate to the House whether it is the intention of the Potash Corporation to open its own machine shops in the city of Saskatoon, putting all of the present machine shops that service the industry and always have, virtually out of business.

Hon. J.R. Messer (Minister of Mineral Resources): — Well, Mr. Speaker, first let me say that I'm happy to see that the member for Wascana is finally learning the proper procedure in asking questions in this Legislative Assembly. Secondly, may I say on behalf of the minister responsible for Saskatchewan Potash Corporation that he is absent from the Legislature due to government business. He left the province of Saskatchewan last Friday and I believe has been as diligent an attender in the Legislative Assembly as any member here up to that point in time. In answer . . .

Mr. Lane: — Has he gone to Cuba?

Mr. Messer: — No, he has not gone to Cuba. In answer Mr. Speaker, to the member for Wascana's question. I think that I have to convey to him that I am the Minister of Mineral Resources. I do not undertake to involve myself in the administration or the day-to-day decisions of the Potash Corporation of Saskatchewan; no more than I would with some of the private potash companies that are in operation in Saskatchewan, and I am sure that the member for Wascana would be the first to say that there was something in error if I was to do otherwise. So I can undertake to take his question as notice and convey it to the minister responsible for the Potash Corporation of Saskatchewan upon his return, but I do not believe that it should be within my jurisdiction, nor is it, to answer that question.

Mr. Merchant: — A supplementary, Mr. Speaker. Could I ask the minister in addition to take notice of our concern that you would be putting out of business the many small firms that have historically serviced the potash industry in Saskatoon, have serviced the potash industry before the government, in an unwanted way, moved into that industry, and to set up your own machine . . .

Teachers' Meeting in Saskatoon

Mr. R.H. Bailey (Rosetown-Elrose): — Mr. Speaker, I would like to direct a question to the Minister of Social Services.

Recently the Saskatoon teachers held a meeting in that city and invited a number of people to attend. The purpose of the meeting was to discuss the Bill 43 as it is before the Assembly at this time. My question to the minister. Did you attend that particular meeting?

Hon. H.H. Rolfes (Minister of Social Services): — I attended a meeting, yes.

Mr. Bailey: — Mr. Minister, why did you, at that meeting at which the teachers were discussing Bill 43, recommend or perhaps suggest to them that a weapon which they had would be to take the weapon of the strike? Did you make that suggestion and why did you make that suggestion?

Mr. Rolfes: — No, I did not.

Mr. Bailey: — Mr. Minister, do you not consider that by such encouragement that it be somewhat . . .

Maher Report

Miss L.B. Clifford (Wilkie): — . . . the Attorney General if he has calmed down, or maybe the Minister of Northern Affairs.

The Maher Report recommended that Ranch Ehrlo be given some compensation for the costs during the inquiry. I would like to know first of all, if there have been any meetings with members of the executive for Ranch Ehrlo, and will you assure the House that you will give them financial assistance for this cost?

Mr. Romanow: — Mr. Speaker, there have been meetings with officials of Ranch Ehrlo. I am not saying that they are executive, and people have been in my department. We are now looking at making a payment or part payment toward legal costs, perhaps a total payment of legal costs and we are considering this at the present time. No final sums or final arrangement has been made.

Miss Clifford: — A supplementary, Mr. Speaker.

Will the government also consider giving some financial assistance to Ranch Ehrlo so that they can get the program started as soon as possible to make up for the time that was lost due to this needless inquiry?

Mr. Romanow: — Mr. Speaker, I believe that discussions are underway as between Social Services and Department of Northern Saskatchewan. I don't think it involves my department so much. I think there are some matters in the Maher Report which have to be looked at — the question of regulations and guidelines and so forth which are being looked at and if they can be satisfied I am sure that Ranch Ehrlo or some form of wilderness camp operation will be operational in Saskatchewan.

Miss Clifford: — A supplementary. Would the government ministers assure us that you will also look during the time between sessions at looking into a different type of a department to look after all child programs as well as programs for needy individuals like these delinquent children?

Mr. Romanow: — You suggested a different department? I am sorry.

Miss Clifford: — I have suggested previously that would you look at putting all care of children under one section of the department and would you come up with some recommendations on that by the time the next session sits?

Mr. Romanow: — Well we will take that matter under advisement.

CPN — Cable TV

Mr. J.G. Lane (Qu'Appelle): — A question of the minister responsible for cable television, or Sask Tel.

The opposition has attempted for some time to find out who would be paying the costs of the additional converters required because of your decision to have a competing or second cable network, being the CPN. We have now the announcement the other day, it was reported I believe yesterday in the Saskatoon Star-Phoenix, that the general manager of CPN has indicated that Sask Tel will provide converters at no extra cost to CPN subscribers.

Will you now advise this House that in fact, because of your decision to have a second cable network, that the cost of the converters, being $100 to $200, will in fact be subsidized by the government of Saskatchewan?

Hon. N.E. Byers (Minister in charge of Sask Tel): — Mr. Speaker, I repeat for all members of the House that at present Sask Tel is attempting to determine what is required by way of converters and traps for the CPN network. That once that decision is made a cost can then be established. It cannot determine what the cost to CPN will be until what the actual hardware will be, is known. But I want to make it clear to the hon. member that once the traps and converters are decided it will then be possible to determine what the cost is and it is Sask Tel's intention to have a contract with CPN that will enable Sask Tel to recover all its costs for the converters and traps and all the supplementary hardware that goes with providing CPN service.

Mr. Lane: — Supplementary question. The additional cost of the converters and the traps could run to several millions of dollars. Would the minister not admit that it would have been a much more astute government decision to have these costs committed or assessed prior to making the commitment to co-operative programming network, a co-operative programming network commitment which you have just admitted is, in fact, going to cost the province of Saskatchewan, people of Saskatchewan, probably several millions of dollars.

Mr. Byers: — Mr. Speaker, that might be the way the Conservatives would operate Sask Tel but that's not the way we're going to operate it. May I say to the hon. member that in the provision of service it is not possible to anticipate what the cost will be for any particular service, if I might use the analogy. It may cost $2,000 to serve a farmer under the rural assimilation program in the constituency of the hon. member for Rosetown-Elrose, but it might cost $2,500 a farmer in the constituency of Nipawin, and we don't make a distinction of charging the farmers of Nipawin more than we would the farmers in Rosetown-Elrose. The costs are equalized.

Grasslands National Park

Mr. R.E. Nelson (Assiniboia-Gravelbourg): — Mr. Speaker, in the absence of the Minister of Tourism, I'd like to ask the Attorney General a question. I was wondering why the Saskatchewan government is dragging its feet regarding the proposed Grasslands National Park. They have not yet given approval to Parks Canada to proceed with the park. The ranchers in the area have no idea what might be happening to them in the future and they need an answer. Does the government intend to give approval and if so, why are they waiting and if they do not intend to give approval, will they tell the people involved of their decision?

Mr. Romanow: — Mr. Chairman, I'll take notice.

Comparative Studies on Reassessment re Moose Jaw.

Mr. R.H. Bailey (Rosetown-Elrose): — I'd like to direct a question to the Minister of Municipal Affairs. Yesterday in this House some discussion took place on the reassessment, mainly they were talking about the city of Moose Jaw. My question to you, Mr. Minister, has your department done any studies of a comparable nature which would compare the business tax, say in the city of Moose Jaw to a city of a comparable size in any other place in Canada? Information that I have received this morning is that under the new formula and the taxation in Moose Jaw, it would be for a city its size the highest tax business in Canada with the exception possibly of one city. Have you done any comparative studies, whatsoever, under the new formula?

Hon. G. MacMurchy (Minister of Municipal Affairs): — Mr. Speaker, no, we have not done any studies like that, I think that would be extremely difficult since the reassessment of Moose Jaw just took place. I think I indicated to the hon. member for Kindersley yesterday that in putting together the manual which is used that there was an examination of the reassessment approaches in other provinces and attempting to adapt what goes on in other provinces with the Saskatchewan scene. After all, assessment is to try to equalize things out and there is need to try to equalize things out as between sittings. To respond to the hon. member's question that Moose Jaw would have the highest assessment of any city of its size in Canada, would be very difficult to answer. I doubt that the hon. member really has that answer, since the reassessment has just been completed and only dealt with very briefly by council at its meeting on Monday or Tuesday.

Mr. Bailey: — Supplementary question. The report indicated that the assessment was up on the average some 361 per cent while a number of the people of the business community in that particular city are claiming that the average is closer to 500 per cent. Obviously, Mr. Minister, there will be a mammoth number of appeals coming forth to your department. My question to you at this particular time, for the benefit of the business community in Moose Jaw is this: Is your department presently equipped to handle a number of appeals which will be forthcoming? Obviously the business people there feel that the new assessment is a blatant attack upon the small businessmen in Moose Jaw.

Mr. MacMurchy: — Mr. Speaker, the hon. member knows better than to say in this House that the appeals will come to the Department of Municipal Affairs. He knows that appeals go to a Court of Revision which will be set up by the city of Moose Jaw and from there if appeals are necessary, to the Saskatchewan Assessment Commission. He knows that structure and to indicate that they are going to come to the department is, I think, just out of order. I want to point out to the hon. member for Rosetown-Elrose and to all hon. members that there was a total re-assessment of the city of Moose Jaw; businessmen and householders. I think we would want to consider the whole piece before we would make any comments that one sector has been badly hurt and another sector been badly hurt, or whatever. I think I indicated, and I think my information is correct, that there hasn't been a re-assessment in Moose Jaw for 22 years. I think in that situation one will see some businesses increase and increase significantly and there is a real possibility that in certain businesses their assessment would go down. I would also want to consider and I think the hon. member should consider what has happened to the householders in the assessment and consider household assessment versus business assessment in light of the total assessment of the city of Moose Jaw.

Mr. Chairman: — Order. I'll take a new question.

Traffic Courts — Legislative Secretary

Mr. Cameron: — If I could direct a question to the member for Kinistino. I am interested to know how many traffic courts have been . . .

Mr. Speaker: — Order. I'll take a new question.

PCS — Investment Funds

Mr. Thatcher: — I would direct a question to the Minister of Finance. Mr. Minister I think we have noted this week that the government of Saskatchewan has spent a fair amount of money in the potash industry. Mr. Minister, would you be a trifle more specific than the press reports have been, and would you indicate to this Assembly what the source of funds for these investments will be, the currency, the interest rates, etc.?

Hon. W.E. Smishek (Minister of Finance): — Mr. Speaker, as the hon. member knows and it's been announced here in the House, that these are only tentative agreements. No final arrangements or detailed arrangements have been made for financing.

Mr. Thatcher: — Supplementary question, Mr. Speaker. Well, Mr. Minister they are tentative announcements as you say. I believe that there was a sort of a final date put on them when there would be an agreement or there would not be an agreement. I find it very difficult to believe that you would, be purchasing or going into an agreement for sale, without having your financing arrangements prepared. Are you in effect telling us that you have not made the arrangements or your department has not made arrangements for what, I think, has been an extraordinarily large investment this week?

Mr. Smishek: — Mr. Speaker, I agree that it's a substantial investment of about $170 million but our credit rating is such that if we need to go on the markets we will have no problem in borrowing the money. We also have the Energy and Resource Development Fund and a portion of that may be used. We will announce the details as to the financing of the potash proposition in due course.

Mr. Thatcher: — In your Budget Speech last March, Mr. Minister, you indicated that the province would be borrowing, in the various markets of the world, some $340 million. I am having about as much trouble as the minister is hearing me, Mr. Speaker. I would like to ask the minister if this $170 million which has been announced this week, if it should proceed, is that part of the $340 million that you indicated in your Budget of last March would have to be borrowed?

Mr. Smishek: — Borrowings may be in the coming year, Mr. Speaker, it may not be part of that, it may be only a portion of it. It may be that, but there might be additional funds that will have to be added to that information that we provided to the House.

AMAX Holdings owned by the Crown

Mr. Cameron: — Mr. Speaker, a question to the — ideally it should go to the minister in charge of the Potash Corporation but in his absence and so as not to sort of exacerbate the testy condition of the Attorney General — I'll ask the question of the Minister of Mineral Resources.

AMAX didn't have a mine or a shaft, they had only a block of potash in the ground. May I ask you what proportion, if any, of the AMAX holdings were owned by the Crown?

Hon. J.R. Messer (Minister of Mineral Resources): — I think I will have to take that question under advisement. I could not be precise in an answer at this point in time.

Saskoil

Mr. Merchant: — A question to the Minister of Mineral Resources. I ask the minister as the minister in charge of Saskoil, whether you do not view with some alarm the loss of Ted McKay, your chief land man, and whether people such as the taxpayers and owners of this company shouldn't be concerned about the problems at the corporate level of Saskoil. You have had an absence in the general manager's job for some time. You are incapable apparently of replacing the general manager, having an acting manager, Mr. Lee, whom you are not prepared to promote. Knebles, the head of exploration . . .

Mr. Speaker: — Order! Ministerial Statements . . .

Traffic Courts — Legislative Secretary

Mr. Cameron: — Mr. Speaker, before the orders of the day, I wonder if I might take a point of order. I was going to, Mr. Speaker, in the absence of the Minister of Highways today ask a question of his Legislative Secretary. I understand we have three Legislative Secretaries, the member for Kinistino was one of them. He's the legislative secretary to the Minister of Highways and I had thought in the absence of the minister that one can properly direct a question to his legislative secretary. I know certainly that's the rule in the House of Commons, which the member for Moose Jaw North would confirm, I am certain, that in the absence of the minister you can in fact ask a question of the Parliamentary Secretary.

Mr. Speaker: — Order, order! I think that is a practice in the House of Commons. However, for the member, unfortunately, it is not a practice of this Chamber. I refer the member to Rule 35 — "Written questions may be placed on the order paper, or oral questions may be asked seeking information from ministers of the Crown related to public affairs."

COMMITTEE OF THE WHOLE

Bill No. 23 — An Act to establish a Unified Family Court for Saskatchewan.

Section 28

Mr. Chairman: — There is a House amendment. I have read the amendment. Is the House ready for the question, or will they take it as read?

Mr. J.G. Lane (Qu'Appelle): — Just a comment. I suggest to the minister that that is precisely the type of drafting that we have endeavored to get away from in the past and that is we give the power in the outset for the judges to make rules and then we go through and we start to delineate all the areas in which the judges make rules. They don't need those further powers and all that happens, of course, is if you happen to miss one by putting it in legislation then somebody appeals the matter, or challenges it because a particular rule was left out. Now I'm a little surprised because I know that it has been the effort of the Attorney General in the past to give the necessary power and then not to be so specific and particular to start delineating the power you have already given. I say that, with respect, it simply adds to confusion, opens up the possible areas

for challenge and it is the type of drafting that the Attorney General himself has said in the past we have been trying to get away from.

Mr. Cameron: — Mr. Chairman, I think the member for Qu'Appelle makes a very good point as a matter of fact and I want to support him in the point he is making. When I saw the amendment yesterday it troubled me a little that once again we are lapsing into this kind of draftsmanship where you are giving people the power to alter the legislation in the rules. In this case what you are doing is you're saying to the judges that promulgate rules to govern the procedures with applications under this act, that they can through regulation, set aside express provisions of another act. Again, it is not a matter of great import in terms of practical application but it is a matter of concern in terms of principle, and clearly is.

As I see the amendment the judges, in determining the rules for the courts, could set aside procedural aspects of other statutes by way of a rule, and I don't think we should be doing that. I think that the rules should only provide for procedure where it is not otherwise covered and not give them the kind of blanket power that is here. As I say, it is not a large matter in terms of practice, but a significant matter in terms of principle and I rise to support the comments made by the member for Qu'Appelle.

Mr. Chairman: — Section 28, an amendment by the Hon. Mr. Romanow.

Amendment agreed.

Section 7

Mr. Romanow: — Mr. Chairman, the hon. member for Regina South raised a point with respect to jurisdiction on section 7 and on section 17, and I have indeed considered both of these matters overnight and have had my officials consider them as well.

I would like to first of all, speak to section 7. This would deal with the suggestion that we add to the jurisdiction of this court, basically to deal with matters relating to wills and successions and so forth.

Now, Mr. Chairman, as I mentioned yesterday, the concept of this Unified Family Court is to unify legal jurisdiction over family problems. The provision of counselling services is also geared, as the thrust of this bill will show, toward marital and family counselling. Different issues and problems are created however, on the question of a death of a family member. The court and the counselling are not targeted at these matters. I would like to point out that the transfer provisions in section 14 will permit transfers of actions to the Unified Family Court where that seems to be desirable. The addition of all succession matters also gives me some concern as I think that the Unified Family Court will have a heavy enough work load in its first couple of years with the jurisdiction already provided for in the legislation.

Other provinces have considered this matter and reached varying conclusions. Ontario, which has an operational family court project includes only interlegal (sic) matters and excludes succession questions which are at issue here. This follows the recommendation of the Canadian, Ontario and Alberta Law Reform Commissions. Newfoundland has, on the other hand, included dependant's relief but no other succession matters in its legislation. The Unified Family Court there has not passed the legislation stage yet. We are further advanced than they are.

I think on balance we are inclined to take the Ontario precedent and those recommendations the Ontario and Alberta Law Reform Commissions, as well as the Canada Law Reform Commission, and not, at this stage in the game, add to the jurisdictional question raised by the member for Regina South.

I think it merits further consideration and I would like to see the courts have some operating room and operating time before we decide to further amend it.

Mr. Cameron: — Well I just say I am sorry about that because I think there is every reason to give the Family Court jurisdiction with respect to all family matters. Now there are a great many matters that come before lawyers and go before the courts involving people dying intestate and therefore you have to provide for the children and the surviving parent and these matters, I think, are better dealt with in the Family Court than they are elsewhere. That's the first point. The second point is, is that husbands (still do these days) not make adequate provision in their wills for their wives and for their families. Those matters frequently have to go to the courts. I think again that the logical place to go is to the Family Court and not here (and that's true). I also think of applications under The Dependant's Relief Act which again involves the children of a marriage. Those matters, I think, logically should be going to this court which I am hopeful will be a whole lot more accessible and conduct its proceedings more informally. That's the intent (as I read one of these sections of the act) than is the tradition in the higher courts. As much jurisdiction with respect to family matters as we can get into this court, which will be easier to get to and less formal, in my view, the better. So I thank the Attorney General for having considered it and I am a bit disappointed that he isn't prepared at this stage to broaden the jurisdiction. Maybe what we have to do is come back in time, after the court is working for some time, and see whether these things which logic, the logic of the situation, dictates that they ought to be in this court and not any other, and secondly, is the easy access to this court compared to the other. We will come back perhaps in due course and suggest the jurisdiction ought to be changed in that respect. I won't bother moving a resolution in respect of it.

Section 7 agreed.

Section 17

Mr. Romanow: — Mr. Chairman, on section 17, again another issue and I don't want to sound patronizing, but an issue of substance, another issue of substance was raised by the member for Regina South.

This issue was: should we not make the appeal mechanism here in the first instance at the Queen's Bench and then the Court of Appeal? Presently, the way section 17 is written it goes to the Court of Appeal.

Again, it's not a clear cut decision when I say to the member for Regina South that my recommendation to the House would be to leave the section as it is for the time being. I don't make this with 100 per cent certainty. It is a tough question to decide on, but I have decided to take that route. Basically the factor which has tipped me to leaving the bill as printed is as following.

Many of the acts now, dealing with these matters, such as Family Services, Parents' Maintenance and Married Women's Property, Divorce, etc., these kinds of bills provide

for appeals directly to the Court of Appeal. Now it will be said, well of course the Queen's Bench deals with those and that's true. But here we are trying to provide a Unified Family Court under a kind of a Queen's Bench (or up to now what has been Queen's Bench-like function), certainly it's a District Court, Unified Family Court function and we think that the necessity here, accordingly, is to unify the procedure in the Unified Family Court and to have the same appeal procedure apply to all matters before the Unified Family Court judge, namely, one appeal to the judge of the Court of Appeal as set out in the legislation.

I'm saying now these statutes, family services, parents' maintenance, etc., the appeal is directly to the Court of Appeal and these are matters directly dealing with Unified Family Court matters. Accordingly we should standardize the appeal mechanism and we think that this is the best way to go by way of the appeal mechanism.

The factor of making appeals as accessible as possible has been considered and I think that this is the biggest argument in favor of the member for Regina South. I say the argument to reject it is not easy. Secondly, adding appeals to Queen's Bench for some matters would add an additional step before the final court of the province would hear a matter and I think that one could argue that this is a further cost. I don't hang my hat too strongly on that, but it is a factor. On balance, accordingly, I would suggest to the members of the House again, partly because of these reasons and partly because we will see what kind of an operation the court really has in the next year or two years, that we leave this bill unchanged as is it and that for the time being we reject the suggestion of the member for Regina South.

Mr. Cameron: — Well again, Mr. Chairman, if we had more time I would have liked to brought forward formally am amendment and to have some additional debate on this. I feel more strongly about this point than the other. Look, look. The biggest problem that people face in getting into these courts today is two things, the accessibility of the courts and the expense that is attached to it. Currently it takes months upon months to get before the court with respect to a civil matter. It is a highly expensive procedure. There is a real deterrent here. We've got to come to grips with that. We aren't doing it. You made some earlier efforts in terms of unifying the courts to do it, but by and large it is a problem that continues to drift and drift and no one is taking it on. One bright spot in this act, in my view, and I say this from the perspective of a lot in practice in this area, is that it is intended and we will have to see how it develops, but it is intended by express words of the act to function more informally and to be more accessible than what is the Court of Queen's Bench or the District Court traditionally.

Now, insofar as we can little by little assist people in getting to the courts each year and with less expense attached to it, we should do that. Now there are going to be appeals under this act just as certainly there are under any other act and there may be a good number of them under this act. Currently you take the matter before the District Court. That is in your own locale, that is where the matter is heard. If I live in Yorkton it is a Yorkton District Court judge who deals with this. Now I am not satisfied, entirely, with some aspect of a judgment and I want to appeal it. Where should I go?

Logically I should go to a judge of the Court of Queen's Bench sitting in Yorkton to avoid having to go to Regina to the Court of Appeal, which is tougher to get to, generally more expensive. I don't know why we don't here make the appeal procedure a local one. Queen's Bench judges sit in Moosomin, in Yorkton, Swift Current, Prince Albert, North

Battleford, Saskatoon and Regina. They sit around the province. So we should try to bring the courts to the people as near as we can instead of bringing the people always to the courts.

Now, secondly, you have an appeal here to one judge of the Court of Appeal. The Court of Appeal, as you know, sits almost exclusively in Regina. It sits occasionally in Saskatoon, but reluctantly so. So it means that people who are satisfied with their decision instead of being able to appeal to a judge in their own locale have to go to the expense of taking the additional proceeding in Regina, or in some small number of cases in Saskatoon and many of those Saskatoon cases have to as you know have to come here as well.

I don't know what you have to do. I don't know of a single case, by the way, where you appeal from the District Court directly to a single judge of the Court of Appeal. That has never been the function of the Court of Appeal. There are situations where you appeal directly from a District Court to a single judge of the Court of Queen's Bench. That is common and it is desirable as being less expensive and generally more accessible.

As I said if we had more time I would try to make a larger issue of it to try to persuade the Attorney General to the view.

There is another factor here, as well. Where do you go if you appeal, you have an appeal to one judge of the Court of Appeal? The Court of Appeal is a panel of judges. The whole notion of an appeal to the Court of Appeal is to appeal to a panel not to a single individual judge. There is no difference in expense by going to one judge or the entire Court of Appeal. I think this is something of an aberration in the law and I can't readily think of another instance where you have an appeal to a single judge of the Court of Appeal. It is in the face of the law as it currently stands and in practice for as long as we have been operating under this sort of British system. If you are not appealing to a panel you are appealing to one individual. As I said, I feel strongly about this one. I am sorry we don't have more time to debate it more fully and I am kind of sorry you are not prepared to look at it more closely, frankly, because there is here a very real and definite need. I tell you that we are not meeting in terms of allowing people to get to the courts more readily and more cheaply and there was an opportunity here to do and we failed to seize the opportunity.

Mr. Romanow: — Mr. Chairman, I think the member puts forward a very strong argument. I would be untruthful if I said any less than that. If I reconsider and adopt his argument, I will be left with a large doubt on my side of the arguments. All I am saying is I just don't know. He may be proven to be true. If that is the case, when I come back here to amend and if he is still here, or if I am still here, maybe the test will be there. I just have to stick with the advice of my officials in this one and we should continue with the bill as it is.

Section 17 agreed.

Section 28 as amended agreed.

Section 29 agreed.

Revert back to section 19

Mr. Lane: — Mr. Chairman, if I can, with leave, just revert to a comment I missed on my

own on section 19 on the matter of counselling services.

The way the section reads is that where the judge considers that any matter, any party to a matter, would benefit. Given the circumstances or the problem that we are dealing with, is it not possible under this provision for a judge to decide that one of the spouses would benefit and so recommends counselling services. However if the spouse decided adamantly that no way am I going to take counselling services he then, perhaps, could be prejudiced by his position in the judge's eyes by turning down a request although the circumstances are such that he or she just simply refuses to do it. Is there not some way that the consent of the party must be given in that particular circumstance so that there is no question or even implication that, wrongfully perhaps, I was done because I refused counselling service.

Mr. Romanow: — I am not sure that I know quite how to respond to the member's question. As I understand it, he says under section 19 if a judge suggests or requests counselling and one of the parties says, no, will the party that says, no, be prejudiced in the eyes of the judge when the case is ultimately heard or considered?

That is possible, I suppose, I don't view this as much of a problem inasmuch as this section is really a permissive one. I think the judges will take the position that the parties don't voluntarily agree to some kind of counselling process, there is no use counselling because a mandatory direction for counselling is in all likelihood going to be dragging the parties through some sort of a mechanism which they object to. I think that if that takes place then the judge simply says, O.K. I have a duty now to hear and determine the issue before me.

I think that in Magistrate's Court, in my experience, it has been a few years since I have before been before it, but my experience of Judge Mary Carter's court, very frequently she would suggest to parties, what about taking your client aside and talking to him. Sometimes I remember being in the position of my client as simply saying, no. I never had the feeling that it worked in a prejudicial way against the client in that kind of a circumstance.

I guess what I am saying is that I am not totally satisfied in my own mind that you don't have an argument. I think you do have an argument, but I am assessing the weight of the argument and in my judgment, based on my experience and my gut sort of practical experience, I think section 19 should not have that iniquitous result that you suggest may happen.

Section 19 agreed.

Section 30 agreed.

Motion agreed to and bill read a third time.

Bill No. 2 — An Act to amend The Cemeteries Act.

Motion agreed to and bill read a third time.

Bill No. 3 — An Act to amend The Guarantee Companies Securities Act.

Motion agreed to and bill read a third time.

Bill No. 39 — An Act to amend The Municipal Hail Insurance Act, 1968.

Motion agreed to and bill read a third time.

Bill No. 46 — An Act to amend The Marriage Act.

Mr. R.H. Bailey (Rosetown-Elrose): — Mr. Chairman, amendment here to section 2 of the printed bill — what the amendment calls for, basically, is that where either party to an intended marriage is between the ages of 16 and 18 years of age, there are some conditions that we feel would be proper in the marriage act to strengthen the act as it has been proposed at this particular time and if section 2(a) would thus read:

> where either party to an intended marriage is between the ages of 16 and 18 years, (a) the licence shall be dated to become effective 60 days from the day in which the statutory declarations in prescribed form was filed with the issuer or the ban shall be proclaimed at least once on the Sunday not less than 60 clear days before the marriage.

I had mentioned this earlier in discussion in this House, Mr. Chairman, and it seems to me that the experience that's been had elsewhere even outside of Canada could be beneficial to the province of Saskatchewan. I feel that we can follow what the results were of many of the European countries which had very positive results. I think that marriage in our society has to be taken as a much more serious union of two people than it is at the present time. I think, too, that if we fully examine the number of marriages or the number in European countries where intent to marriage had been filed and the number actually proceeding with the marriage, the percentage wise is very high. I suspect that that could be the same thing in our province. Certainly in my position in the work which I do as a public servant I do find that many, many of the situations that we have to deal with are a direct result of some ill conceived marriages without proper planning. I think it's incumbent upon this Legislature to take a look at this minor amendment to the bill which I think would be more than beneficial to all of society. Surely, if there is a marriage which is a life time contract it's not asking too much for a period of 60 days which would be the normal case anyway and I don't think it would be incumbent upon any people to be a burdensome affair. So with that in mind, Mr. Chairman, I would like to move the amendment to the printed bill.

Mr. Chairman: — If I may state the amendment here. It's been moved by the member for Rosetown-Elrose:

> That we strike out subsection 2 of section 2 of the printed bill and substitute the following:
>
> (2) No decision made pursuant to subsection (1) shall relieve a person from compliance of sections 38 and 40.
>
> 2(a) Where either party to an intended marriage is between the ages of 16 and 18 years; (a) the licence shall be dated and become effective 60 days from the day on which the statutory declaration in the prescribed form was filed with the issuer; or (b) the bans shall be proclaimed at least once on a Sunday not less than 60 clear days before the marriage.
>
> 2(b) Notwithstanding subsection 2(a) a party mentioned in that subsection may apply ex parte to a judge of the Court of Queen's Bench for an order; (a)

directing their issuer to issue licence dated on and becoming effective from a day named in the order or (b) directing the clergyman to proclaim the bans on a day named in the order.

2(c) A judge may issue an order mentioned in subsection 2(b) under any terms and conditions that he considers proper.

Mr. Merchant: — The amendment, Mr. Chairman, bears our support and I have assisted Mr. Bailey in the preparation of it.

We think it is not good enough to simply worry about 15 and 14 year olds, that with the mounting level of divorce that this is an area where the government should give some consideration. I suggest to you that in those circumstances where there is a need for great haste that it would be possible for a court to deal with the matter and that's the reason there is a saving provision allowing for an application to the court. This so-called cooling off period is not unknown in other jurisdictions, including California.

I urge upon the minister that he pass the amendment. The whole area was brought to the attention of the government and the minister by my colleague for Regina South and by me last year in certain matters and in certain legislation we brought before you. Members may recall that the bill that I introduced last year dealt as well with the problem of people up to 18 and had some varying degrees so that a 17 year old and a 16 year old in varying degrees had different requirements upon them under the law. Now I suggest to the minister to make that cutoff at 16 years, which is a very young age, is a mistake and that this is a very good amendment as presented by the member.

Hon. E. Tchorzewski (Minister of Health): — Mr. Chairman, I will not take a great deal of time of the House on this proposed amendment. I am going to be asking the members of the House to defeat the amendment.

Mr. Bailey: — Defeat it?

Mr. Tchorzewski: — Yes, defeat it. I think the amendments which we have proposed are adequate for the concerns that we are trying to meet which I know the members opposite have been expressing some concern about in the past. What we have before the House now is the consensus of opinion of almost everyone in Saskatchewan who has some role to play in marriage and young people forming families and so on. In the process of putting together the amendments that we have here we have the advice of all the various religious groups in Saskatchewan, of all religious faiths, marriage counsellors and others and, therefore, what we are doing here has been done with their advice and with their consultation. In order for us to now go ahead and introduce another amendment and there may be some validity to what the members are saying, I think would be unfair and I think an incorrect thing to do. If we were going to add further amendments I would only do so as a minister in charge of The Marriage Act after I had had the opportunity to consult with these same people again which I would probably be able to do between now and the next session.

But I suppose there are other questions that we have to ask ourselves as well and you can ask the question that relates to the matter of civil rights. What is so magic about the age of 18 or 16? Why not make it 20? Why not make it 21 rather than between the ages of 16 and 18? The member for Wascana says that there is a cooling off period in other jurisdictions but he should explain, I would suggest, that that cooling off period in other jurisdictions is only in some cases a matter of hours. We have in Saskatchewan a period

of cooling off of 24 hours, if that's the way you want to define it. In some other jurisdictions that so-called cooling off period is a matter of a few days. So it is not a good argument to use by saying that we would be doing what other jurisdictions are doing by providing 60 days and what is said in the other portions of this amendment.

Now, Mr. Chairman, in conclusion I just want to say again what I said in the initiation of my remarks and this, I know the members know as well as I do, is a matter that is somewhat sensitive and so it should be. There are a variety of views on marriage in society, depending on one's religious affiliation, depending on one's other kinds of feelings about things, depending on one's attitude to the way the society is and I think for us to hastily at this time accept this amendment without looking at all of those things would be wrong. Therefore, I would ask the members of this House to defeat the amendment proposed by the member for Rosetown-Elrose.

Mr. Bailey: — Just a comment. The minister says, what's so magical about 18? One could make that same question, what's so magical about 16? The point is, Mr. Minister, you are well aware that if in fact you have to declare a certain age and we have decided in the amendment to The Marriage Act to make it 16, what we are saying by this amendment to the bill is simply this, let's place some greater responsibility on those who are under the age of 18, if either one is under the age of 18, because I think it's a very serious thing. You know very well that the age of 18 has not become the traditional age of leaving school. Most young people in Canada today at the age of 18 have not encountered or come face to face with the work world at the present time. That was not true four decades ago or five decades ago. There is a big difference and he knows it and I think we have some responsibility in this Legislature not to slough off this amendment at all. I think we should look at it very seriously. Just because it didn't happen to come from that side of the House should have no bearing whatsoever upon the seriousness of the amendment. I don't think we can slough it off that easily. I think that the amendment is a good amendment and I think this government would be wise in accepting this amendment to The Marriage Act and I think they would receive a lot of praise by the acceptance of it.

Amendment negatived on the following recorded division:

YEAS — 13

Malone	Nelson (As-Gr)	Lane (Qu'Ap)
Wiebe	Clifford	Ham
Merchant	Collver	Katzman
Cameron	Bailey	Wipf
McMillan		

NAYS — 28

Blakeney	MacMurchy	Feschuk
Thibault	Mostoway	Faris
Bowerman	Banda	Rolfes

Smishek	Whelan	Tchorzewski
Romanow	Kaeding	Shillington
Messer	Kwasnica	Vickar
Byers	Dyck	Skoberg
Lange	McNeill	Johnson
Kowalchuk	MacAuley	Lusney
Robbins		

Section 2 agreed.

Sections 3 and 4 agreed.

Motion agreed to and bill read a third time.

Bill No. 50 — An Act to provide for the Postponement of the Tabling of Certain Documents

Section 1

Mr. Chairman: — I believe we have an amendment to section 1. Amend section 1 of the printed bill by:

Striking out '1977' in the second line and substituting '1978.'

Mr. Collver: — Mr. Chairman, I understand the drafting problems of the Attorney General, but it was my understanding that on clause (1) we would get an explanation of this bill, as to what the Attorney General intends to do with this amendment and so that we could all be aware of what's going on and vote accordingly, yes.

Mr. Romanow: — Well, we're doing that, 1977 and 1978, that's one amendment and the second amendment comes to clause (1). Look at the very last sentence in clause 2 of the printed bill, it says, 'a copy of an amendment thereto or any other document shall be laid before submitted to the Legislature at any time during the present session'. We're going to be amending the words 'during the present session'. Striking them out, no, adding, I'm sorry, 'during the present session' and adding 'or within 15 days after the first sitting day of the next ensuing session'. And the reasoning for that is, I think fairly obvious, namely the way the bill is presently worded it deals only on adjournment; if this session should prorogue then we'll need the amendment in order to make it applicable to the next ensuing session.

Mr. Collver: — Mr. Chairman, yes I think the amendments make eminently good sense in the light of this session. Why may I ask, Mr. Chairman, has the Attorney General decided to make permanent a provision in the Legislature of Saskatchewan that is designed to meet a condition that is unique to this session? Why are we attempting to make this permanent?

Mr. Romanow: — Mr. Chairman, I want to tell the Leader of the Conservative Party, we've argued this out in the second reading. We've done this now for two or three sessions in the past where the session has been dragged out beyond the anticipated 14 days we're going to be. If I can just ramble for a moment, under a normal fall session as it was conceived by our government and still is hopefully conceived by our

government, we would go for approximately 14 sitting days after the opening. Most of the reports have to be tabled within 15 days, so under a normal session you go 14 days, the House adjourned, you come back in February or March you pick up day 15, all of the reports are able to come forward and you can table them. When you get an extraordinary session, as I would submit this session has been, and the potash session was an extraordinary session, i.e. you go way beyond the 15 or 14 days, all the reports are due and owing. Now the only way, and it can't be done in some of the them, a lot of them have been tabled, you've seen the great big bundle that's been tabled, but some of them can't be meant to be done because the anticipation has been, administratively and otherwise, and perhaps even legally they don't have to, but anticipating the next session. So the only way this can be done, I am advised is by an amendment to the act, sorry, by setting up a special act getting around the postponement for this session only.

Mr. Collver: — I am sure the Attorney General would not suggest for a moment that the reason for this bill is to enable any government that sits opposite to delay or postpone providing financial information and financial statements on such things as Crown corporations and so on in such a way that the opposition wouldn't get a chance to see the financial information before they get an opportunity to oppose it so that we could go another year late. For example, we are now eighteen months late when we go into Crown corporations in talking about certain aspects of a Crown corporation, but we can actually stall it off and for administrative purposes, of course, another year. And we can go two and a half years without having the proper information before we got to the next Crown corporation meeting. What I'm going to suggest to Mr. Attorney General since I'm sure that's not your intent with this bill, would you be prepared to accept an amendment that said notwithstanding anything in this bill, that all Crown corporations, government agencies and the like must file a report or table a report within six months as billable maximum, in other words notwithstanding anything here that they can't go longer than six months after the year end before tabling a report. Six months is lots of time for them to prepare a report and surely we are entitled as

legislators and the people of Saskatchewan are entitled to have a report on a particular corporation or agency of government within six months of the year end of that agency.

Mr. Romanow: — Well, Mr. Chairman, I don't think I would be prepared to accept this amendment because I don't believe that it is necessary. Let me just explain how the mechanism works. The situation is, forgetting about this bill for the time being, the various Crown corporations are under various statutes and they have obligations within each one of their statutes, their governing statutes, for a period of preparation of a report. And the way most of the law is now, 90 days at the end of their fiscal year or calendar year, I'm not sure, fiscal year, but 90 days after their year they have to prepare a report. And then, period. And there was no Tabling of Documents Act, you know, before 1972 I brought it in and there was no Tabling of Documents Act before 1972 or 1973. What we did is we added the further condition on the Crown corporation saying that after you met that 90 day requirement, you had your report, then you had to table it within the first 15 days of the session next ensuing after the preparation of that report that year. And that's the way it's been operating. If we had never had the Tabling of Documents Act, if I had been wise enough to have known that we were going to have two lengthy sessions like this, I would never had the Tabling of Documents Act and we would have tabled it in due course. Could have tabled it at the next session, either under adjournment or prorogation of this one, doesn't matter which. Could have done it in the next session, just tabling, and no obligation. But in the interest of trying to put a statutory requirement on us to doing it, we put the Tabling of Documents Act before us. So now we get into a jackpot like we have here where the time has run out, we need this kind of a bill in order to legitimize the fact that the 15 days has run out under the first original bill of 1972. That's all that is required. If we pass this amendment, this bill, even with this House amendment the impact will be it doesn't change it one bit as to the law. All that it does is that when we come back here, whenever we come back here, these guys have got to table or within 15 days table.

Mr. Collver: — I appreciate the Attorney General's comments about the fact that he brought in the Tabling of Documents Act and got the benefit from it at the time and was it accepted and the political benefit, I wasn't there, no, but you did get the benefit of bringing it in and you were able to say look at the nice fellow I am, I am putting a statutory requirement on the Crown corporation, we want to make sure that they have a statutory requirement and now that you've done it and you got all the credit for it and we say, lovely act, and very good, now why do you want to mess it up? The fact of the matter is, suppose the Premier decides not to call a fall session. There's no commitment they'll have a fall session at all, none whatsoever. No commitment whatsoever. So we're into the spring before any document has to be tabled in the Legislature or provided to the legislators at all. Now let's take the example of the Potash Corporation of Saskatchewan. As an example, as a year end of June 30, so June 30, 1978 rolls around the year end, within 90 days a nice report has been prepared for Potash Corporation of Saskatchewan. There's no fall session.

Hon. J.R. Messer (Minister of Mineral Resources): — Wouldn't you love that?

Mr. Collver: — Yea, wouldn't we love that? And the Potash Corporation of Saskatchewan financial statement is not provided to the people in the fall. So then it's not provided for the people at all until the spring. As a matter of fact, it goes even beyond that. There's a session in the spring of 1979, a very quick one, and all of a sudden the Premier says, by George this session's over, I'm getting too much flak from the opposition across the way, I've got to have an election. June of 1979 we're going to call an election, but we haven't got a financial statement yet for Potash Corporation of

Saskatchewan. The only one that we have shows .4 per cent return on investment. What the next one might show is ten per cent loss on investment. Might. And we would like, as an opposition, to be able to draw that to the attention of the people, if that's what happened. But by these amendments you are enabling those Crown corporations — and they're taking such a tremendous increase in the meaningfulness that they have on people's lives — you are enabling them to stall reporting of their affairs to the people of Saskatchewan, because, that's after all what tabling is all about. It's all very well for them to prepare the report and hand it to you and the Cabinet or hand it to the minister responsible, but if it never gets out to the people then how in the way would the shareholders know what happened. They don't. They have no idea. Somehow it has to be made public. So, perhaps, if you wouldn't accept that, would you accept a rider on this act to make sure that the Crown corporations in Saskatchewan, especially the Crown corporations but perhaps, the agencies as well, would you accept an amendment that would state in this particular bill notwithstanding anything in this bill that the Crown corporations must within six months of their year end make public their report.

Mr. Romanow: — Mr. Chairman, the hon. member again, I'm sorry, I don't mean this in any personal sense, but I'm afraid you don't understand the operation of the law. One could almost take the six month requirement and lengthen the present obligation by three months. Oh yes, because it's 90 days now, and you want to make it 180 days, that's your operation. I'm telling you, I'm telling the Leader of the Conservative Party, all that this bill does is this. Take your potash, for example. The potash report, by the way, is on the table, but that's neither here nor there. This bill has no, (interjection) it's the law because of the Tabling of Documents Act, that's the law, and in some of the Crown corporations because of calendar years and other obligations they aren't able to comply with the law and we need an amendment for this session and the next ensuing session, the budget session, only. That's as far as this bill goes. Well, take a look at it, that's all it says. For during the present session, Assembly at any time during the present session, we're in it now, and the House amendment I'm moving, or for the next ensuing session. Period. It doesn't go any further than that.

Mr. E.F.A. Merchant (Regina Wascana): — Mr. Chairman, we in the Liberal Caucus oppose this legislation for all of the reasons that I enunciated in second reading and the member for Indian Head-Wolseley enunciated in second reading and the member for Nipawin enunciated in second reading and what does it really come to, in the final analysis. When you analyze what the minister says, he really constantly says to us, well, trust us. It's the same kind of thing that we got through Bill 47, well, trust us. We're not going to do those sorts of things, we're not prepared to be bound by legislation or bound in writing. I was talking with the minister proposing in second reading certain amendments, terms of 15 days after the end of the session, amendments of that nature. I know what his attitude is, his attitude is that he is not prepared to accept any of those amendments and it's the same sort of arrogant government that we see in the federal House, government that really says, well we treated you fairly in the past and therefore we will treat you fairly in the future. I don't know why we should go on being asked to just take it on faith from this government. Now in second reading, we had this suggestion well you didn't raise these objections when the legislation was introduced in the past. Maybe we didn't catch it in the past, but now we catch the errors in the legislation and say why don't you correct it and the government in essence says, well you can put your faith in us — we are not going to do anything untoward. We don't want to deal in that way, these are legal matters and they should be enshrined legally. That's the reason we feel that this legislation is in appropriate legislation.

Mr. Lane (Qu'Appelle): — I've just got one question here to comment. You know we have opposed this in the past and the answer has come about or come from the treasury benches that the government has difficulty in getting the annual reports prepared in the previous time frame that had been given by the prior legislation. I'm going to propose an amendment that I'm sure the government can support and the amendment will be that all reports required, all documents be required prior to at any time prior to the commencement of the budget debate. Now what that's done of course is, it's given the government the fall session that it's asked for, it's given the government the Christmas, it's given the government January usually February and usually into March. Now I don't think it proper for the government to ask for more time than that but what it also does is assures the opposition that it has the reports at the time of the Crown Corporations Committee, Public Accounts Committee, when we should have the reports. I mean what's going to happen and I want to tell this to the press that if we don't have reports prior to the Crown Corporations and Public Account Committee on controversial pieces or government departments, don't expect any serious cross examination or questioning by opposition members because you can't do it. Now the whole reason for us being here and one of the reasons for parliament is the fact of you know, holding government to account on its public expenditures. Now surely to God we are not going to have that right denied to us, so I'm going to make the amendment seconded by the member from Nipawin that . . .

Mr. Chairman: — I believe that we should proceed with item 1 first, this one hasn't been agreed on yet and if your amendment is relevant to section 2, we will deal with it then.

Mr. Lane: — I'm aware of that, I'm telling the Attorney General what we are going to do to give him time to consider it. I don't see what the objection is, no I don't think you should say you are not going to consider it. Well we will then in due course, he has had time to consider it, we will move it in item 2.

Mr. Chairman: — Section 1 shortcuts agreed.

We have an amendment as I say to section 1, that was by Mr. Romanow.

Mr. Collver: — I would like the Attorney General to be aware that we consider it appalling that he should suggest that by this amendment, in the last day, presumably the last day of this session, that he will make such an amendment on such or bring forward this piece of legislation, have it passed today and put in jeopardy the opportunity for the opposition in the coming spring session, and the following one, to do its job effectively . . .

Mr. Chairman: — Order! Are you speaking to section 1 that pertains to 77-78.

Mr. Collver: — I believe on section 1 of the bill I am entitled to bring anything up pertaining to the whole bill. Am I not Mr. Chairman?

Mr. Chairman: — You have the amendment, that's what you have been speaking on is the amendment which is on 2

Mr. Collver: — I beg your pardon.

Mr. Chairman: — I presented the amendment of the change of year on section 1 and that's what I would like . . .

Mr. Collver: — Mr. Chairman, I believe before the amendment can be presented on section 1, I believe we have to discuss section 1 and that on section 1 I am entitled to speak on the entire bill and that's what I'm speaking to.

Mr. Chairman: — All right, I would say this that you are allowed to speak on general terms but not on specific clause within the bill in which I think you are dealing with on section 2 and that's why . . .

Mr. Collver: — Am I not entitled, Mr. Chairman, to speak to the entire bill in general terms?

Mr. Chairman: — In general terms but not on a specific area of the bill which we will be dealing with later.

Mr. Collver: — Mr. Chairman, what I am trying to put across to the Attorney General is, this today. On this last presumably the last day, is that we believe that it is essential that the opposition be given an opportunity to have the reports in advance of having to sit on Public Accounts and Crown Corporations Committee. This bill precludes that necessity. We want an amendment of some kind, of some kind and nature that will assure, commit the government of Saskatchewan to provide to the members of this legislature the Crown corporations, annual reports and the reports from the other agencies' of government prior to our having to sit and investigate them on Public Accounts and on Crown Corporations Committee. That's what we are asking for. Give us a chance to examine the reports. This act removes that necessity from the law. Now is the Attorney General prepared to commit the present government to this Legislature that the opposition members will be provided with those reports in advance of the necessity to examine them and enough in advance that we have got at least a little time to examine the reports, not thrown on us the very same day that we are supposed to examine them? If he will give that commitment, then perhaps an amendment isn't necessary, but we are trying to suggest we must have at this point, at this late juncture, the opportunity in the forthcoming session to have reports before we are required to try and oppose the government agencies and departments and fiscal management, and you notice how nice I was in saying 'fiscal management' of the present government of Saskatchewan. Now the amendment that could be proposed to solve this would be to amend section 2 of the printed bill by striking out the words, during the present session, where they occur in the last two lines thereof and substituting therefore, the following words, 'prior to the budget debate.' Now, surely the Attorney General would have no objection to that. Substituting the words, 'prior to budget debate' instead of the words, 'during the present session.' That way we would be assured of receiving the necessary information by statute prior to our being required to do our job. Surely, the Attorney General can consider that. And I ask the Attorney General would he consider accepting that kind of an amendment?

Mr. Romanow: — Mr. Chairman, the answer to that is, no. Again the hon. member by that amendment would ask for something less than he's got now. He does not understand the law. Let me repeat the law to the hon. member. The law is as follows:

> If there is a fall session starting on November 16th that reports must be tabled within 15 days from the start of that session.

By your amendment, those reports wouldn't have to be tabled until sometime prior to the budget. For this session, right. Either way, you're asking for something more than

the situation applies. That's right. Look, Mr. Chairman, I'm going to lead the Leader of the Conservative Party through this step by step. Just lead the Leader of the Conservative Party step by step and the member for Qu'Appelle, maybe he'll understand this a little bit better. Look . . .

Mr. Collver: — Would you do that, I'm sorry to interrupt, Mr. Attorney General even with something that is . . .

Mr. Romanow: — Well just let me run through this and if you have a question you can ask me. I'll just give it to you this way. Look at, the House . . . I want to go back in history, prior to 1972, 1973 there was no Tabling of Documents Act. Prior to this Tabling of Documents Act, when the reports were prepared and published by the Crown Corporations according to their statutory requirements, they were tabled on the floor of the Legislature. Prior to 1971, 1972 there was no fall session. The House, since the history of Crown Corporations, got their reports before the Crown Corporations Committee met. Sometime in 1972, we decided to up the requirements on the government by passing self-imposed, long before you and your boys were even in the House, this Tabling of Documents Act which required the Crown Corporations and others to table their reports within 15 days. Thirdly, I follow logically, the normal sitting days of a fall session was in the neighborhood of 13 or 14 days, and accordingly there was no legal obligation to table the report within the 15 days. Because the session would be picked up some time in the spring session, it would be day 13 or 14 when we pick up and Crown Corporations would be able to table their reports. I'll give you an example; SGIO, their year end was just 15 days ago. They couldn't have complied with the Tabling of Documents Act within the 15 days. Other Crown Corporations could have. And under some of these proposed amendments need not have acted because it would have prolonged the time. But they could have, they prepared them and they tabled them and you got a flood of reports for you. Now, SGIO would not have been able to comply with the law. The only way we can avoid SGIO breaking the law is to bring in an amendment which says, during this session or if the session prorogues, that's the House amendment, within 15 days after the first sitting of the next session. So the effect is this, to recapitulate, the law is first 15 days after the House is called, if you can't do it during the session, take the 15 days off, if you can't do it during the session, you do it no later than 15 days after the next ensuing session.

Now, the member makes this great big speech about having the documents before he goes into Public Accounts Committee. Somehow the government will hold back on Public Accounts Committee. I tell you, Mr. Chairman, that is as phony as a $3 bill, that argument. Because the Chairman of the Public Accounts Committee is a member of the Opposition. Either a Liberal or a Conservative is the Chairman of the Public Accounts Committee. When does the committee get convened? At the call of the Chair, that's the practice and the law. And you're saying to us, that somehow with this amendment which would require within 15 days that the Public Accounts Report is to be tabled somehow we could pull a sandy on you people, when you people decide when the committee is going to be convened. Now, that's a simple fact of the matter with respect to Public Accounts.

Mr. Lane: — That's wrong.

Mr. Romanow: — All right, I challenge the member to tell me why.

Mr. Lane: — I'll tell you . . .

Mr. Romanow: — Okay you, and . . .

Mr. Lane: — Frankly your argument surprises me and disgusts me. It's not at the call of the Chair. It's after Committee of Finance, before you can get into Public Accounts and to give the impression that we could be having Public Accounts now, I think is false and I think you're wrong and I think you're trying to deceive.

Mr. Romanow: — Mr. Chairman, who was trying to say that we have a Public Accounts now? That's exactly the point that I was not saying. The point that I was saying is, the Opposition decided when Public Accounts sits, because the Opposition chairs Public Accounts. And if you say that we don't comply with the Public Accounts report within 15 days after the next ensuing session you have a simply remedy. Don't call the committee until you get the report. Now, am I wrong in that? Am I wrong? I invite you to correct me.

Mr. Lane: — Well, I'll tell you where you're wrong. It's not the Public Accounts Report that's justified or that's discussed necessarily in Public Accounts. It's any government department, any government agency except the Crown Corporations. If we don't get those reports prior to, and you have already said that you can get those reports any time during the session, which means the last day of the session, if you want, Or if you don't have them ready, 15 days into the next session. Public Accounts is over with, Crown Corporations is over with, and you have deftly by-passed the chance of the opposition to review government expenditure, and that's what you've just admitted and that's what can happen.

Mr. Romanow: — Again, I ask the members of the House to consider that argument. I say to him that Public Accounts is chaired by the Opposition, I asked to be rebutted. I say to him that the chairmanship being in the hands of the Opposition decides when the committee is convened. I asked to be rebutted. I say to this House that if the Public Accounts report is not tabled, the Opposition chairman simply doesn't convene the committee. The member comes back to me and says, then oh, yes but what about the reports? Well, my argument still applies to the departments. If you're not satisfied about the departments, you still don't call the Public Accounts Committee. Now, that's a simple fact of the matter. And I want to tell the member for Qu'Appelle and I want to tell the members of this House, we've brought this amendment in now, this is the third time this kind of a bill has come in. Two of them have been since you boys have been around. And you were strangely silent in this whole operation because nobody ever once, Mr. Chairman, in this House has called a Crown Corporations Committee meeting without having their reports being tabled. That's the fact.

Mr. Collver: — Mr. Chairman, I think that rhetoric from the Attorney General at this stage of the game is carrying things a little bit too far. The fact of the matter is that the intent of your original Tabling of Documents Act was to have the documents tabled after the first day of the spring legislative sit in. Fourteen days in the fall and one in the spring. That was the intent, so that the members could have those reports at the time the budget debate was going on. That was the intent, that's what it said. Fifteen days, is that what it said? That was the intent of the Tabling of Documents Act, so that prior to the budget debate . . . Question! We can talk on number one for another five hours, if you like. Fine we'll do that too. The intent of that document was to provide the Legislature with these reports prior to the necessity to work out its position on budget. Now with this amendment, you are going to go beyond the Budget Debate. You don't have to give us one single report of any Crown corporation before we are required to comment on the proposed Budget. And I say that's wrong. I say that's misleading the people and I say

that's requiring the opposition members to do less than an effective job. If the Attorney General wants to rise to his feet now and reply to that one, if he wants to rise to his feet and say that I'm wrong, that he can't believe by this amendment, can't this coming spring wait 15 days before he gives any member of this Legislature any single report and the Budget Debate is then all over and I ask the Attorney General if that isn't correct?

Mr. Romanow: — I ask the Leader of the Conservative Party to show me what reports are not tabled.

Mr. Lane (Qu'Appelle): — . . . the amendment and you are prepared to withdraw your bill.

Mr. Romanow: — The reports are tabled. That hurt your argument.

Mr. Lane (Qu'Appelle): — Then withdraw your bill, if it's all academic then withdraw your bill.

Mr. Romanow: — The hon. member fails to understand again. Some have been tabled but not according to the law. We need the law to validate the tabling. That's not the argument I am addressing myself to. The argument I'm addressing myself to is the argument made by the leader of the Conservative Party which is the most specious argument I've heard. Look, you have had this experience take place to you once before. That was the potash debate.

Mr. Collver: — We fought . . .

Mr. Romanow: — You did not. That is an out and out falsehood. You did not. Somebody dig out for me the 1976 potash debate right away please and we'll resolve this issue right now. Just go to the Library and get them out. I am saying to the hon. Leader of the Conservative Party, I say to him again he never objected to this bill in 1976. He never objected to one like this in 1976. I am saying to him . . .

Mr. Lane (Qu'Appelle): — It is a stupid argument.

Mr. Romanow: — It is not a stupid argument, the point is you people are trying to make a political issue out of something that doesn't exist because I'm telling you that the practice and the procedure of this House has been the passage of this bill and the tabling of the documents that have been tabled. You knew that. You supported it back in 1976 and you know it now. That's the argument. Both of you know that now.

Mr. Collver: — I would like to ask the Attorney General this question. If this is the 35th day, 34th day, would the Attorney General accept an amendment to this bill that would require the Crown corporations and other agencies to table the document on the 35th day of the legislative sitting. If this is the 34th day, today, would he accept an amendment that would say that they could table the documents on the 35th day for this year?

Mr. Romanow: — Mr. Chairman . . .

Mr. Collver: — The 36th

Mr. Romanow: — No, Mr. Chairman. the answer is very simple. If I knew this House was going to adjourn, the answer is yes. And all we would do is we would adjourn today

on day 34 and when we picked up, it would be day 35. If we prorogue we start day one.

Mr. Collver: — If you prorogue put both under the act. Would you accept an amendment in that regard on the 35th day if we adjourn and on the 5th day if we prorogue?

Mr. Romanow: — No, I won't.

Mr. Collver: — Why not?

Mr. Romanow: — I won't accept it because I don't know the difficulties that may attach to the Crown corporations with respect to the preparation of tabling the report. I do believe on the 15 days they can meet those requirements. It is consistent with the tenor and the tone of The Tabling of Documents Act, 15 days is reasonable. It was done by practice. You never once got burned by the practice of the operation and that's the way the House should operate.

Mr. Merchant: — Would it not then be possible for the minister, we'll be here a little longer today, to redraft to provide — clearly we know what the fall session and the spring session is — would it not be possible to redraft to indicate the tabling on or before the first day of the spring session?

Mr. Romanow: — Mr. Chairman, I have here before the Leader of the Conservative Party slips out too quickly, I want you to hear this now. This is the session 1975-76 second readings: "Mr. Romanow moved second reading of Bill No. 19 — an Act to provide for the Postponement of the Tabling of Certain Documents." I can read you the speech, Mr. Chairman, I said:

> On Bill 42 the Saskoil Bill went longer than 15 days and we had to introduce this type of a bill.

That was back in 1973. I think I said four paragraphs then I said, "So, Mr. Speaker, with those few words I move second reading of this bill. Motion agreed to and bill read a second time." No opposition, no standing vote, no nothing. Nothing, not once. it's right there, Mr. Chairman, I say why did they do it then, because they knew exactly how the thing operated like it is, a simple straightforward bill. Why are they doing it now? Because they are trying to politick, Mr. Chairman, that's why I'm saying he's there.

Mr. Collver: — Mr. Attorney General, the bill assented to doesn't say unanimously and a standing vote isn't a necessity in this House and the fact that we may have opposed it 1976 doesn't mean that he can't read out of that book and state what he just said and try to make it appear that we didn't oppose. The fact of the matter is we did oppose those measures in 1976. We tried to explain it that time, we tried to explain it that time the kind of effect it would have.

Now, Mr. Chairman, we are concerned about the fact that the Attorney General is bringing forward this bill on the last day and is attempting to hide from the people of Saskatchewan and to hide from the members of this Legislature the reports of the government of Saskatchewan during Address-in-Reply and the Budget in the coming spring session. No matter what happens, adjourn or prorogue, he's trying to hide it from the opposition members so that during the heat of the Budget Debate, which is one of the more meaningful debates that is reported significantly to the people of this province. He will deprive the members of the opposition some necessary information to

make their presentation meaningful with reference to that Budget that is going to be provided in the spring.

Mr. Messer: — What annual report?

Mr. Collver: — The annual reports of the Crown corporations, your Sask Power. Are you prepared to commit now to have it within one day of the session? The point is . . . (interjection) . . . no, no, but it's December 31st year end. Ninety days after will be within one day of the session at that point. We want to see Sask Power's financial statement because, Mr. Chairman, we have said that the government is using Sask Power rates to tax the people. We want to see the . . . (interjection) . . . all right, the minister laughs, but that's what we said. We want to see the report but perhaps the minister doesn't want us to see the report. When we are commenting on the Budget, the Address-in-reply and Budget we don't get the Sask Power financial statement to be able to pinpoint directly that the minister is, in fact, taxing the people of Saskatchewan through Sask Power rates.

Mr. Messer: — You'll have it.

Mr. Collver: — You'll have it says the minister. All we are asking from the Attorney General is a very simple commitment. Give us the commitment that we will have the financial statement from the Crown corporations within one or two or even three sitting days of the forthcoming spring session. Now we have no problem. Make the commitment to the House then if you don't want to amend the Act. Just make the commitment to the Assembly that we will be provided as opposition members with the necessary information to do our job and not have to live with this kind of a law which can be used to the detriment of the people of this province.

Mr. Chairman, this is an important and urgent matter and this important and urgent matter requires attention. Why will the Attorney General not rise to his feet and make a commitment that the opposition members will be provided with the necessary financial information within time to be able to prepare for the address and reply for budget in the spring. Is the Attorney General prepared to answer that question?

Mr. Romanow: — Mr. Chairman, on January 28, 1976 in the course of a short three paragraph speech on introducing An Act to Provide for the Postponement of Tabling of Certain Documents, I said this, referring to the tabling:

> It does not (referring to the bill) obviate that need at all, it just means that when we reconvene, they've got an additional 15 days, when we convene in March, to get all of them out and then we get the committee started and the whole operation.

I should say so, Mr. Speaker, those few words I move second reading of this bill.

That's what I said in January 28, 1976. That was the law that was passed without one voice uttered in opposition. That was the law that was put into practice when we reconvened in March of 1976. And in reality, you had no problem whatsoever on that law in getting those reports. If you did, this is the very first time you have raised this complaint with us. You didn't complain in the session of March '76; you didn't complain in the session of November

of ’76; you didn’t complain in the session of November of ’77; you’re now seeking a complaint here. Yes, that’s exactly what you’re doing. And I’m saying to the Leader of the Conservative Party that’s the way the law operated, passed without difficulty, those reports will bed down as soon as they can be down. I don’t know if the budget day will be the first day when we come back here or not, in which case your argument about getting the reports down immediately before the budget debate starts may not prove to be very meaningful in any event for a whole number of operations. There’s no use me giving that kind of a commitment. I’m saying that we’ve had the precedent and the practice which you accepted and adopted in 1976. You have no evidence to suspect otherwise and that’s the basis upon which this bill should proceed.

Mr. Merchant: — I am just now wondering, if you pass this and prorogue, aren’t you required to have tabled all of the documents, tabled all of the reports during this present session?

Mr. Romanow: — I’ve got a House amendment 15 days after the next spring session, that’s the House amendment we’re talking about. You’re right, that’s what he’s after the next 15 days, that’s what he said here.

Mr. Collver: — Mr. Chairman, I would like to ask the Attorney General, one more time, one more question. Why if the Attorney General in his own words said that he brought in this bill four or five years ago and it was a good bill he said and he was proud of it he said and it was designed to provide for fourteen days in the fall . . .

Mr. Romanow: — No, I didn’t.

Mr. Collver: — Yes, you did. Well, you said the practice of this government has been to have a session in the fall for fourteen days and then when we come back in the spring there’s one more day and then the documents have to be dated. That’s what you said. Leave it go, says the minister for Northern Saskatchewan. That’s one department for certain that they won’t want to have a report in our hands before we speak in the budget reply. That’s one department for certain.

Some Hon. Members: — Hear, hear!

Mr. Collver: — Well, I’m glad we have it now, but there’ll be all kinds of supplements that come up for it. Mr. Chairman, all we ask is the Attorney General’s commitment to provide us with the information within a couple of days of that spring session. Can he give any kind of commitment to shorten the time frame from 15 days?

Mr. Romanow: — Mr. Chairman, I will give this commitment. I will give the commitment to the House that I will ask the chairman in charge of the government finance office to direct the Crown corporations to get its reports prepared as quickly as possible with the view to tabling them as soon as possible when we come back here, hopefully, sooner than 15 days. I will make that commitment to the House. I’ve always made that commitment to the House, but I will not make the commitment by way of a guarantee that that will happen, I will make the commitment that they are to do this. I can make that commitment easily because every GM and every Crown corporation knows that they’ve got to get those reports done as quickly as possible. In the meantime, the law as it’s amendment, as I proposed the amendment, is the way we should be going.

Mr. Chairman: — The question before the House is on the amendment by Mr.

Romanow that we amend section 1 of the printed bill:

> by striking out 1977 in the second line and substituting 1978.

Section 1 as amended agreed.

Section 2

Mr. Chairman: — We have an amendment to section 2 of the printed bill. Amend section 2 of the printed bill by:

> adding after session in the last line the following, or within 15 days after the first sitting day of the next ensuing session.

Mr. J.G. Lane (Qu'Appelle): — I move a subamendment that section 2 of the printed bill be amended by striking out the words "during the present session where they occur in the last two lines thereof" and substituting therefor the following words, "prior to the budget debate". I so move, seconded by the member for Prince Albert-Duck Lake (Mr. Wipf).

All that simply does is ensure, of course, that the opposition has all government documents required prior to the budget debate and gives the government ample time, it gives the fall session, Christmas, January, February, whatever, all sorts of time.

Mr. Chairman: — Order, please! The subamendment as moved by the member for Qu'Appelle (Mr. Lane) that:

> Section 2 of the printed bill be amended by striking out the words "during the present session" where they occur in the last two lines thereof and substituting therefor the following words, "prior to the budget debate".

I find the amendment out of order because as a subamendment it should be a subamendment to the amendment. This is a subamendment to the section 2 so I, therefore, rule it out of order.

Mr. Lane (Qu'Ap): — I don't think that's a substantive part, if the hon. member will bring it over and I'll simply make another subamendment and I think I have the right to do it and that's not the substantive part of the subamendment.

Mr. Chairman: — The hon. member has a right to move another subamendment, if he wants to, but it would have to be one to the amendment that is originally here.

Mr. Lane (Qu'Ap): — We haven't voted on the amendment.

Mr. Chairman: — We haven't voted on the amendment, no, but any amendment that you make would have to be to this subamendment or to the amendment, I should say . . . Order! Moved by the member for Qu'Appelle (Mr. Lane):

> That the amendment to section 2 of the printed bill by striking out the words set out in quotation in the amendment and further striking out the words "at any time during the present session" of the printed bill and substituting therefor, the words "prior to the budget debate".

Subamendment negatived on division.

Now I return to the amendment by the minister. Section 2 of the printed bill. Amend section 2 of the printed bill:

by adding after session in the last line the following or within 15 days after the first sitting day of the next ensuing session.

Section 2 as amended agreed.

Section 3 agreed.

Motion agreed to and Bill read a third time.

Bill No. 9 — An Act to amend the Farm Security Act.

Section 2 amended agreed.

Sections 3 and 7 amended agreed.

Section 4 agreed.

Motion agreed to and Bill read a third time.

Bill No. 51 — An Act respecting the Registration, Application and Implantation of Animal Identification Marks

Section 1

Mr. Chairman: — Amend section 1. This is by the Hon. Mr. Kaeding. Amend section 1 of the printed bill by striking out, ‘identification’ and substituting ‘identification’.

Mr. Wiebe: — Explain the reason for substituting one word with the other. Is there a misspelling?

Mr. E.E. Kaeding (Minister of Agriculture): — It’s just a misspelling.

Mr. Wiebe: — O.K. I have a couple of questions which I have in regard to this particular bill. I’m wondering if maybe we could deal with the amendment before we vote off item one. I could maybe ask my questions at that time, and it would save asking the questions as we go through the rest of the bill.

Section 1 amended agreed.

Mr. Wiebe: — Mr. Chairman, one of the questions that I have pertaining to this bill goes into section 2(a), and I brought this up in second reading of this particular bill in which we were wondering what new advances are hidden within the Department of Agriculture that could possibly bring forth any inter species high bred as stated in the act and I’m just wondering why this is necessary and why it was in there? Has the department for example found a way to cross an owl with a goat and what do we have a hootenanny?

Mr. Kaeding: — Mr. Chairman, I think the member is aware that we have a cross now

which is called beefalo, which is on the market and this would refer to that, that kind of an operation.

Mr. Wiebe: — O.K. my other question, Mr. Chairman, the act fairly well states what an owner does with a particular animal and the brand that's implanted upon that animal. What happens in the event of an animal being branded, for example a cow, was sold to a neighbor? What protection does that neighbor have, if he in turn decides to sell that animal, or if an inspector comes on to his place and notices that he has an animal with a brand that's not registered under his particular name? It's my understanding that under the act, he is not allowed to change that particular brand, because there's a penalty for it under the act, if any brand is tampered with.

Mr. Kaeding: — Mr. Chairman, in the first place a good business practice would suggest that he should have a bill of sale when he makes a purchase. The other is that in the transferring of the animal to another person there should be a manifest which would indicate that an animal with that brand had been sold. I think once he has sold the animal to another person that he would then be eligible to put a different brand on it. Am I right on that?

Mr. R. Katzman (Rosthern): — Are you saying a manifesto, a shipping manifesto is good enough, a manifest is good enough?

Mr. Kaeding: — Yes, if it's signed by the owner or his agent.

Section 1 as amended agreed.

Sections 2 to 4 agreed.

Section 5 as amended agreed.

Sections 6 to 27 agreed.

Bill 24 — An Act to amend The Power Corporation Act.

Motion agreed to and bill read a third time.

Bill 1 — An Act to amend The Saskatchewan Telecommunications Act.

Motion agreed to and bill read a third time.

The Committee reported progress.

SECOND READINGS

Mr. R. Romanow (Attorney General) moved second reading of **Bill No. 63 — An Act to amend The Queen's Bench Act (No. 2)**.

He said: Mr. Speaker, on Thursday, December 1, 1977 this government introduced legislation to create a Unified Family Court for Saskatchewan. We dealt with it in detail today in Committee of the Whole. As part of the package which is necessary in order to create the family court this Queen's Bench Act must be amended, the bill we are debating today.

Section 2 of the amending bill repeals section 40 of The Queen's Bench Act. Section 40 continued the common law tort action of criminal conversation in Saskatchewan even though England abolished it years ago. The section is repugnant as it continues on action damages maintainable only by a man on the basis of another man's adultery with his wife. By sections 2, 4 and 6 we propose to do away with this anachronistic action.

Section 3 of the bill which is before you creates the new positions of local judges of the Court of Queen's Bench. These local judges are a new creature in Saskatchewan but other provinces such as Ontario and British Columbia have had local judges for many years. By section 3 of the bill section 67(a) will be added to The Queen's Bench Act. Subsection 67(a)(1) states that every District Court judge is a local judge of the Court of Queen's Bench. Subsection 67(a)(2) limits the jurisdiction of local judges to divorce and nullity of marriage.

Section 6 is the proclamation section. Section 6(1) is fairly standard. Section 6(2) provides that section 3 creating local judges will only come into force in a judicial centre after proclamation by the Lieutenant-Governor in Council. This is, by the way, because we intend only to get local judges for those judges who are Unified Family Court judges. In this way the Unified Family Court project in Saskatoon can set up a local judge without affecting the administration of justice in the court system as we know it in the rest of the province of Saskatchewan.

Mr. Speaker, with those few words I move second reading of Bill No. 63 — An Act to amend the Queen's Bench Act No. 2.

Motion agreed to and Bill read a second time.

COMMITTEE OF THE WHOLE
Bill No. 63 — An Act to amend The Queen's Bench Act (No. 2).

Section 1 agreed.

Section 2 new section 40 agreed.

Section 3 new section 67(a) agreed.

Section 4, section 68 amended agreed.

Section 5, section 71 amended agreed.

Section 6 agreed.

Motion agreed to and bill read a third time.

ADJOURNED DEBATES

The Assembly resumed the adjourned debate on the proposed motion of Mr. Banda:

> That the Fourth Interim Report of the Select Special Committee on Rules and Procedures be now concurred in.

Mr. B. M. Dyck (Saskatoon Mayfair): — Mr. Speaker, I would like to move, seconded

by Mr. Thibault (Kinistino) that the following words be added to the notion after the word ‘in’ in the second line — ‘with the exception of recommendations No. 2, 4, 5 and 7.’

Debate continues on the motion and the amendment.

Mr. J. Wiebe (Morse): — Mr. Speaker, speaking briefly to this amendment, as a member of the committee of course, along with Mr. Dyck, this comes as a very great surprise that this amendment is forthcoming today. I say that because a considerable amount of work I believe has gone in by all members of the staff of the Department of Public Works. There is definitely a need for the work that is required and is recommended in the report. There is definite need for items number 2, 4, 5 and 7. Speaking as a member of the committee I would urge all members of this Assembly to vote against the amendment as I believe that this work is necessary. It is work that is going to have to be done and if we prolong this work for another year or two years or three years, I can only see it costing us a considerable amount of money more than what we are paying now. I believe as well it is work that if we don’t do it this year, will have to be done next year or the year after and I believe that we can save a considerable amount of money by doing the work in 1978 rather than waiting until 1979 or 80.

Hon. E.B. Shillington (Regina Centre): — I would like to speak very briefly in favor of the amendment. I didn’t have an opportunity as did the member for Morse to sit on the committee and wasn’t a party to the deliberations but I appreciate as I’m sure all members do, the demands that are being made on government for restraint. How people are asking governments to restrain their expenditures and to leave as much as possible the taxpayer to spend his own dollar I suppose. While these expenditures are not a significant portion of the government’s budget, nevertheless I think the example is important. It’s important that we as members set an example. I therefore support the amendments which would scale down some of the renovations we are making. At the same time some renovations are obviously necessary. The sound system I am informed by officials of my department is a technology that hasn’t been in use for almost a decade, parts are not available for it and it is, I gather, in very bad repair as a result of water which leaked out of the air conditioner and has corroded parts of the central system. I gather it’s in pretty bad repair and has to be changed. But I think it behoves us as members of the House to reduce our demands for our comforts so far as possible and that’s what the amendment seeks to do.

I therefore, Mr. Speaker, support the amendment.

Miss L.B. Clifford (Wilkie): — I find it incredible that the member on a committee would move an amendment like this. I don’t know whether the committee system is becoming more of a farce than I thought it was, but the amendment for any of you that are on the committee, it was a group of people who were trying to get together to help refurnish the legislative chambers.

In the opinion of the members, there are three of them from the opposition, we cut down far too much in the report that we brought to you as far as the sound system goes. In order to have the best quality sound system that we could have, we felt that there should be a number of other things like the ballasting being redone so that we could have a good sound system and tuned to the chamber. However, the majority of the committee which happened to be government members decided that a lot of these things were not needed and we agreed in the committee to bring this report to you. However, we find that you now want to have this amendment. For those of you who are

not aware of what has gone on in this committee for the last three years, in order to install the sound system and to look towards the future for future tape materials so that you can have the House televised, the way that the system that they are trying to present was to be underneath the floor as well as the air ducts and air vents and the vacuum ducts. But in order to do that the carpet would have to be lifted up and the new sound system which we badly need plus the air ducts and the vacuum would be installed while the carpet was up. Now to me that is only logical. Now, if you have had this carpet in this chamber for 25 years it is also logical that you put in new carpet because it is badly worn. Any other way would be a very backward system of trying to do anything and if you feel that the committee system is not worthwhile, than this amendment is the way in which you should prove it and I urge all members not to support that amendment but to adopt the committee's report because they got together and unanimously supported it. Otherwise, it is a complete farce.

Mr. A.N. McMillan (Kindersley): — I would like to add my words Mr. Speaker to those of the members for Morse and for Wilkie.

How the Minister of Government Services who one block south of here is building the most unbelievable Taj Mahal, concrete and plexiglas extravaganza, can stand up in this House and refuse to remodel the center of our parliament in Saskatchewan to the tune of $100,000 which it badly needs, I don't believe. You talk about restraint, well you have exercised a little restraint I understand in your D and F Budget when the new office building for D and F has been remodelled so that it won't include a parking lot on the roof of the building, but only a stream running through the lobby, then I say that may be restraint enough for you people, but I tell you your arguments are fallacious and if you are trying to put yourselves in a position where you feel you can go to the public and brag that you won't spend money on yourselves but on somebody else, yes, maybe you're in good shape but it sounds pretty shallow to me.

Mr. E.C. Malone (Leader of the Liberal Opposition): — Mr. Speaker, I'm not sure what's been happening here, but it seems that the government is using its majority to change the recommendations of the committee and this may well be good. I don't know. I was away when this matter originally came up in the House, I would like to have some time to consider the matter and I would like to, over the dinner hour, give consideration to it, I wonder, Mr. Speaker if in that case I could call it now 5:00 o'clock.

The Assembly recessed from 5:00 until 7:00 o'clock p.m.