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EVENING SESSION

COMMITTEE OF FINANCE
ATTORNEY GENERAL
VOTE 3

ITEM 1 (continued)

MR. G. TAYLOR (Indian Head-Wolseley): — There are a few things I would like to discuss here under the Attorney General's department. Just for clarification, Mr. Chairman, you were still on subvote 1? . . . (inaudible) . . . I see. So it is wide open discussion at this time.

The thing that concerns me is the services of the RCMP in the rural areas of Saskatchewan. One of the things that I am quite deeply concerned about is that in my constituency I have five Native reserves and I understand from talking to fellows on the force that the Indian special constable program is going over very well. However, I am also informed that there is a problem in acquiring and maintaining adequate personnel. They are having a bit of a personnel problem. One of the things is that in some cases some of the personnel do not have the academic skills that are probably needed to carry out this type of position.

I would like to suggest to the department that, perhaps, seeing that we do have a lot of problems in our society with enforcement of law in some of our native communities (unfortunately) and seeing that the Native special constable program is well received and a beneficial program and there are these problems in training and the acquiring of academic skills to make these people effective in police work, some consideration be given under this department, or perhaps through the community colleges, to try to upgrade the qualifications of these people so that this type of program could be enlarged and developed throughout these areas of Saskatchewan. I think when we are looking to develop the North, this is probably a very worthwhile thing.

The other thing, speaking from a rural situation, is that I understand within the police force this year in Saskatchewan there have been very few promotions. The promotions in a police force in Saskatchewan are very minimal. Now, I realize that sometimes promotions go in cycles and there may be a good reasons for the lack of these promotions. However, one thing that has taken place, which I think is a bit of a disservice to rural communities, is that there has been a continued centralization of police forces in many of our towns. In my constituency you will find detachments with 13 or 14 men. Now these men have considerable expertise. In many cases they provide community leadership.

I think we could look at diversifying instead of centralizing, because we have almost instantaneous communication in this day and age. Probably the surveillance and the coverage of the rural areas would be better and also more towns and communities would prosper from having these individuals in their midst. As it happens now one town benefits from having 13 rather qualified people in their midst in the fields of sports and community leadership, not counting the expertise that their wives may have in community leadership in teaching school, nursing, things of this nature. Now I'm not suggesting in the least that you build detachments in every little town. I don't think that is economical but I wonder if in the sophisticated age could we not have these people stationed throughout rural communities a little more, spreading the benefits of these people in, one, law enforcement and, two, as citizens of the communities. Those are

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really my two concerns. I would like to see the special native constable program in areas where there are native people stepped up and improved. If you could find, through community colleges or through your own departments, an in-service or some training to get these people in and keep them in the force, and also maybe a diversification, if possible, of the police force in rural Saskatchewan.

HON. R.J. ROMANOW (Attorney General): — Well, Mr. Chairman, I think the hon. member raises two very important and substantive on-going problems that we have in the area of policing. I'll just make brief responses to both.

The special Indian RCMP (Royal Canadian Mounted Police) program is, I think, about three years old — not much more than three years old. It's a cost-share arrangement between the federal government and the provincial government. If my memory serves me correctly it's on a 50-50 basis, although I could be wrong — approximately 50-50. We do have a fairly high turnover. Right now we have 23 specials. In 1978 we lost four but we still have 23. We had 27 we're down to 23. We have six in training. One of the difficulties with the question of the special may not be so much a matter of additional policing educational opportunities and raising standards for the specials as much as it might be a case of adjusting RCMP police standards to allow for an easier access and flow into the force for our Indian people. Now the RCMP have done a very good job of co-operating with us in this regard, with adjusted standards, and they have also continued in the basic training. The problem is a complicated one. It involves not only standards and RCMP traditions, it involves in some areas, Indian culture traditions. I'll wrap up this portion by saying that my department is looking at a new Indian policing concept which will change from the special Indian RCMP plan as is presently the case, and would be patterned (if it all is approved by everybody) along the lines of the Ontario Provincial Police special program where the Indian constable attached to the OPP actually resides on the reserve and is responsive to the band council and so forth . . .

AN HON. MEMBER: — In Tory Ontario.

MR. ROMANOW: — . . . In Tory Ontario, and we're working at this now.

With respect to the second question, the question of promotions and decentralization, the hon. member will of course know that promotions are an exclusive matter of the RCMP Police, it being a police force.

Decentralization is a vexing problem. There are two factors in the board which affect decentralization. One is cost. I think when I first started as Attorney General the per man cost, all in, pay and everything, was something in the neighborhood of about \$15,000 or \$16,000 per RCMP man cost. I think it's up now to about \$48,000. (These are rough figures. The boys couldn't dig me up the exact amount.) And it's going to get worse before it gets better.

We have a large geographical area with a relatively small population. The police say with modern technology and good policing concepts, the way to go is to have at least two or more of the men alone together. The single man detachment, they argue, now is a day of the past. Accordingly, the decentralization thing will be difficult to achieve.

I close by saying to the hon. member, for his information, we have 119 separate detachments laced throughout the province of Saskatchewan already and, while I agree with him on the sentiment, I simply say to him that the cost and the technological facility of radio communication and the like, rather than supporting your argument,

plus the pressure from the police, seems to say that we will be fortunate to maintain the 119 and reduce diminishment of that.

MR. LANE: — Prior to adjournment, I ask the Attorney General as the cabinet minister in charge of the administration of justice, for his position on capital punishment.

MR. ROMANOW: — Now, Mr. Chairman, I'm not going to tell the hon. member what my position is. I haven't heard his position on capital punishment; he can tell me if he wants.

I'm sworn to administer and uphold the federal Criminal Code, among other things, as best I can and, whenever the law and whatever the law is, as it is written by the federal parliament, so long as I'm AG (who knows?), I'm going to uphold that law, with or without capital punishment, with or without the obscenity provisions, with or without the pornography prohibitions. I'm not here, Mr. Chairman, with all due respect, to give my personal opinions; I'm here to answer for the administration of my department and the laws for which I'm responsible.

MR. LANE: — Surely the Attorney General knows that is absolute hogwash, and in fact has given his opinion and only his opinion on many different occasions in this Assembly on various matters. The litany of the Attorney General's opinion on constitutional change, on law enforcement and many of the bills that come before this Assembly, as House Leader, is a long one and a detailed one.

Now, surely as the cabinet minister in charge of the administration of justice (and I ask you to check the act under which you are governed) I ask you for your position as the officer responsible for the administration of justice in this province, for your views on capital punishment.

MR. ROMANOW: — Mr. Chairman, I have given my answer.

MR. LANE: — Take it into the record that the Attorney General, as the cabinet minister responsible for the administration of justice in this province, refuses to give his position on the reinstitution of capital punishment or his opposition thereto; a significant refusal, I think, in light of the public concern about the particular matter.

The Attorney General (and I will refer to questioning in estimates a year ago) . . . Well, I have just been told that we have Conservative majority government in England. England has finally seen the light . . .

SOME HON. MEMBERS: Hear, hear!

MR. LANE: — . . . related to the member for Thunder Creek (Mr. Thatcher), and one more country has seemingly attained a degree of sanity.

My question to the Attorney General is, in last year's estimates you make reference (and I am referring to page 3379) and I will quote as to what you said so that you don't need to be concerned about having to go and look it up:

We have had battles relating (and you were referring at that time to a question on the cable commission) to dual court system, dual prosecutorial system, the federal Narcotic Control Act, the Food and Drug Act and prosecutions which you know are not under me.

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Now, I am going to ask you, in addition to the information I asked before adjournment as to the constitutional areas of some agreement or dispute, I would like to know specifically what disputes or battles you have had with regard to the dual court system, the dual prosecutorial system, the federal Narcotic Control Act and the Food and Drug Act and what the disputes are and what the positions are?

MR. ROMANOW: — Mr. Chairman, basically the issue is as follows. The federal government has, over the last several years, established what I can only describe as a dual court system. They have done this through the enactment and establishment of something called the federal court and the federal court system.

By the way, somebody has given me the information that 65 out of 635 constituencies, at 9 p.m. eastern daylight time (since it is only 7:15) Labour 32; Conservatives 32. I have a telex copy here.

In any event, to get on with the business at hand, a dual prosecutorial system has been established now for some years, primarily in the areas of narcotic control, the Food and Drug Act — in those two cases of particular concern.

The provinces, about four years ago, took the position that this was an invasion of the constitutional right of the Attorney General to be in charge of the administration of justice and the prosecution and that narcotic control and food and drug were essentially criminal law related functions under the constitution of Canada.

We met in Toronto about four years ago and over the period of about two or three years, it has not been quite as active in the last year, made a number of submissions as provincial attorneys general, to the federal people urging the elimination of the dual court system, the federal court apparatus and the federal prosecutions of narcotic and drug control. These were instituted by the province of Ontario in the first instance. I don't say that in any partisan sense, they were.

The member will know that the battle has not been successful. Indeed, only yesterday or the day before yesterday the supreme court came down in *R. versus Hauser*, which dealt directly with this issue of the Attorney General of Canada prosecuting in food and drug and narcotic control. And, while I have not read the judgment, the effect of the constitutional area was to say that under the judicial interpretation of that case the federal Attorney General has the power to have (what I categorize as) the dual prosecutorial system still into place.

So what we meant was, to the federal people, get out of food and drug and narcotic control. Leave that to the provincial attorneys general. It is a power more akin to the other criminal code powers of which we are responsible. There should be no difference. Hauser says we are wrong. We may have to try to negotiate that out in the constitutional talks if they are ongoing — I don't know. On the federal court, our argument there (this is perhaps being a little bit too sweeping about it on the interests of time), let's try to modify what we see as the evolution of two parallel court structures. The present one — district court, Queen's bench, court of appeal — although federally appointed within the purview of the province, let's not have a federal court superimposed. Let's have some blending of those courts so that we don't confuse the public and don't build up alternate precedents like they have in the United States. There's not been much activity in the last year on this. I don't know what *R. versus Hauser* will provoke by way of further constitutional talks. I suspect once the federal

election is settled, we'll be back into the rounds of discussion in a fairly active way.

MR. LANE: — Well, is your position on merger of the courts of Queen's bench and district court part and parcel of your proposals removing the dual court system and the consideration of the abolishment of the federal court of Canada? Is that all part and parcel?

MR. ROMANOW: — No, Mr. Chairman, they're not although in a very, very broad way they might be sprung from the same motivation of eliminating tiers of courts or levels of courts. The merger of the district court and Queen's bench is simply a proposal, an idea I've had kicking around in my head. It's far from original; I readily admit that. It's been implemented in Alberta . . .

MR. LANE: — Like most of your ideas.

MR. ROMANOW: — . . . like many of my ideas, not most, some of my ideas, to put it more accurately. It's been implemented in New Brunswick and in P.E.I. As you know, that's the basis. That is one issue, but the evolvment or the evolution of the federal court if you will, kind of superimposed over top is a concern which I say to the member, is shared by all of the attorneys general, regardless of their political stripe because they feel that it's costly and duplicative, confusing, but they also feel that it has constitutional implications for a province.

MR. LANE: — O.K., I think you made an admission that I was going to come to later on the matter of the merger of the courts. Your proposals have incurred a great deal of activity far beyond, I suggest, the importance of this particular issue. I think we've had more studies of the merger of the court; we've had Mr. Justice Hall and now we've had the Grotsky report; that indicates the Attorney General is perhaps exaggerating the importance of the merger of the courts. What I'm saying to you is if we put the merger of the courts out there as a matter of high public priority, you know, it wouldn't get any acceptance from the public in that regard at all. The public doesn't consider it a matter of great pressing public importance. I suggest any answer you're going to give is going to be greeted with scepticism, but perhaps you can tell us why on a matter that may be of some concern to certain individuals. You know we have functioned in the court system in Saskatchewan for 75 years, I think, that's worked with some degree of success, then all of a sudden you are now pouring all these moneys into studies and reviews. One turns out not to agree with the idea that you've had. Why are you pushing the merger of the courts so heavily? Perhaps you can give an explanation.

MR. ROMANOW: — Well, Mr. Chairman, there are few pleasures or few worthwhile objectives in being in politics, one of which is to do the kinds of things that you believe in, if you can do them. I personally believe that a merger (I won't go into the arguments unless the member wants to debate the arguments) is a judicial improvement. I feel that to the governments in the beginning of a four-year or four and one-half year term, to the summer of '83 if it's the normal time, now is the appropriate time to study it. I think that it will take a period of adjustment, a period of criticism, perhaps a period just getting plain used to it, I guess — adjustment. That's the basic reason for it being moved now.

I would say to the member we're not pushing it. Perhaps I should make an announcement to the House and to the hon. member which I have not made publicly anywhere. I've indicated to the Chief Justice that I will not be bringing in legislation, that's clear, at this session of the House for a merger. We will take the Grotsky report and work every closely over the summer months and in the fall with the judiciary and

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members of the bar and see how it works out in the fall.

So, my point is really a kind of a contradictory point, namely, on the one hand, I want to see it implemented as soon as I can, personally, but it is not so soon as you would intimate because if anything comes about in any event it will likely be one year from now, by the time legislation, voting estimates, expenditures are passed, etc.

MR. LANE: — I gather the announcement hasn't been made before and I would be very surprised if the press took this down as a great announcement tonight that you're not proceeding with the unification bill, as it's been assumed and discussed for some period of time that it wasn't being proceeded with. One certainly must get the impression and I'm sure the Attorney General would agree to statements, March 13:, Romanow flexible on unification.

It's rather a position of firm flexibility by the sound of things as you keep coming back and coming back and coming back. I'm not going to belabor the point, I just think the Attorney General can keep in mind that surely there are more important and more impressing matters than this constant commission and inquiry until we get a favorable one on the matter of court unification in Saskatchewan.

Now, on the matter of the duality of the prosecutorial system that you are concerned about and you express your concern, I'm sure that the Attorney General will admit that if he is taking the position that he is responsible for the administration of justice, that the dual position with regard to narcotic control and the food and drug prosecutions, takes away from the Attorney General's responsibility and seems to be a challenge to the provincial administration of justice. Then at the same time you must have some responsibility for the law in that regard. I am going to ask the Attorney General (he's refused tonight) to take a stand and make it clear what his views are on the matter of capital punishment. I would like the Attorney General to indicate what representations he's made to the Government of Canada as he's discussed these two specific issues with regard to the legalization of marijuana.

MR. ROMANOW: — Mr. Chairman, the federal government to the best of my recollection has not asked this provincial government, or at least me (I would have to go through the correspondence to see if that's the case) for our views of legalization of marijuana, but I don't think that's the case that it's happened. As a consequence I can't recall any correspondence from myself to the federal government indicating an opinion to them in that regard.

I may have indicated in verbal or oral communications with appropriate federal people at some gatherings or other, my views from time to time, but I can't specify the specific time on that. So I don't think that there has been any proposal, and in fact apart from the stated position of Mr. Joe Clark for the legalization of marijuana, and the stated position of Mr. Trudeau for the legalization of marijuana, and I don't know whether Broadbent has said that or not during his election campaign, there has been very little said on an official basis (I'm trying to keep the politics out of this) so that's my only observation there.

MR. LANE: — You know, Mr. Chairman, we've had the best example of skating where there's no ice from the Attorney General tonight. When I referred to the Attorney General's evasion of the question on capital punishment, I wonder if the Attorney General would comment on an article in the Leader Post with regard: Prison Guards Urge Capital Punishment, and they endeavour to get a position out of the Premier of

Saskatchewan. The reporters also spotted the Premier as he was going towards his office and urged the guards to chase after Blakeney.

The Premier disappeared into his office before the demonstrators could catch up, and after a few minutes wait, Bolstad was sent out to meet representatives of the corrections officers. Bolstad being as well known to many as Dixon Bailey is to many of the members opposite. Doesn't the Attorney General, charged with the administration of justice, find it very, very, very strange that his government, his office, the Premier, have no hesitation of criticizing the Supreme Court of Canada because it's politically advantageous. As Blakeney says, no court could pervert . . . extremely strong language for a Premier to take when he's dealing with the Supreme Court . what he believes are the provincial jurisdictional guarantees. We'll ask you to give your views on it and, if they're what they think they are, I know they are a minority in that party.

And then the Premier says, I don't get very angry very often. Now, we've seen his voice flutter up to the ceilings and him prance up and down and jump up and down because he was mad over here. I don't get angered very often, but I've been angered by some of those Supreme Court decisions. He used very inflammatory, harsh, verging on contempt of court words, when he's talking about perversion dealing with court cases.

When it comes, though, to a position of a social question or a punishment question such as capital punishment, he's even more evasive than you are. At least you at least sat in your chair. He ran around the corner and sent out his executive assistant to handle it for him. Don't you think that you've got an obligation, as minister responsible, to state your views on it? You've got some influence or you wouldn't be sitting on the constitutional committee, if you're trying to say you've got no influence whatsoever. Surely, you've got an opinion on capital punishment. Don't you think it's strange that your government here is avoiding the issue?

MR. ROMANOW: — Well, Mr. Chairman, I've given my answer in this regard. By the way, I have not yet heard the hon. member's position on this issue, and perhaps he would care to offer his opinion. My answer is, to the jail guards and to every other individual, if they believe that capital punishment laws are inadequate or adequate, their remedy is like mine, to present their views to a federal member of parliament. Present their view to all the PCs who voted for the abolishment of it, to all the NDP who voted for the abolishment of it, and to all the Liberals who voted for the abolishment of it — that's the approach. I think I know where my MP in Saskatoon West voted for it. I'll communicate my views to Mr. Ray Hnatyshyn, who voted for the abolition of it, privately. As I say again, Mr. Chairman, I think if the rules are checked, I'm under no obligation to state my personal opinions on these matters.

MR. LANE: — As long as the record indicates that you're afraid to. I'd like to ask you, the minister responsible for the administration of justice, why there was such a long delay with regard to the laying of charges or the investigation of the DNS (Department of Northern Saskatchewan) involvement in the CMHC (Central Mortgage and Housing Corporation) Residential Rehabilitation Assistance Program. I believe that that took about a year and a half of a very unseemingly delay for charges to be laid.

One of course needs the assurance that it wasn't slowed down for any reason or that there was not a great deal of time taken to be overly cautious or overly certain with regard to these because it does involve a government department; it does involve a provincial government department that took the responsibility for the administration of

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the CMHC program in northern Saskatchewan.

It was well over a year after we got assurances that things were being proceeded with — I think it was close to two years — before, finally, charges were laid. Would the Attorney General give us the reasons for the undue delay in this particular case?

MR. ROMANOW: — Mr. Chairman, I've just asked one of my officials to find out for me, if he can, whether the matter is before the courts at the present time. My understanding is that the matter is before the courts at the present time, and if indeed that's the case then I propose to make no further observation, other than to make one general observation, Mr. Chairman, without standing too much on personal matters.

I've been Attorney General for eight years and I've enjoyed every minute of it, and I know the hon. member's not making any accusations, but one thing I've never been accused of, and I think it's justifiably so, it's having my department, at any time, pull any punch on any prosecution. I think that that is something which the hon. member could check with lower-level prosecutors, police officers or anybody he wants to, at any time.

I don't know what the delay in that particular case was or wasn't. I didn't involve myself, neither did my deputy or my officials. In any event it was in the hands of the RCM Police and if they felt there was any undue interference or undue delay, if I can put it that way, I'm sure it would've been brought . . .

AN HON. MEMBER: — Who is the prosecutor?

MR. ROMANOW: — I don't know who the prosecutor is. We're checking it out and I'll let you know, if we can, before the estimates are out.

MR. LANE: — Your government has been extremely and strongly critical of the Supreme Court of Canada and the method of appointment there too. Would you detail for me tonight your proposals for appointments to the supreme court which would eliminate the ability of your government to criticize the supreme court so that the people of Saskatchewan have the absolute and fundamental assurance that no 'biases' that would hurt Saskatchewan would come to the forum?

MR. ROMANOW: — Mr. Chairman, the hon. member in his opening remarks, made this point. He persists in doing it now and I think it's an erroneous logical argument. The Premier, the Attorney General — I think any one of us should feel free to criticize a judgment of the supreme court. I hope that it doesn't happen often but if there are decisions in the future under a new appointed supreme court or an old method of appointment to the supreme court, if those judgments are to be criticized I'm sure that they will be criticized. I was just reading an article the other day, an extensive constitutional law review article, which indeed has criticized the series of supreme court decisions over the last three or four years, arguing the supreme court is too centralist.

Our basic approach to the constitutional conference on appointments to the supreme court has been the Victoria Charter formula. We argued for regional inputs into the appointment's mechanism, along the lines of the Victoria Charter which set out a mechanism for consultation, a regional consultation system. We have argued for the continuance of the nine-person supreme court only with the Victoria Charter formula. I tell the hon. member, I don't think that proposal is getting much currency among many of the provinces, the majority of them tend to stay with the present appointment

method. The one proposal which is getting widespread agreement which they propose to write into the constitution is that before a member of the supreme court is appointed, the Minister of Justice of Canada shall be obligated to consult with the provincial attorney general of the province from which the judge is being appointed. That is a new thing both in the law and in the practice. It is a matter of provincial input. But even if we got the chance of appointing all nine of the judges, something that we are not urging, quite obviously, we would feel free to criticize the judgement of a court case if it was proper and if we felt under the circumstances we would.

MR. LANE: — I'm trying to find out what you and the Premier will accept as an appointment method which would satisfy the Government of Saskatchewan so that the public could take the position that the supreme court isn't just out to get Saskatchewan, that it's not biased. I may not agree with the decision but at least I know it's not biased. Your members said in the House today that they think it's biased. I want to know what it would take in the appointment manner to satisfy you so that the people of Saskatchewan can believe that the supreme court is not biased, maybe wrong but not biased. What are the details so that the people can get that satisfaction?

MR. ROMANOW: — Mr. Chairman, again I don't want to get into a semantics argument. I never said the supreme court was biased and to the best of my knowledge neither did the Premier say it was biased. But let's leave that as an aside. The position of the province of Saskatchewan is the following. We would like to see built into the supreme court appointment mechanism and the constitutional process, the Victoria Charter. As a fall back we would be favorably disposed, I use those words . . .

MR. LANE: — The Victoria Charter doesn't give you a majority position.

MR. ROMANOW: — Well you asked me for my position. When did I say we wanted a majority position? When did the Premier say he wanted a majority position? All he said was he wanted a regional input into the appointment mechanism and that's our position. As a fall back we would be prepared to take a position where the minister of justice can and must consult with the Attorney General, but I said we might consider that. Those are the words I used. In any kind of a proposal involving the appointment to the supreme court, I cannot give the member that kind of a commitment tonight because I want to see what the rest of the total package looks like.

As the Premier has said, and our position has been, this is a bargaining process in the confederation process. We want to see what the resources section is like. We want to see what the communication section is like. British Columbia feels strongly about a senate. We don't feel strongly about a senate. We have to look at all of the provinces and where they sit on all these various issues and then decide which we are prepared to compromise on and which we are not prepared to compromise on. Ideally, we would like the Victoria, or as a fall back, at the least, the formal consultation mechanism written in there.

MR. LANE: — Surely the Attorney General doesn't accept statements like perversion. No court could pervert what he believes to the provincial jurisdictional guarantees in the Canadian constitution.

The Premier warned the enemies are still abroad, referring to the supreme court decision. That is fairly strong language, and I think the Attorney General knows, as a lawyer, of what I speak, and the ramifications thereof. I think the Attorney General knows full well the danger of a Premier who has no respect for the supreme court,

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which I accuse Allan Blakeney of. I also say Allan Blakeney will use the Supreme Court of Canada and has done so, for his own base political purposes.

However, I would like to, if we can get the items out under subvote 1 of the Attorney General, ask you to supply me with the constitutional, you know, where there is agreement. I just have no satisfaction from all of the press statements and all of the conferences, the need for conferences bimonthly to deal with the constitution, that anything is in fact, being done. I would like to know where those agreements are.

Secondly, if the Attorney General would supply me — did you want to handle that particular aspect? I would like to know how much the land titles office, generally, contributed to departmental revenues, or the consolidated fund in the year. I would like to know the biggest claim against the assurance fund of the land titles.

I would also like to know from the Attorney General on the land titles, while he is getting the other information, why the decision was made in Regina to move the land titles office from a highly accessible, convenient location to one the average person can't find? There is no parking; it has less space; it is more inconvenient and just about completely unwanted by just about everybody.

MR. ROMANOW: — While my boys here are looking up the details of the — sorry, your boys, because they're servants for the public, and for all the members, just so that the member for Meadow Lake (Mr. McLeod) doesn't think I'm getting possessive — while they're looking up specific answers to specific questions, I want to make one point if I can to the member for Qu'Appelle on the constitution. I say this to him again as openly and as frankly as I can — (. . . inaudible interjection. . .) good.

When the member says he wants to know where we stand on constitution, the member will surely realize that it's not like a hockey game where the scores are definite, you know, 2 to 1, or 3 to 1, or tied. These are assessments that we, the provincial government, have to make on all the other provincial governments. If I showed the assessment of Saskatchewan's view as to how Alberta stands on resources, Alberta might not agree to it. There is no document around. But I will give you a verbal report which the record will have and you can look at it. I want to deal with it tomorrow or deal with it some other time.

Here's the situation — this is purely Roy Romanow's assessment of the progress, Mr. Chairman. First of all there's a short list. The items on the list are as follows: resources — here I would describe the process as having progressed very well. The difficulties are on the draft which has been kicked around. Not the difficulties, a bad word, the areas of reservation are, Alberta and Quebec, who oppose the phrase 'compelling national interest' in the draft. That phrase 'compelling national interest' is an attempt to limit the trade and commerce power . . . (inaudible interjection) . . . no, trade and commerce will be in existence, but the only way that trade and commerce will be able to be used as a basis for passing federal laws to supersede provincial laws is if there is 'a compelling national interest shown by the legislation'. Alberta and B.C. say that's too low an onus. Alberta and Quebec, I'm sorry. They say it's too low an onus, it should be something like an emergency or a national disaster which the industry caused to take precedence. We have not made a decision on it. We think that this draft is a significant improvement. It would get around, we think, our CIGOL cases and get around Central Canada Potash Corporation Limited which involves Saskatchewan resources . . . (inaudible interjection) . . . Well not compelling national interest would — it's a great big long four page amendment, of which there are many aspects to it. I'm only saying that the hang up is

'compelling national interest', and . . . (inaudible interjection) . . . I'm saying that the draft in total on resources is significant progress. If you are asking me, will we accept the draft in total, I am saying to you I cannot tell you that no more than I could on supreme court because it depends on what happens at the end of the process (six months, one year from now) as to what we trade off. I am only saying that there is a high degree of support for it with the exception of Alberta and Quebec. British Columbia also has a worry about the definition of resources; they think it is too narrow. They think that water should be added to the definition of resources, for the provinces.

On indirect taxation, there is complete agreement by everybody — it is to be dropped from the list or in the alternative to stand it over to phase 2, but dropped from this phase 1 discussion. That is unanimous.

On communications, there is considerable progress being made. The federal government has offered (and again this is very complicated to be giving and I really want to say that the written documents are too lengthy. The books are from here to the floor down), but basically on communications, the federal government is offering to the provinces licensing of cable television companies. They are silent on the question of the closed-circuit companies, the CPN type of thing. That is a matter of ongoing discussion. Virtually everybody agrees to that with the exception of Quebec. They have a stronger interest in communications. They want an absolute total control of all aspects of communications. Obviously the other provinces are prepared for interprovincial connections and that kind of stuff at the federal presence.

There is little progress on the Senate. Our position on the Senate is that no appointed body will ever be a meaningful input because it will have limited powers, since an appointed body has no power to raise taxes or spend money of taxes. That is an elected body . . .

MR. LANE: — Which says what? Are you for it or against it?

MR. ROMANOW: — . . . which says that we might be for the maintenance of a reconstituted Upper House, depending upon what else is in the package. And that will be the position on all of these. I tell the member right now.

MR. LANE: — It would have to be elected.

MR. ROMANOW: — No, we would like to see, if we were to have it, some input by the provinces; some mechanism of 50 per cent of the senators to be appointed by the provinces, 50 per cent to be appointed by Canada.

MR. LANE: — But appointed?

MR. ROMANOW: — Yes, if we are going to have an Upper House. We don't think a second elected Chamber makes much sense in a country like this, but if we are going to a House of sober second thought and an input at the centre from the provinces, we should be doing that. But there is little progress because you will get 10 different opinions depending on the different provinces.

On family law, there is full agreement — concurrent jurisdiction over grounds of divorce with provincial paramount and exclusive federal jurisdiction over recognition and the jurisdictional basis for divorce. Everybody agrees to that.

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On equalization, there is agreement on an equalization statement in the constitution — equalization of financial resources so that no region suffers at the expense of another region. British Columbia has a reservation on that. I think that is very good progress there.

MR. LANE: — The principle is accepted by all.

MR. ROMANOW: — The principles is accepted by all. B.C. registers, has and continues to register a reservation to that principle.

MR. LANE: — It has for some 20 years.

MR. ROMANOW: — Well, I don't know. I haven't been around that long, but I know that in this constitutional series, they have expressed that. The spending power, there's no consensus. We need more work on that, limiting the federal spending power, putting limits on it. Again a lot of work is required to be done. The declaratory power, I think can be described as progressing. There is agreement to limit the scope of the declaration. There's an agreement for full consultation prior to declaration. There's agreement that the federal government won't use declaratory power on resources, except with the consent of the province affected. Quebec says they're happy with what they have, but it doesn't go far enough; they want the total abolition of the declaratory power. Manitoba doesn't want the declaratory power removed; Manitoba wants it to remain. Offshore resources, good progress — concurrent jurisdiction with federal paramountcy seems to be the position there although no unified agreement has been reached. There are some reserved positions yet; B.C. is reserving and more discussion is required there. Fisheries, possibility of some agreement on some form of current jurisdiction over sea coast fisheries and provincial jurisdiction exclusively for inland fisheries. Canada has expressed the willingness to consider all possibilities and again, time ran out with the federal election called, for us to work on that. A chart of rights, we talked about that this afternoon. The majority of the provinces agree to entrench fundamental freedoms and democratic rights as I told you. Manitoba is totally opposed. Quebec is reluctant, five provinces are willing to entrench some limited language rights. Again, it's fluid because it depends on the nature of the language rights where, but some progress is being made there. I think the charter of rights is an important aspect of this. More work will be required.

One of the most difficult areas, finally, is the patriation and the amending formula. Lots of discussion, lots of ideas as to how we patriate and amend, no agreement at this time.

MR. LANE: — In passing, we'll compare a year from now the position. I notice the significant difference in government policy of the NDP provincially and federally as to the abolition of the senate and of course, we've determined that your position here is that you favour a senate with some modifications to it. As I say, we will use that as some comparative base for estimates or discussions as the constitutional discussions progress.

I've asked the Attorney General for the position on that Regina Land Titles Office and I tell the Attorney General that, as a practitioner and talking to individuals in Regina who use that Land Titles Office, they are pretty hard pressed to accept any reason for that move because it is the most inconvenient place which they could have chosen. There is no parking down there. The average citizen comes in; he has a bank of elevators to try to get in, to try to find the Land Titles Office and no place to park . . .

MR. BOWERMAN: — Get them a crying towel!

MR. LANE: — The Minister for the Environment pro tem is interjecting in the particular department. Again, you know that cabinet shuffle can't come quick enough for the people of this province. Now if we can get back to something important — I would ask the Attorney General to reply to the two questions which I passed on to his deputy earlier.

MR. ROMANOW: — Mr. Chairman, on senate, I just simply want to say our preferred position would be to abolish the senate, which is the same as the federal NDP. But in the discussions and negotiations of the constitution, like with all items (I am saying to the hon. Mr. Lane), we will want to see what the final package looks like before there is an agreement. But let's leave that out of the picture.

Revenue: 1978-79, estimated through registration fees and insurance fees, \$6,011,680, Land Titles Branch revenue; Assurance Fund claims, 1977-78, amount involved, \$11,021.99 of those six. Did you ask for the largest figure? We don't have the largest figure anyway. If you want we can pick it up for you later.

I frankly agree with you on the new Land Titles building from the reports which I have heard. Our problem was the space — the alternatives. Just hear me out! The old Land Titles building, from the complaints by staff and others, was bad because it was too deteriorated and not enough space. If you made the decision that that is true and you have to make a move, in Regina our options were very limited and we moved into the new place.

MR. LANE: — I would just like to tell the Attorney General that I have been advised (and I think my source is fairly accurate) that in fact the new Land Titles Office has less floor area and less space than the old one. If that's the case that justifies it even less. I would ask the Attorney General to check that out.

I would like to, in the interests of time, ask the Attorney General to advise the Assembly (and you can supply me with the information if you would), as to the normal question asked by the member for Regina South (Mr. Rousseau) as to salaries? I think you already have that prepared.

Secondly, I would like to know on the administrative services the increase in staff as set out. Is it included in the information which you have given me? The increase in staff on administrative services, I'm sorry, what the personnel qualifications or status was in that particular item. There's an increase from 43 to 52.

Secondly, I would like to ask the Attorney General, with regard to the administration of The Coroners Act, we now have a provincial coroner. I would like to know (he's a doctor), the individual, his qualifications. I would like to know the number of applicants for that position. I don't want to know who they were, but I would like to know the number of applicants for the position. I would like to know as well why there was a reduction in staff. After we go to a provincial coroner, I note the staff is being reduced to one and, perhaps, you've got an obvious explanation that I've missed. Would you supply me with that, Mr. Attorney General?

MR. ROMANOW: — Well, Mr. Chairman, do you want it in writing later? Is that satisfactory? Okay, I'll give it to you later. We have the new positions, what they're

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described, and we'll give you the stuff on Dr. MacMillan. I should say on Dr. MacMillan, the matter was never advertised. This was an arrangement that came about basically through a connection of Mr. Bill Logan, who is our direction of policing, and was, at that time, also the coroner, who happened to know Dr. MacMillan, who happened to be interested in the coroner operation. Dr. MacMillan was already a coroner, but he's basically through Logan. That's how it was basically done. Well, I'll give you a list of his . . .

MR. LANE: — The reason that I'm quizzical is that I know of three physicians who have contacted me, interested in the position, and they couldn't figure out why this thing was just suddenly dropped upon them. I can't judge their qualifications or anything else, but they can't figure out the way you operated on it.

MR. ROMANOW: — Mr. Chairman, I want to say that this is not a full-time position. It's a very part-time position. Dr. MacMillan, I gather, (I don't know this case personally), was a coroner, is a coroner. He was one who performed his duties satisfactorily. He's a young doctor, an able doctor, obviously. He's done post-graduate work in forensic medicine. He just seemed to be an ideal candidate. Maybe we were in error, not allowing the other guys to bid. But that's the way it is.

On the case in the North, we checked with Del Perras who's not here with us. He's the director of public prosecutions. He says the basic reason is that it was and is (and that's the only thing I'll say) a complicated case involving the commercial fraud squad of the RCM Police, and involving thousands of documents and interviews. That's the delay, and I don't think we should say anything more because there is a preliminary hearing scheduled to start very shortly.

MR. LANE: — Okay. I would like the Attorney General, if he would undertake to supply it to me, under the amounts to provide for policing services by the RCM Police, the number of officers, the increase in complement that is being covered, if any, and the increase in complement that is being dealt with under the policing service (the RCM Police) — are we hiring additional officers and, if so, the number and where they will be stationed?

MR. ROMANOW: — Ten new ones this year; over the last, I'll try to get you the last figure.

MR. LANE: — O.K., would you give me their ranks? You can supply that to me later. That's fine.

Would you also supply to me (and I'm prepared to accept it in writing) the, I think, relative high increase in subvote 32, the Crimes Compensation Board — We're going 20-some per cent increase and I'm sure that your estimates take into account something of significance which would cause that type of increase; so if the Attorney General could give me an explanation for that in writing, I'd be prepared to accept that.

MR. ROMANOW: — I can give it to you now, but we can give it to you also in writing. I'll follow up on it. The people tell me that when they sat down and budgeted it out, they tried to reflect an increasing trend in awards. They've always felt they've been under-budgeted and that's all there is to it. It's just a larger sum based on what they think is an increased trend in payment awards.

MR. LANE: — In relative terms, it's a relatively high percentage. Perhaps the Attorney General would want to . . .

MR. ROMANOW: — Well I will try to get something for you in writing.

MR. LANE: — Thank you.

Now, I would like to change to a subvote which you and I could spend some several days (and have already) and that's the communications secretariat.

One of the justifications for the government's involvement in CPN was that it was going to be a weapon in this great constitutional battle over control of cable. Of course, by and large, the battle was over before CPN got off the ground or into the ground or into the hole or whatever happened with it.

But, given your justifications for CPN which were three-fold: the constitutional weapon for the province, the help for local programming, and the capability of getting cable out to the smaller communities — I would like to know what local programming, and how much CPN spent on local programming, compared to the cost of purchasing or acquiring the movies and the movie packages, and specifically, what local programming and the cost that was done, produced by and originated by CPN? I would like to know the number of communities other than Saskatoon, Regina, Moose Jaw and, I believe, North Battleford that CPN has gone into some year or two later, if the Attorney General would supply me with that information?

MR. ROMANOW: — Mr. Chairman, the member is right. We've been over this a lot and I'm sure we will be yet and even more in the future. Let me say about CPN and the three points he makes; first of all the constitutional weapon (that's perhaps putting it a bit too crudely but I'll accept the wording for the time being) that battle is not done. I've just said in the summary of the constitutional issues that the federal government is prepared to offer licensing of cable television companies but the issue of closed circuit is still very much in the air — closed circuit — CPN is a closed circuit as opposed to Prairie Co-Ax or Cable Regina, which is, of course, the off-air conventional cable which the member opposite knows very well. So, there is a constitutional argument still there.

Secondly, on the question of local programming, I don't want to nitpick on words of the hon. member but our argument was Canadian programming, Canadian content . . . (inaudible interjection) . . . Well, that's my argument when I became minister in August, '77. That's the position that I take, local programming there has been virtually none that I know of — local in the sense of Saskatoon, Regina and Moose Jaw. That's understandable. The CPN has been operational for no more than 8 months to 12 months, depending upon your time.

MR. LANE: — A year ago they were fighting over getting off channels 6 and 7 . . .

MR. ROMANOW: — Exactly. That's what I said — 8 to 12 months ago and that's exactly how long . . . (inaudible interjection) . . . No, they haven't, because they were funded on December 14 or 15 of 1977. You know, I became minister in charge of the telecommunications in August of '77. We settled the cable hardware problem about September of 77, then we funded CPN in December or at least announced we would fund. They didn't get the funding due to the fight in April, as you said, about a year ago and we knocked them off the air by putting them into receivership two months ago. So it is anywhere from 8 to 12 months.

This is their information to us, that on the Canadian content side of local they are

looking at the home box office, which is the movie channel; that's pure basically American content. On the variety fair channel, channel 16, they have 45.5 hours weekly, compared to 66.5 hours American, weekly. On channel 17, just for kids, they say that they have 59.5 hours weekly and the American content is 42 hours weekly. If you total all of those on the percentages, they say that their total air time, which is Canadian, is about 40 per cent. Actually, to be exact, it's 38 per cent.

MR. LANE: — And the extension of local programming is taken to the extreme in those figures, because if one goes back to the CPN ads, they get a very long discussion about what they are going to do locally, on the community channel. Do you want me to read CPN's ads on this? Totally programmed with local productions — obviously, on your statement, that hasn't happened. Entertaining and informative — that's not for me to judge. But let's take your original statement, (and again we can disagree on the word, weapon) but you're going to use CPN on this fight, this battle with Ottawa, and yet at the same time you're standing up in this House and saying, now there's a chance of selling it, a chance of selling it to someone else, that you are going to consider selling it. How are you going to? You know, you've got a very inconsistent position here because on one hand the battle's not over, not yet won, and then on the other hand you're saying that you're prepared to sell it to get out from underneath a financial weight.

I am going to ask you, is it one of your terms and conditions of a proposed sale.

First, that the government have some control over closed circuit cable. Second, are there any terms and conditions as to 100 per cent local programming, and I'm going by the CPN ads on local programming, I'm not saying Canadian, I'm taking their words — local programming. What requirements and conditions are you placing upon that? Third, what conditions are you placing on a proposed sale for the extension of cable CPN closed-circuit into smaller communities?

MR. ROMANOW: — Mr. Chairman, the answer is easy and difficult. We are not putting any conditions on anyone yet. I'm not trying to dodge the member's question but the fact is it is premature. I can tell you theoretically, (this perhaps I shouldn't be volunteering knowing what I'm sure is a prime rule in being questioned by a competent lawyer — don't volunteer answers). But I'm going to volunteer one. My own theoretical hope would be that we could see closed-circuit television (I'm picking my words carefully, as opposed to CPN) operate in Saskatchewan with two or three principles.

One, that the operator be a community controlled basis; two, that if at all possible it be a co-op community controlled basis; three, that there be an increasing effort at local programming, local Canadian programming; and four, as funds and technology permit (assuming that there's peace in this area, which has been one of CPN's biggest problems, legal peace, political peace, I don't mean that in any sense, assuming peace in this area as legal and technological time permits) an expansion to the country, the rural areas. Now, those are my views. Now do you ask, are you putting those down as mandatory conditions on any successor? The answer is no, we are not at this time. Because we don't know who the potential successors are; we don't know what the financial picture looks like yet from Mr. Strang; we don't know what the technological and other aspects of the problems may be. We may know, a month, two months from now; then we'll be able to sort it out. But idealistically it would be my hope that that's how we could proceed.

MR. LANE: — Can you tell us the monthly revenue of CPN since the receiver took over, and actually give me the monthly revenue of CPN since it began operating?

MR. ROMANOW: — Mr. Chairman, I haven't had a chance to get the full benefit of the advice. It doesn't matter much here in any event. The situation is that there has been a receiver manager appointed by Northland Bank pursuant to an instrument, a security, held by Northland Bank; they're the ones who put CPN into receivership and appointed the receiver manager. He has the numbers. I don't know whether we have them or not; we may have. But even if we did, I would deny that that to the member; I would deny giving those numbers at this time for the same reason that I have denied giving to the member the interim report of Mr. Strang. I think that that does no justice to the government ultimately and the bank ultimately, having the options open to it to do with CPN as it will do with CPN sometime in the very near future.

MR. LANE: — I can understand the government's reluctance to give anybody any information on CPN. I am sure, as well, when one sees what I think are some pretty questionable activities going on that here we have a company that is going, for all practical purposes, into bankruptcy or insolvency; whether we say receiver or otherwise, the legal definition of insolvency certainly applies. We see a receiver being appointed, unable to pay its bills, owing Sask Tel (prior to the receiver being appointed) over \$600,000, and then after the receiver is operating, all of a sudden we get a new figure from the government which shows that maybe it doesn't owe Sask Tel quite that much. Now the Attorney General understands the ramifications of what I'm saying that if there's a fraudulent preference, on behalf of Sask Tel, there are some pretty serious questions which can result as a result of that. This is after the receiver. We're getting statements from the government opposite which are contradictory and questionable. Now of course what it means is this: if the government can somehow get the funds and the debt owed to Sask Tel something down to a manageable level so that the funds are diverted that way and so that the only obligation outstanding is the guarantee and the purchaser takes it over for the guarantee of a loan or some adjusted figure. Then, of course, the government can think it can get itself off of the hook politically. But let me warn the Attorney General of the following:

1. The way things have been going in the press statements to date and the long delays, of course, we've got no opportunity or no capability of questioning in detail the operations of CPN (Co-operative Programming Network). I recognize that and the Attorney General does also.
2. Let me say that, in fact, everything that were stated goals of the government's involvement in CPN have proved to be failures. In all aspects, everything the government stated that it was going to do has turned sour. In fact, CPN was a mistake on the government's involvement. It was a mistake on its justification to get it to small communities (The Premier sat here and gave us that specious argument).
3. It's been an abject failure on any aspect of local programming. The only thing that keeps anybody watching CPN, other than the children (and we can get into a long debate on that), is because of the foreign or American movies or American movie packages. It has been a failure.

We come back to what we said before, get out of it. Our position has been made clear in the past. Get conventional cable to the small communities of this province. Use \$5 million on conventional cable, (but it's probably wasted; we could have gotten conventional cable to the smaller communities as has been done in Manitoba and Alberta) before we embark on any social experiments. CPN has left a bad taste, I think, in

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everybody's mouth. It was a bad investment and a bad move by the government from day one.

AN HON. MEMBER: — Right on.

MR. ROMANOW: — Mr. Chairman, will the hon. member permit me just 20 seconds of rebuttal to say that I obviously disagree with him. I think CPN is a grand dream which will come true about communications in three or four years. It may not under CPN as a mechanism, but I think it will. I say to the member opposite that the future in communications is closed circuit; that's the future. If we got his support, and the support of all of the members opposite, we would make another Saskatchewan first in CPN. I still think we will.

MR. LANE: — We have made (and I'll just respond to the Attorney General) a first. We have made a first. We've probably had the only television company and to quote Lord Thomson 'a licence to print money' that in fact wasn't a licence to print money that, in fact, was the only one that didn't make money. The government opposite has an international first; the only one to ever get into television and lose its shirt. I have no further questions of the Attorney General estimates.

Item 1 agreed.

Item 2 agreed.

Items 3 to 23 agreed.

Department of the Attorney General — Vote 3 agreed.

Supplementaries agreed.

PUBLIC AND PRIVATE RIGHTS BOARD VOTE 31

Item 1 agreed.

Public and Private Rights Board Vote 31 agreed.

SURFACE RIGHTS ARBITRATION BOARD VOTE 37

Item 1 agreed.

Surface Rights Arbitration Board Vote 37 agreed.

MOTION

CONSOLIDATED FUND

RESOLUTION 1

HON. R. ROMANOW (Attorney General): — I move that Resolution 1:

Resolved, That towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending March 31, 1979, the sum of \$30,150,090 be granted out of the

Consolidated Fund.

Motion agreed.

RESOLUTION 2

MR. ROMANOW: — I move that Resolution 2:

Resolved, That towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending March 31, 1980, the sum of \$1,357,612,250 be granted out of the Consolidated Fund.

Motion agreed.

RESOLUTION 3

MR. ROMANOW: — Mr. Chairman, Resolution 3:

Resolved, That towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending March 31, 1979, the sum of \$42,072,500 be granted out of the Saskatchewan Heritage Fund.

Motion agreed.

RESOLUTION 4

MR. ROMANOW: — Mr. Chairman, I'd like to move Resolution 4.

Resolved, That towards making good the supply granted to Her Majesty on account of certain expenses of the public service for the fiscal year ending March 31, 1980, the sum of \$368,936,240 be granted out of the Saskatchewan Heritage Fund.

Motion agreed.

The Committee reported progress.

COMMITTEE OF THE WHOLE

BILL NO. 87 — AN ACT RESPECTING THE INDEPENDENCE OF MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN

Section 1

MR. W.C. THATCHER (Thunder Creek): — Mr. Chairman, Mr. Attorney General, we've been through a few comments on this. The comments when you introduced the bill were brief, and when you closed debate on the bill they were brief.

So, perhaps, Mr. Attorney General, seeing we're down into that evening where we've got lots of time and we're in no particular rush, maybe you care to tell us about the bill, why we need it, and what the objectives are, without making it any longer than you

really have to.

MR. ROMANOW: — Well, Mr. Chairman, I think the public rationale, policy rationale for a conflict of interest bill is the one which, I think, was articulated quite well (while I didn't agree with the entire speech) by the member for Qu'Appelle (Mr. Lane), and that is that the public should feel secure in the knowledge that members of the Legislative Assembly, when dealing with public business, are not in a position of dealing also in that public business in such a manner that they could benefit directly in their private . . . (inaudible interjections) . I'm sorry, I can't hear, Mr. Chairman.

MR. CHAIRMAN: — Order please. We've got to have a little better attention from both sides of the House here, particularly to my right, because it is very difficult for the speaker to speak and for the others to hear. I ask for your co-operation please.

MR. ROMANOW: — . . . so there's no profit as a result of that for private gain.

MR. THATCHER: — Well that really wasn't much of a comment, Mr. Minister. Surely there must be more rationale to it than that. Would you mind telling me, supposing a member of this side of the House (any one of us), wanted to profit somehow from doing business in the government; how would we, or I or whatever, possibly go about doing it?

MR. ROMANOW: — It's conceivable that I would not know of your interest in a company, which company may very well be wanting to have the government loan of funds through SEDCO, or to take it over or to merge it with other companies involving the government, or involving Sask Tel in any particular operation. It's conceivable that that would be the case, unknown to that position or even known to that position, you in your capacity as both as a private individual, a private interest, coming to me using your MLA position and access to petition for change. It is an obvious example. That, I think, may be 'conflict'.

MR. THATCHER: — Now you lost me somewhere. You're saying that because one of us won an election and we may be involved in a company that, front and centre, was doing business with the government, or had done business, or were a shareholder — front and centre — You're saying that somehow we're wielding some sort of an influence. I don't get the part where we came to you. It would seem to me that if one of us were in a company, and we did want to do business with the government, the last thing we're going to do is go to you because, obviously, our chances of doing business with the government becomes rather slim the moment you know of our involvement. So please tell me where the conflict is and how this changes.

MR. ROMANOW: — Mr. Chairman, it doesn't have to come to me. The member doesn't have to come to me. He may very well come to a senior civil servant or a civil servant, or a functionary, in his capacity as MLA, unknown to that person or even known to that person, promoting a cause all the while under the guise of being an MLA, which cause, in reality, is cause which benefits that person or his company privately. Now I want to say to the hon. member that he ought not to be too confused about this because this is the law now. The present law prohibits that kind of action that I've described in general. We are not writing new law in this bill. We are simply restating that aspect of the law in this new conflict of interest. What's new about this bill is the disclosure; limited as it is. That's new from the present law and, also, somewhat of an improvement, albeit not a total improvement — but somewhat an improvement of some of the obvious deficiencies in the existing bill.

MR. THATCHER: — Well finally the Attorney General makes a point himself. You're quite right. The situation you described in your opening remarks very clearly contravenes both the spirit and the letter of present day regulations. But why the disclosure? What is the disclosure doing and, we haven't gotten around to you people in the cabinet yet? We're still on this side. What does the disclosure do — I mean, how is it stopping whatever harm that we are going to do? I'm still curious. Where do we get this chance, or what is the disclosure changing that somehow we're not going to make all this profit that this bill is going to protect the taxpayers against?

MR. ROMANOW: — Well Mr. Chairman, the disclosure side of these kinds of bills, I think it's correct to say, are basically designed to assure the public of the above-board approach of the members. That's basically the approach of disclosure. There's another part of the bill. That is the prohibitions. You are prohibited from entering into certain contracts, etc. that's in the present law and it's now elevated a little bit toward the companies — the company side of the law in this proposed bill. But on the disclosure side of the law in this proposed bill. Except, that on the disclosure side, I think it is correct to say that the biggest impact is the impact that public opinion will have and that's what the policy behind public disclosure is.

MR. THATCHER: — Mr. Attorney General, I assume that you've played some role in the writing of this bill. Do you regard this as a good bill? Do you regard it as a tight bill? Do you regard it as a bill that accomplishes anything, and if so, what?

MR. ROMANOW: — Mr. Chairman, it is a difficult answer to give to the hon. member. May I make this kind of a response. This kind of a bill, a conflict of interest bill, at a drafting legal level, will be virtually impossible to draft in an airtight perfect way, short of one thing, and that is going to total revelation — where Roy Romanow has to list that he has \$275 saved, or he owes \$50,000 on a mortgage, or he has this or that. Short of going that route it is impossible to do it otherwise. To a large extent all this bill can do is set out guidelines and foster the kinds of working relationships among MLAs and the public which is necessary for good government.

So I answer the question as two levels — can you pick loopholes in this bill? The answer is yes, I'm sure of that. Is it a good bill (and that may be a good or bad bill depending on your point of view)? However, is it a good bill inasmuch as it elevates, which it does? It is a step up from the present conflict of interest provisions in The Legislative Assembly Act. Is the bill one which is moderate — namely, compromising the interest of you as a private individual to do your business in your fashion and make the money you want to do with the public's right to be satisfied that we are above-board? I think it is a good bill. Nobody is saying that. Draftpersons aren't saying that; I am not saying that. So is it a good bill? In my judgment the answer is, on balance, yes, it is a good bill.

MR. THATCHER: — Mr. Attorney General, in your view do you feel that it discriminates against any kind of people in this Assembly? I suppose a better way to phrase the question is, something usually precipitates a bill, something usually makes a government think that they should bring something in. Something must have happened within government which made you decide this bill was necessary.

Would the Premier or the Attorney General care to tell us what happened? Was there something that hasn't been made public? Was there something which you're not telling us? You just don't pull bills out of the air. What happened to bring this forward?

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MR. ROMANOW: — Well, Mr. Chairman, to answer the first part of the question — namely, is this bill discriminatory — the answer is yes. It does discriminate. All of us, 61, are discriminated against, if you will, from the rest of the public, because the rest of the public does not have to go through this . . . (inaudible interjection) . . . Not in a limited way. Only if the spousal involvement is in such a way that indirectly or directly you benefit. It is not total spousal revelation. So, the answer is, yes, we are all discriminated against.

The question, in broad policy terms is, is that a price that an elected person should pay? If the answer is no, then the bill is bad or good and we start the debate; if the answer is yes, then it is a good bill or vice versa. That is the issue.

I think, historically, we are there now. Over five years of white papers, royal commission reports. The member for Qu'Appelle (Mr. Lane) very ably tabled, last night, three different position papers since 1972 of which I have been Attorney General.

He is right; the law has been changing, there is nothing sudden about it from that point of view. That is the way the public attitude has been going. That is what the public has been asking, rightly or wrongly, (I think on balance, rightly) our elected people to do — conflict of interest legislation — and this is a building block bill. It is an evolutionary bill from where we are at. There is nothing precipitous in the sense of one member here or there which provokes it. I think it is an inevitability of the evolutionary process of politics in Saskatchewan.

MR. THATCHER: — Mr. Attorney General, in response to your comments that this business has been around since 1972, might I respectfully ask you then, why are we dealing with this bill six months after an election? Why did we not deal with this bill in the last session of the legislature about one year ago?

Then, Mr. Attorney General, I submit to you that everything would have been front and centre. Anybody who was choosing to run for the Legislative Assembly was fully and completely aware of the rules and regulations he was walking into. Does the Attorney General feel that it is fair game after the election has been held? The candidates from all parties come forward under one set of rules. We go into session and you decide you are going to change those rules.

So, in light of the Attorney General's remarks, would you tell me, bearing in mind that you acknowledge that this came up, brought up by you as Attorney General in 1972, why did we not hear about this last year? Why did we not hear about it so that those who were considering, contemplating or going to run for election to this Assembly, were then clear and concise on what the guidelines were that they were coming into this Assembly on? Does the Attorney General feel that it is fair, at this stage of the game, to change the rules?

MR. ROMANOW: — Well, Mr. Chairman, the obvious answer is, no, I do not think it is fair and, yes, I do think it is fair. Let me just tell you why I say that.

It is correct that there is a change in the ground rules, today, May of 1979 that did not exist on September 18, 1978; that's correct in a technical real sense and to that extent it's 'unfair'. But it's fair also on the larger scale. It's fair because the nature of the parliamentary process is, regardless of what we had done, that each new elected parliament is free and always does do what, in the elected will of the public, it thinks it ought to do. We could have passed a conflict of interest bill (I'm not saying you boys would have done this). But if you had won the government, you may have said, we're

changing the ground rules and it goes right out. It's an imperfect system, this system of democracy. That's what happens. There are laws which are amended, new governments that are in, new backbenchers which are around giving different kinds of attitudes.

I'll tell you when I was elected in 1967, I never would have thought that we would have a guy from Saskatoon Sutherland or some guy from Regina Lakeview or these other guys that we've got around us from Shaunavon, with the kinds of attitudes that they're giving to us in the caucus. It changes. Four years from now, if I'm around, it'll change even more to take into account that operation. So it is with conflict of interest. I'm only saying to the hon. member that he ought to understand that it's unfair and fair and he ought to understand as well, I say with all due respect to him, that we've been considering this now for five years, since 1972. I think anybody who is at all remotely interested in politics knew, given Ottawa, given New Brunswick, given the fact that other provinces are moving into it, whether it was right or wrong. There was as I say, an inevitability about it in the air of Saskatchewan politics.

MR. THATCHER: — Mr. Attorney General, isn't it fair to say that this legislation is really something that not a great deal of us in this Assembly really want, or really need? Isn't it fair to say that about 59 of us are caught up in a battle between two leaders and the other 59 of us are sitting back and watching and we're caught in the thing. The two leaders on this issue have gone at it. You people have made the decision; you're going to get the one on this side because you've got the hammer. As you say, maybe if we were on that side of the House, maybe we would wield the hammer. That's the nature of politics. But isn't it a fair assessment to say that 59 of us have been caught up in a battle between two leaders? Isn't it fair to say that in that battle, you're dragging all 59 of us in in a needless, pointless bill that means virtually zero as far as protection to the taxpayers of Saskatchewan?

MR. ROMANOW: — Well, Mr. Chairman, I can't agree with that assessment or that description by the hon. member. I could see how observers might, in light of question period over the last three months since we've been sitting here and other statements after the election, come to some sort of a conclusion like that. But I do say, before I take my chair, that that is not supported by the facts. I point again to the fact that since 1972, this paper and proposal has been advocated on a regular basis. I say to the hon. member that we do have a conflict of interest law now, Legislative Assembly, which needs revision and update. Maybe this isn't the form but I think it is. It needs revision and update, so there is nothing sudden about that. We have the events, as I repeat again, as witness to my argument that it isn't the leadership struggle that we have here, witness as well the provinces and indeed, the federal government, moving towards the area of conflict of interest legislation.

I don't think it is a pleasant thing for any of us. For some who have more personal holdings than I do, it is going to be more difficult. I acknowledge that, but even for me, this is not going to be a pleasant thing. The question I have to decide is whether or not the overall price of democracy and politics outweighs the discomfort of living with this bill. That is a decision each one of us has to make. For my part, I have chosen, yes, it is much more important than this bill. I think it is important that I reveal, if that is what the public policy and the direction is heading, and I think it is.

It is not a matter of Collver or Blakeney. This bill will be around (or some modification of this bill will be around) long after Collver and Blakeney. This bill will be, like The Legislative Assembly Act, a building block, which is the basis and foundation of what

we have here, called parliament.

MR. THATCHER: —Mr. Attorney General, if what you say is true (I don't really believe that it is) and if the interest is truly to protect the taxpayers of Saskatchewan, why are you lumping all 61 members into the same kettle of fish? Now, with all due respect, the possibility for conflict is rather remote here; it is rather remote on the back row over there and I don't think it is prevalent within the cabinet benches. But certainly, I think you will have to acknowledge the possibility of it increases a hundredfold within the cabinet.

Would the Attorney General not agree that it is a ludicrous bill that does not differentiate between a cabinet minister and an ordinary MLA? In short, what I am saying to you is that the power in this Assembly and the decisions are basically within the cabinet. Never mind the legislation that even comes into this Assembly that the various cabinet minister bring into it. Just imagine some of the decisions (and I want to make it very clear I am suggesting nothing on the part of anybody, I am being strictly hypothetical) but imagine . . . (inaudible interjection) . . . why don't you go back in the lounge and indulge in it there before you get carried away?

Mr. Attorney General, the possibility, if there is a problem, increases one hundredfold for a cabinet minister over an ordinary MLA, particularly the backbench ones here and over there. The supplies that a government department may purchase, the decisions it may make — imagine the position that a cabinet minister can possibly be in. Now I think there are provisions there that cover that to some extent, for a cabinet minister. But would the Attorney General not acknowledge that the first deficiency before we go through the vast list of deficiencies, is that this bill does not differentiate between a cabinet minister and an ordinary MLA. Surely the Attorney General is not going to suggest the price . . . That's not the right terminology . . . but that his favor to some individuals is not worth considerably more than, say, my favor, or shall we say, the member for Shaunavon, or the member for Notukeu-WillowBunch. But surely the favor of a cabinet minister, in a capacity as a favor in doing business, is considerably more than an ordinary MLA.

MR. ROMANOW: — Well, Mr. Chairman, I suppose it all depends on how we view ourselves and what power and authority we have. I don't want to get into the sidetrack of this debate but one of the things which I reject . . . (inaudible interjection) . . . No, no, but I want to say, one of the things which I reject is, increasingly on the PC side, the argument that says, you know, we are just but ordinary MLAs. We can't get information on Crown corporations. We can't do this out of your stonewalling. What can we do? We are but powerless. I say this without being confrontation minded. That's simply not true. I think it's a question of how you assess the work of an MLA. I say to you, you in your capacity as Joe Blow, President of Road Building Company A and Joe Blow as MLA, whether you're sitting there or sitting back here, is a powerful person to deal with when it comes to Department of Highways people, on my example, or any other people. It's a simple fact of the matter. Let's not get sidetracked on the issue. The issue is when you cast your vote, even in opposition to us, are you casting your vote free of encumbrances (personal encumbrances or personal business encumbrances)? That's the issue. Yes, I have more responsibility because I'm in cabinet. Yes, I have more access to information. To that extent, your argument holds validity. But in the end result, we are all MLAs. All we are here is the executive arm of this MLA operation. Your vote counts a heck of a lot, as the boys do back here. To bring in two different kinds of bill, I don't know how it can be done legally and I would reject it as a matter of philosophical approach.

MR. THATCHER: — Well, Mr. Attorney General, I suppose if we take your logic, I guess you do have a valid point. You're right, I am in conflict of interest, I suppose, every time I challenge the Minister of Agriculture (Mr. Kaeding) on whether he's going to put in a cattle marketing board. I confess; I'm in the cattle business. I have a conflict of interest. I don't want a marketing board. I suppose I'm serving my own selfish interests by suggesting the Minister of Agriculture should not bring in a marketing board. Is that what you're trying to say? That the member for Arm River (Mr. Muirhead), who is a farmer, when he votes against a policy of the Minister of Agriculture, he is in conflict of interest. I suppose he's guilty too. I suppose the member for Estevan (Mr. Larter), who is an implement dealer or a former implement dealer any time he makes a remark about something pertaining to the implement business I suppose, yes, he is in conflict of interest. The fact that we may have gotten elected because we were involved in agriculture or because he was a businessman, or was in the implement business, is of no consequence. I suppose the member for Regina South (Mr. Rousseau) who is in the car business, when he asks questions about the Central Vehicle Agency, if we take your logic, he is in conflict of interest. Mr. Attorney General, you know that that is nonsense. You know very well he was elected front and centre, as a car dealer, as an implement dealer or as a farmer, front and centre, and they are expected to carry on like this. They are expected to ask these kinds of questions. Your suggestion that they may be in some sort of conflict, even voting in opposition, is totally nonsensical.

Mr. Attorney General, I want to tell you that if you were serious about having a bill, a bill front and centre that's a model, you wouldn't be grouping all 61 MLAs into one kettle of fish. I challenge you to take this bill, I challenge you to bring forward an amendment, if you are serious about this, that you are going to be front and centre, I can't think of a better group of people who should lead the way than the cabinet. I can't think of a better group of people, if you're serious about being above reproach, than the people who are making the decisions. I think the cabinet should go front and centre.

Shall we go down this piece by piece and see where the loopholes may be? I'm not suggesting anything on any individual. I'm, being hypothetical. But I'm saying to you that you're no more trying to be front and centre, you're no more trying to get on that white charger and head down the street. I suggest to you, Mr. Attorney General, you're trying to get a bill so you can say that I've got something in place. A bill that does nothing. A bill that lumps everybody into one broad package, but a bill that is a farce.

Mr. Attorney General, when I challenge you it's time to do one of two things, either re-evaluate this bill in a non-political fashion, in a way that truly does really fulfil the rhetoric that we've heard from you tonight, or, secondly, do the job. Get your cabinet ministers to put forward a net asset statement. If you think that that is so vital, I say to you that there is no danger on this side. I say that there is no danger on the backbenches over there. But if you think there is a problem and I don't acknowledge that there is, I think, Mr. Attorney General, that it is incumbent on you to have your cabinet lead the way for the rest of us. You're the people with the full-time jobs, you're here all the time. We come and go at the call of the Lieutenant-Governor. But it's time for your cabinet people to lead the way and if you're serious about being so lily white and front and centre and above-board, I challenge your cabinet to lead the way.

I'll sit down for a moment.

MR. ROMANOW: — Well, Mr. Chairman, I said at the outset of the comments on this bill that there are two options which are open. The two options are a net worth or a net asset

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approach or something less than that. This bill is something less than that.

We have rejected net worth asset not only for cabinet ministers but for all MLAs, for what I think is an equally valid public policy objective, and that is to be able to attract able men and women in business and other fields into the field of politics.

If that argument is valid for all of the MLAs it is equally valid for the cabinet who come from the MLAs. And I think that argument is valid. You can't draw two different kinds of laws.

Of course there is no such conflict as the member gave in his opening remarks in his last little statement. I'm a lawyer. I'm not in conflict because I'm recommending law society or Attorney General bills. There's a difference between being an advocate of your constituency and your constituents and, on the other hand, being an advocate of your personal or corporate financial or business concerns masked under the guise of being MLA operations.

That's what we're trying to lance, that basic contradiction! I say to you there are only two ways you can lance that kind of thing. You can do it by a net worth, net asset approach where you reveal everything, or you can do it in what I say is the more responsible way of this kind of bill. It applies equally to all of us.

If it isn't going to scare off the cabinet ministers, a net worth approach, as you say it isn't, then it equally isn't going to scare off any of the MLAs (a net worth asset approach), be they opposition or backbench.

If it's going to scare off the MLAs, opposition or backbench, it'll scare off the cabinet and do we, as citizens, want the best people coming forward to take public office? The answer is yes! If the answer is yes, then what bill does that job best? I say the bill that does that job best is not a net worth asset bill.

To draw a distinction between cabinet and ordinary MLAs, I say, downplays the role of MLAs, downplays the bulwark of this institution, the MLAs over, emphasizes the importance of cabinet ministers, is impossible to draft and, in my judgment, totally undesirable.

MR. THATCHER: — Mr. Attorney General, for some of your remarks, I agree with you. The net asset approach is a totally unacceptable way to go; unquestionably it is a totally unacceptable way to go.

Mr. Minister, in light of the sanctimony you've been putting forward in your rhetoric, I don't know of another way to go. I totally reject your comments that there is no differentiation between the cabinet and MLAs.

When, as an MLA on this side of the House, I can't even ask the minister in charge of SEDCO (Saskatchewan Economic Development Corporation) what he's going to borrow \$20 million for, and get an answer, (he'll find out in a couple of years, or whatever the answer may be) don't tell me that. Heavens, I can't even get information if you don't want to give it to me!

You people in the cabinet basically make the day-to-day decisions of government. You introduce the bills and then, after the bills become law, through your departments you implement them. And your power can be enormous. Mr. Minister, if you are deadly

serious, and I agree with you, I reject the net asset approach as being unacceptable, unacceptable because — well, the reasons aren't important, but I'll go with you on that.

Mr. Minister, if we're going to go that route, if you feel that things must be front and centre, and that the public must be protected, there's far simpler ways to do it than this disclosure which, really, isn't disclosing very much of anything. I suggest to you that there's not one member in this Assembly, if he wants to, by next — when is it? Whenever it comes into effect — April 30, 1980; I suggest to you that there's not one member in this Assembly, if he doesn't want to, who cannot hand in a blank sheet of paper, if he so chooses. So what have you got? If you feel the public of Saskatchewan must be protected — and I want to emphasize that I'm not concerned that anything has happened in cabinet. I want to make it completely clear that I'm talking strictly hypothetically — but if you're concerned about protecting the people of Saskatchewan, all you really need is for the cabinet, one who assumes a cabinet office, to simply have a simple sign out for them that he has no interest in a company doing business with the government. Now, that's a very crass and simple way of saying it. You would have to get your legal people to write it up. But that's really all that you need. Or, conversely, if you feel that MLA's must say that, perhaps that's maybe all right, maybe we could work that out. Mr. Minister, all of us in one way, shape or form, because we come from all walks of life, are in conflict with something. If you're a teacher, and you talk on the Department of Education, I suppose there is some sort of a conflict. I know we have worried at times that we have an MLA who is a former president of the Saskatchewan School Trustees Association. We have worried at times, should we have him speaking on this? Does it look like a conflict for him? It bothers us at times. But we come from all walks of life and so this is something we must live with. But that is not conflict of interest. Mr. Attorney General, you're lawyer. When you bring down legislation affecting the law society, are you in conflict of interest? Certainly you're a lawyer. You're going to practise under it some day. Does that put you under conflict of interest by a very narrow definition? May be it does. But from a practical point of view, of course not. We have to live in this world.

Mr. Minister, I have to ask you. Did you consider the possibility of a simple sign off for cabinet, and perhaps MLA's, either indicating where they are going to do business with the government or taking an affidavit that they are not involved with a company that actively and knowingly does business with the government? Have you ever considered this?

MR. ROMANOW: — Mr. Chairman, the answer shortly put is no, we have not. Because what it seeks to do, that argument seeks to do, is to make a case for two levels of MLAs; one, those who belong to the Cabinet and the rest. Now I grant you that there are differences but they do not warrant two different sets of laws. We have gone through this now for three-quarters of an hour as to why I think the importance of the MLA is as I think it is. You don't buy that. And if you don't buy it, then you're just simply buying the Cabinet. I don't happen to agree that MLAs are worthless nor powerless. I think they are powerful; they are important and as a consequence one bill is necessary for all the MLAs. So to answer your question, no we didn't think of a simple sign-off for cabinet.

MR. THATCHER: — Well, Mr. Minister, I don't think anybody takes you seriously when they suggest that there is no differentiation between the MLAs and the Cabinet. I merely have to look at some of the expressions on the back benches and the way some of them drool at the prospect of a potential cabinet post to get an answer on that one, Mr. Attorney General.

You're right we've been around the differentiation between Cabinet ministers and

MLAs for three-quarters of an hour (I don't know if it's been quite that long) so let's expand it a little bit.

I believe the member for Qu'Appelle last night pointed out to you an original bill which you dropped, I believe in 1974, and did not act upon (I'm not sure whether you pulled it after first or second reading), but that bill made reference to public servants. And since we're up on our white charger and we're going to purify everything in government, could the Attorney General tell me why public servants are not included in this bill?

MR. ROMANOW: — Mr. Chairman, we decided against moving with public servants in this bill because we treat public servants in a different category. Public servants are now covered by law. There is an oath that they have to take. There are public service Commission guidelines; I believe they're written, I don't have them with me, and they're looked after. We in effect make those laws for them as their 'masters.' Who makes the laws for us in a different category as elected people? We have felt the answer is us and the law which has governed us hitherto, Legislative Assembly Act, is deficient. The answer is, we intend to come to grips with the problem of senior civil servants and potential conflict as it relates to them in the future in a separate bill. There is a fundamental difference between them and us. No matter how smart they are, no matter how competent they are to tell us, no matter how able and experienced they are to run the province and the country, there's one fundamental difference. We're elected. They're not. That means a bill for us, not a bill for both of us. We are two different animals.

MR. THATCHER: — You're right, Mr. Minister, there is a fundamental difference between us. We are elected, so we are accountable. They're not accountable. Who are they accountable to, the minister in charge? They're not accountable to us.

Mr. Minister, I suggest to you that if this sort of legislation is necessary for those of us on this side and on the backbenches (who virtually have no power) . . . (inaudible interjection) . . . Oh, come on, Mr. Attorney General, 44 to 17. The next decision that I see binding on the government that's made on this side of the House since 1975 will be the first one. Come on!

Mr. Minister, let's move on to the heads of Crown corporations and deputy ministers. The day-to-day operations, they run the department. Are you trying to tell me that if they wish to (and again I want to make it clear, I'm being strictly hypothetical) if they wish to indulge in the things that this bill is supposedly going to protect us from that the people of Saskatchewan are protected from it? Are you telling me that the supposed head of SPC (Saskatchewan Power Corporation) or Sask Potash with the hundreds of millions of dollars that they administer and the numbers of supplies that they buy from a variety of people could not quickly get himself into a conflict of interest position that makes us look like a bunch of pikers in this Assembly? Are you telling me that those kinds of people, if we need it that they don't need it?

MR. ROMANOW: — I say to the hon. member again, there is (I don't have it in front of me, but I'm sure we could dig it up but let's hope we don't take the time of the House to do that) a provision in the law in The Public Service Act now (the member wants us to dig it up.) We'll dig it up under the Public Service Act which prohibits that kind of activity with respect to the civil servants. They are prohibited from having an outside interest, being involved in outside interests when they are working for the civil service. It's true that does not apply to Crown corporations, but Crown corporations with their boards of directors and management, that's an area which I think needs to be looked at.

I also think it needs to be looked at from the senior civil service side. I don't hold up this public service act proposal as being the be all, end all.

I've already said to the member we're going to have to move clearly, I think, in the area of senior civil servants and senior Crown corporations people. I don't think it matters whether I dig up that section or not because I candidly admit to you we need to move in that area. That's not the issue. The issue you're trying to make is that we should be tying in those people with us. You've already admitted to me we're two different people with two different functions and two different responsibilities. I want to tell the hon. member for Thunder Creek (Mr. Thatcher) that civil servant is not responsible to me alone. He is responsible to this House through me. That's the political science connection. You might say oh, no, I've never seen 17 guys change 44. I'll tell you, member for Thunder creek, you keep up that kind of thinking and you're going to have a self-fulfilling prophecy as far as the PCs are concerned. You are not going to be able to influence anything. I don't know what we did in opposition from 1967 to 1971, but I remember great debates with your dad. I think we did have influence. You might argue he was more responsive and more sensitive, but I tell you it is a question of the role that the MLA wants to play which will determine how effective that MLA is. I say he can be very effective and if he can be very effective he could be open to a conflict and thus the need for a bill.

MR. THATCHER: — Mr. Minister, I think you indicated that the public servant is under some constraint. If I am not mistaken they are under the identical constraints that we in this Assembly are under right now — virtually the identical one. Yet, tonight, we are talking about a bill to put us under additional constraints and in the same breath you are trying to tell us that a public servant (a senior public servant) . . . you have already acknowledged, I believe, that nothing is in affect at Crown corporations. You say we need it and they don't.

Mr. Attorney General, very respectfully, is that not a contradiction in the position you have taken in the last few minutes?

MR. ROMANOW: — Well, Mr. Chairman, again I am loathe digging myself into legal positions that I can't support; but I am asking Mr. Holtzman, who is my advisor on this bill, to give me, if it is true, what the act says. I think it is not true what the member says. I could be wrong and if I am I will readily admit it. I think civil servants are under more stringent ground rules than we are. I think they can only do a civil service job, period. We can do an MLA job and be a rancher and be a lawyer and be a car dealer and be a businessman and be a farmer, or whatever we have to be, and the other operations as we can expand out. They can't do that; that is a very stringent requirement and there is also a prohibition for them tied into this (their side of the coin, same point) from involving themselves in these areas.

Look, I don't want to get hung up on that. I could be wrong. That is one of the reasons I don't want to get hung up on it, but that is not the relevant point. If I am right or wrong, the relevant point is — do civil servants have to be tied into this bill? And you haven't made out the case for me as to why they should be in this bill with the elected people. You are making out a case that they need to have conflict of interest. I agree.

The question: do they need that conflict of interest in this bill? And it is dependent upon this bill going through? Answer: No.

MR. THATCHER: — Well, obviously, at one time you felt that it was. I notice you haven't

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denied the fact that you did at one time introduce a bill which did include senior civil servants.

The answer is yes, Mr. Minister, the opportunity for whether they should be tied into this bill or whether there should be a twin bill with it, I don't know.

But let me tell you, I believe very firmly that if there is an opportunity for wrongdoing, which this bill is attempting to correct, if there is an opportunity for those of us in this Assembly it is a hundred-fold more for senior civil servants . . . in certain positions.

Mr. Attorney General, I use the example of treasury board. I think, if my memory serves me correctly, the Minister of Finance (Mr. Smishek) indicated you've got \$250 million in cold cash sitting in the Heritage Fund.

Mr. Attorney General, you know very well the placement of money is very important in this day and age. The Minister of Finance does not place that money on a day-to-day basis. But let me tell you, there are certain people in the treasury board, or in the Department of Finance, who place that money. Don't tell me there are not people would be very, very grateful to have \$250 million dumped on them for ever 24 hours or 48 hours.

I'm not suggesting — again I want to emphasize I'm being hypothetical. I'm just using this as one example where there could be tremendous benefit to someone. On what terms and conditions? When you go into this area, the possibilities become endless.

And then you move into the area of Crown corporations, and I already mentioned this. SPC (Saskatchewan Power Corporation, the potash corporation, and SMDC (Saskatchewan Mining Development Corporation) where supplies are bought and sold — hundreds of millions of dollars — and yet you don't think that we must go under the sort of controls as the people who are making decisions . . . hundreds of millions of dollars — You don't think that they should be under similar sort of control, and that the public should not be protected by the possibility that the head of some Crown corporation may own an interest in a company which is doing business.

I think last night, Mr. Minister, I made reference to an incident in Crown corporations about a member of the board of directors of a Crown corporation who circulated a letter to department heads of that Crown corporation indicating that a company the director had an interest in was selling a certain class of equipment and were they interested?

Mr. Minister, both sides soft-pedalled that because it was not a conflict of interest case. Mr. Attorney General, it was, and that's just one isolated, clear-cut example. I suppose, if you really wanted to be a nitpicker, we could've said it was conflict of interest when in reality we knew that it wasn't.

Mr. Attorney General, you know very well the potential for someone is absolutely endless and, for the life of me, I do not understand how you can possibly acknowledge that if the same sort of legislation must be for us to disclose, why the heads of Crown corporations and the senior heads of departments and deputy ministers should not be required to disclose their holdings in private companies.

MR. ROMANOW: — Well, I say to the hon. member, he makes a strong case as to why they should disclose, and I think that the law will move to them disclosing some day

soon. I can't quote but, by the same token, because it's not on this bill there's no reason to oppose this bill.

MR. THATCHER: — Mr. Attorney General, why have you changed your position? You introduced a bill in, I believe, 1974, and in that bill you covered the situation that we were just discussing. I believe this is the third time I've asked you that. Why have you changed your mind?

MR. ROMANOW: — Mr. Chairman, I never changed my mind. What was tabled on the floor of the House was a white paper. It was clearly headlined as white paper. The member for Qu'Appelle identified it as such, and that's all it was. It was a white paper. And the point that I said at the very beginning of our discourse here has been that the law in this area has been changing rapidly in various jurisdictions. We found out, or came to the conclusion, that having senior civil servants tied into an elective bill is the wrong way to go. We didn't change our mind. We just concluded that the white paper approach was wrong.

MR. THATCHER: — Mr. Attorney General, in this bill you make a reference to real property, real property. Mr. Attorney General, if I read this bill correctly, a farmer in this Assembly, who may own his land in his own name, would have to sign that sheet of paper that you're going to put out. If that farmer in this Assembly chooses, and I suppose I could make a case for conflict of interest by suggesting that if that farmer wishes to avoid putting anything on that piece of paper, he could set up a company which is, I suppose, some business for the legal profession; but of course we would never suggest that. But, Mr. Attorney General, tell me why, if the farmer chooses to own his land in his own name or in his spouse's name, he must disclose it? And yet if he chooses to hold that farm land corporately, set up a company, he does not have to disclose it. Mr. Attorney General, would you not agree that is rather a ludicrous contradiction?

MR. ROMANOW: — Well, Mr. Chairman, I don't agree that the member states the law quite accurately. Well, I direct the member to page 9 of the bill, section 19, Disclosure by a Member, subsection 2:

any report filed with the Clerk of the Assembly in accordance with subsection 1 shall disclose, if known, the name and address of the head office or principle place of business in respect of any member or members employed as director or manager, full particulars . . . (inaudible interjection) . . . of the company.

What's that? . . . (inaudible interjection) . . . Yes, that's right. But by your argument you can follow c through to d because if he moves it from the private hands and puts it into incorporated hands, he has to list the incorporated body. All you do is go check the incorporated body and you'll know where the ownership of the land is. But even if you're right . . . (inaudible interjection) . . . if you're right, all we have to do is pass a very simple amendment . . . (inaudible interjection) . . . I don't think you're right, and I'm not proposing that amendment. I'm . . .

MR. THATCHER: — Oh, are you saying that I'm wrong?

MR. ROMANOW: — I'm saying you are wrong, essentially wrong. Not on the black and white of the law but you are wrong because your argument is that you can avoid the bill. That's wrong. You are right if you, in your corporate capacity, hold land. You don't have

to list that land in the corporation. You're right there. But you are wrong to say that the natural conclusion is that you can avoid the bill, because I'm saying by the listing of the companies you can't avoid it. I said in second reading, when I wrapped up the debate, my intention is — using this example and maybe others — not to proclaim the bill immediately. I said that you asked the question, was it our intention to lay the bill aside? My answer to you then, as it is now is, no. Our intention is to proclaim the bill, but it's not our intention to proclaim the bill immediately. It is our intention to look at this point that you raise, and others that have been raised, over the next two or three or four months to see how in cold blood the law looks, and your points look, to see if we need further amendments, to see whether we need to delay the proclamation of the bill or not. I don't think we need to proclaim the proclamation, but maybe we do — based on your arguments. But our intention is to proclaim it. So I think you're wrong. If you are right that we'll determine over the summer with the appropriate remedial action.

MR. THATCHER: — Mr. Attorney General, I am not wrong and you know that I'm not wrong. Certainly you set up the company and certainly it's filed with the appropriate registrar of companies, and certainly anybody can walk down to that office and see who the shareholders are — granted. But, Mr. Minister, what I'm telling you is that he doesn't have to disclose anything on the sheet of paper that this bill is going to set up. What I am saying is if he owns it personally he has to disclose it. Now you can take the same argument that you just put forward and if you want to know what a person owns personally, or owns in his own name right today without the bill, go down to the Land Titles Office and find out. Or go to the municipal office in the R.M. if you want to find out who owns the thing. So consequently this is just one of the many contradictions that are there.

I say to you, it is I think a very inappropriate discrimination on people who may have farm land. Why should you make someone like myself who owns most of theirs corporately not have to disclose it and you can find out what it is if you want to go to that kind of trouble, and yet somebody who may choose to own it personally will have to disclose it? I'll turn in a blank sheet of paper, the member for Arm River, I don't know what his situation is, he may have to list his. Mr. Minister, I'm telling you that's an inequity. It's a total inequity. And again, tell me that I'm wrong on that assumption. If I am then heavens, we may even move on a lot quicker.

MR. ROMANOW: — But, Mr. Chairman, on the broader issue of the land it doesn't only relate to farmers. As surprising as it may be to the hon. member I even — I and the bank own some land in Saskatoon, and I don't think we farmed anything except a little plot of grass there. I put that farming in quotations. This applies to any real estate holding. What's the policy behind that? The policy behind that is, in dealings with government land holders, expropriation or farm leases or grazing leases or whatever, in our double capacity as MLAs is a fact of life. It is something which could have an immediate financial impact, thus the need to disclose the locations of the real property. In your capacity, still as an ordinary MLA, you have the influence as well too. I'm saying that's the purpose behind it. If there is an expropriation of a highway running through your quarter section or running through your 16 sections, at least a corner of that property you have those 16 sections, that's an interest which affects you. We ought to know that. The public ought to know that.

MR. THATCHER: — Somehow the Attorney General lost me. Somehow I'm in conflict of interest if the Minister of Highways (Mr. Kramer) is going to run a road down the middle of my land. Somewhere you lost me, Mr. Attorney General. You are discriminating against anybody who owns property in their name. You are making them list it. So

instead what you are going to tell your people who want to avoid it, is go and see a lawyer. Have the lawyer set you up a company and you won't have to write anything down.

Mr. Attorney General does that not put you in conflict of interest? You as a lawyer, you are writing legislation making people go to a lawyer? I know, it's ridiculous but that's what this whole bill is about. It's ridiculous. You, yourself, are suggesting, really all this is, is a flyer. Let's pass it. We'll sit on it for a while, then we'll find the loopholes.

Mr. Attorney General, why not find the loopholes before you have a bill? You put out a flyer. You've heard some comments. There have been some pretty intense discussions, I believe, in your caucus as there have been in ours. It's been a logical thing. Why put in legislation that's not doing the job? For goodness sakes, have you not drafted enough legislation that's caused problems? This legislation, I suggest to you, is not well thought out. It is not well proposed and it has not had input from appropriate sources . . . (inaudible interjection) . . . Yes, that's right. It's a start, granted it's a start. I quite agree. The member for Quill Lake (Mr. Koskie) makes a valid point. It is a start, but it is far from a finish, Mr. Attorney General, and you yourself have acknowledged it's by no means, a finish. When you know that, I can't think of anything sillier than to say, I'm going to pass a bill but I'm not going to proclaim it for a while. It is pointless, absolutely pointless. Does it not make more sense to say, all right, we've got the bill? We've hashed it over; we've got some points pro and con. It's time to bring in some people, set up a commission — some sort of a neutral organization that does what we've been talking about tonight, pro and con, rather than to go ahead with a bill that, I believe, you, yourself, have acknowledged as being imbalanced.

MR. ROMANOW: — Well, Mr. Chairman, this bill is not a flyer. This bill will become law sooner or later. I want to tell the hon. member and the press, if they're interested, I'll bet you there are a dozen bills which don't come into effect unless on a day of proclamation — a dozen in this session alone, maybe two dozen. It's a common feature of legislating and law making, not peculiar to this.

On the real estate issue I want any member to get up in this House and to deny, any member of the press to deny that real estate is not one of the most valuable assets and commodities that exist, certainly in our province and in the world today and one with which government on a regular basis comes into conflict with or becomes involved with. Not to single out real estate, the very thing that you say we did wrong by singling out, would be doing a mockery of the bill itself. The examples on the highways you may or may not understand; that's not the relevant point. The relevant point is that we are here dealing with, in real estate, probably the single most valuable and most visible commodity going. So, I say to the hon. member the bill is not perfect. I hate like the blazes to say that because I'm responsible for it but you know the last time that I introduced a perfect bill in this House, I think was in 1972. It was a one-liner repealing a certain other bill. I'm not even so sure about it being perfect because they say we shouldn't have repealed it now. If you agree that it's a building block, if you agree that this is the right way to go, then I'm saying let's get on with the job of passing this bill. We'll do our job in making sure that it's implemented in the right way with the proper interpretations. And if there is a fatal flaw, which I don't accept, we'll do the appropriate correcting and amending at the next legislative session. But if it's a building block and it's desirable then we've got to go with it and you haven't said otherwise yet.

MR. THATCHER: — Mr. Attorney General isn't it true that certain portions of this bill are aimed at specific people. If I could read that clause 2(c):

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Any right, title, estate or interest that the member or any member of his family had in or with respect to any real property whether situated within or outside Saskatchewan.

Mr. Attorney General, isn't it true that there is only one reason for that clause. You are after the member for Nipawin (Mr. Collver). It's a cheap lousy shot to get the member for Nipawin because he has acknowledged he has a ranch in Arizona. Isn't it true that that's the only reason that that clause is in there?

MR. ROMANOW: — Well, Mr. Chairman, how in the world the member can come to that conclusion I don't know. As I remind the hon. member, while I support this bill it has been the member for Nipawin who has been since October 18, at least saying that he, himself, is prepared to reveal everything. How many times have we heard it in this House? Mr. Premier — I will reveal everything, my wife will reveal everything — the whole routine. Don't say that it is to get the member for Nipawin (Mr. Collver). Am I to believe what he says, or am I not to believe what he says in this House? I know what he says in this House. What he says is exactly what the bill says. Check the other provinces, are they different? The other provinces are basically the same. Look, you can argue that (with respect to the member for Nipawin); I don't believe that there are too many people even on your side of the House (with all due respect to you) who buy that argument.

MR. THATCHER: — Well then would the Attorney General tell me, since the member for Nipawin has been very candid on his holdings, what the relevance would be to a member sitting in this Assembly, bearing in mind, the member for Nipawin has acknowledged his holdings elsewhere.

What is the relevancy to a member having holdings elsewhere, outside of the province of Saskatchewan? Would you explain to me what relevancy is there to his performance of his duties in this Assembly, supposedly to protect the taxpayers of this province. What difference does it make?

MR. ROMANOW: — Well, Mr. Chairman, it may come as a surprise to the hon. member, but indeed the government does a lot of work outside of the province of Saskatchewan, in all ramifications. Well, some very obvious ones may not be applicable to the member for Nipawin, but the obvious Potash Corporation of Saskatchewan does worldwide work and very big work in the United States. The Saskatchewan Power Corporation does a lot of work in Alberta — right next door with gas fields and power fields — and that may not be very much, but it involves there.

I want to tell you also that if the purpose of this bill is to uncover a situation, hypothetically speaking, using your phrase, a member in his private capacity diverting funds out of Saskatchewan to out-of-province locations in real property or otherwise, do you think that should be a matter of revelation or not? I think it should be.

I am saying if a member in his capacity, in his private capacity, corporate or private capacity, and also as a member of capacity in his conflict situation, has profited and has diverted the profits to holdings outside of the province, that's something which should be stated. You say it shouldn't.

MR. THATCHER: — You are saying that you are opposed to somebody diverting funds — in other words you are saying that you are opposed to a member of the Assembly making an investment outside of the province of Saskatchewan? Let me be very clear.

MR. ROMANOW: — No, I am not. I am saying if a member diverts funds obtained as a consequence of his position of MLA, the conflict position, that's what we are dealing with, conflict of interest position, outside the province, that's a matter of revelation. How could anybody else argue against that?

MR. THATCHER: — You still haven't answered the question — the relevancy of holding property outside the province. No, you said, diverting the profits. We are talking about disclosure; you're talking about diverting profits. I want to know what the difference is between holding property in Timbuktu? Why should the taxpayers of Saskatchewan be protected against that?

MR. ROMANOW: — Let me ask you this, Mr. Chairman, I don't know how long we can prolong debate. I think he knows my point but he chooses not to accept it, so I'm not going to repeat it . . . (inaudible interjection) . . . I think you've done that. It has been a good debate but you have you've run that . . . I simply . . . (inaudible interjection) . . . no, it is too late for complements.

I will make one final point which may not satisfy you. Look, this bill says that a member is prohibited from making contracts with the government while in the province. Should he be allowed to make contracts with the government while outside the province? It doesn't make sense. What does the Saskatchewan Power Corporation, as an example, use in Alberta or anywhere else? It doesn't make sense. We're either setting out a principle of prohibition and revelation to an MLA wherever he is, or we're not. That is what we are doing.

So I say to the hon. member, we have some fundamental differences here about the bill. I don't want to hassle the hon. member but I suspect he is riding two horses and they're going two different ways. He says on the one hand he does not support a net asset bill. This isn't it; that's for sure. If he doesn't support a net asset bill, then the next question is, what bill do you support? Because this is it. You might find a section or two that is not clear but this is it — not net worth — there is nothing in between, nothing. Oh, you can polish up the drafting on it like you could on any one of these 110 bills that we have tabled today, and we do every time we do House amendments.

The fundamental issue here is, do you support conflict of interest legislation? That is the fundamental interest. That's all.

Mr. Chairman, the hon. member can come at me again if he wants but I can't argue any more for the policy and the principle of the bill than what I have already.

MR. THATCHER: — Yes, Mr. Minister, you can do a heck of a lot better than this; but before we go back to that, I do have a couple of questions on the offences. I notice when you contravene it (the provisions of the act) there are fines of \$10,000. There is one that I find a little strange . . . (inaudible interjection) . . . well it is not there. What if you ignore it? What is the penalty?

MR. ROMANOW: — I want to make sure the hon. member is securely seated in his chair because section 23 says (page 11), every person who contravenes any provision of this act is guilty of an offence and is liable on summary conviction to a fine of not more than \$10,000.

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Now, the law requires you to file a disclosure statement and if you don't you will have contravened the bill. What happens if you pay your \$10,000? Well, under section 26 it says, where a member is convicted of an offence against the act (assuming we get a conviction against the member), he shall, within 60 days after the conviction cease any act or remedy any omission (which supports the argument, I say for which he is convicted). Every member who contravenes subsection 1, namely, fails to cease the act or fails to remedy the omission, is guilty of an offence and liable on summary conviction to a fine or not more than \$10,000, and in the case of continuing offence, to a further fine or not more than \$10,000 for each day during which the offence continues.

Now, I don't know about you boys but in my case, I don't think that would take me much beyond the end of the month.

I draw to your attention subsection 3. Where a member is convicted for failing to comply under that subsection 1 he is, on the day of his conviction, disqualified as a member and the seat is vacated thereon. And the Attorney General — is right here. That's me. I'm obligated by law to immediately notify the Speaker of the conviction.

Now I like all you guys and I don't want to be notifying anybody of any conviction.

Then, under subsection 4 it says, when Mr. Speaker is notified he tells the Assembly and there's a vacancy.

Now, as much as I hate notifying Mr. Speaker of a conviction, there's something I hate even worse, and that's fighting a by-election. So don't any of you guys give me a chance or a reason for a by-election.

MR. ANDREW: — It strikes me that there's perhaps one other vehicle by which we can handle this conflict.

AN HON. MEMBER: — Is this going to be a long statement?

MR. ANDREW: — It's going to be a short statement. Perhaps you could listen. There's one other way of looking at this particular problem and the Attorney General has alluded to the fact that we must disclose (your words) to certain degrees; but what strikes me as what's wrong with this thing is that surely if we have to disclose so that there is no problem, why do we have to disclose all our assets (and that's what we're coming to eventually) out in front of the people? So we live in a glass house and I say to you, perhaps there's another way of solving that problem. Other jurisdictions are looking are looking at that way and that is to turn the matter over (even a full disclosure, a full financial statement) to a judge, one of the judges of our courts. Surely, nobody looks at a judge with disrespect and let the judge determine whether or not we have a problem there. Surely, that's one way of solving your problem and solving the problem faced by the member for Thunder Creek (Mr. Thatcher) because why should he have to tell everybody in the world. Why should you have tell everybody in the world how much money you have when you go into politics and that's what it's coming to. Yet on the other hand, surely that does protect society and protect the people to know that we are not out grabbing the money and unduly benefiting from being in the government.

MR. ROMANOW: — Well, I'll make two quick points. I think the member's comments are worthy of further consideration and I shall do so in the summer months. Having said that, I point out one possible deficiency in the proposal and that is that part of the very

first question that the member for Thunder Creek asked me is why this bill? I said to install public confidence. That's the one deficiency in the proposal. If you file a statement, such as it is, with a judge in secrecy. Do you instill public confidence? I don't know. I find a lot of sympathy in what you say. We'll look at the proposal.

MR. MUIRHEAD: — Mr. Attorney General, you said this evening (you explained it to us) what the penalties were if we failed to disclose. Could you explain to me what the penalty would be if you filed this blank piece of paper that most of us are going to have to file? Maybe yourself. What will be the penalty there if you can prove to somebody that you've just filed these blank pieces of paper? What's the penalty for that?

MR. ROMANOW: — Mr. Chairman, if the answer to the question is nil, nil, nil, nil, nil, nil, nil, signed Roy Romanow or Gerald Muirhead and that's a truthful answer, there is no penalty. If it's nil, nil, nil, nil, and it's an untruthful answer, (I'll use myself as an example, not you) that's an offence because it's a fraud. It's an untruth and then all the penalty sections would take effect. So when people say that you're filing a blank paper but the member's argument . he has an arguing point when he says, look it, we can find ways around this bill. The result of which will be nil, nil, nil, nil, truthfully and legally. That may be so. I don't think so but it may be so. Let's leave that out of the area. If, however, it's nil, nil, nil, fraudulently, you've broken the law. If it's nil, nil, nil, truthfully and legally, there is no problem. You're within the law.

MR. THATCHER: — Mr. Attorney General, your phraseology instil public confidence will come up again this evening.

In closing out this bill, I wish to say this bill is a sham and a farce on the part of your government. It's a bill because you think you had to put one into place. You think you had to have something. I say it's an unfair bill because you did not put it front and centre before the last election. You had every opportunity to do it. You could have done it. Every candidate who sought election to this Assembly ran knowing exactly what he was coming into. You have changed the rules and Mr. Attorney General don't tell me the situation has changed that much that the rules had to be changed.

It is sort of a mean bill because, basically, the person who you have in the back of your mind in this bill, except that he got a step or two ahead of you, was the member for Nipawin (Mr. Collver). The rest of us in the chase, in your dogged chase after him, the rest of us got tossed into the same bag.

Mr. Attorney General, I don't accept the arguments that you are trying to put forward protection, or as you termed, instil public confidence from the members in this Assembly. Your argument that there is no differentiation between a cabinet minister and an ordinary MLA, is so shallow that it hardly even rates confidence. I urge you, that if you really believe that, ask some of the people on your side of the House who are not cabinet ministers. I ask one of them who would not like to be a cabinet minister or trade places, to stand up. You know the fallacy of that, Mr. Attorney General.

I want to say to you, Mr. Attorney General, that if what you have said was true about instilling public confidence, you, the Premier and the cabinet would lead the way. You would lead the way because if there is a problem, if there is a problem in the hypothetical nature that we have talked about, it is within the cabinet. It is not here; it is not in your back benches, it is in the cabinet. I say to you that you are not leading the way. I say to you that this bill really doesn't do anything.

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Mr. Attorney General, what I am concerned about is, ultimately the bill or a bill like it is going to be proclaimed and you, I suppose can force some disclosures.

Mr. Attorney General, I think it is a dangerous thing when we start a precedent of trying to get a look into each others, private affairs. I think it is a mistake when the spouse is even used. I will grant you, I will grant you that putting assets into your wife's name may serve some particular end. This may come as a shock to the Attorney General — some people have wives who do things on their own, with no relation to them.

I believe the member for Maple Creek (Mrs. Duncan) brought forward the point of what right have you got to turn an MLAs spouse into a chattel. In other words, Mr. Attorney General, you are basically turning my wife into a similar asset as one of my cows.

Mr. Attorney General, this bill is not instilling any public confidence because the only way it could was for you, the Premier and the cabinet to lead the way. You are not leading the way. You know very well that you are not.

Mr. Attorney General I guess we are going to pass this bill, when the count is 44 to 17 we can't do a great deal to stop you. But I think that in your chase, in the personal vendetta which your government and your party has waged against the member for Nipawin (Mr. Collver) and the leader of this party, he has outsmarted you and he is ahead of you on this. You can't hurt him with this.

When any party or any government goes on a vendetta after one individual, as you have done, then I think it is a very dangerous, dangerous precedent. I guess you are going to get away with it, but you do a disservice to the people of Saskatchewan tonight.

Item 1 agreed.

Item 2 agreed.

ITEM 3

MR. THATCHER: — Could you tell what it means, Mr. Attorney General?

MR. ROMANOW: — Well it just says if you are a civil servant you can't be an MLA. That's the bottom line of it, except if you are Speaker, etc., etc., where we get extra pay. This is straight out of the old act.

Item 3 agreed.

Items 4 to 8 agreed.

ITEM 9

MR. THATCHER: — Mr. Attorney General, what I wanted to ask you . . . I am sorry, it is 19, Mr. Chairman, keep going. I apologize.

Item 9 agreed.

Items 10 to 18 agreed.

ITEM 19

MR. THATCHER: — Mr. Attorney General, there are a lot of things which we have let go very quickly here, such as the companies — well I suppose if you don't know what a joint stock company is, I guess those who are familiar with joint stock companies are fully aware of what we have let go and the looseness of it — but, under (c), Mr. Attorney General I would like to ask you if you would consider a House amendment right now to remove that clause or to re-write it? Mr. Attorney General, I ask you, what relevancy is it to the people of Saskatchewan or to anyone else to have a farmer who is holding his land in his own name to list it on your disclosure? For what purpose? Why would you ask him to set up a company, if he so wishes, to avoid this, why would you make him set up a company to avoid the disclosure? You have acknowledged that he must register the company and the shareholders can be viewed down at the Registrar of Companies. Mr. Minister, I suggest to you right now that anybody who holds land in his own name is registered at the Land Titles Office. He is registered at the rural municipality, on the tax roll. He is probably on a municipal map. Therefore, Mr. Attorney General, I have to ask you, will you exempt farmers from this, under this c?

MR. ROMANOW: — Mr. Chairman, I say the answer to that is no. If it is as the member says, that it's known everywhere, then why the worry about listing? It's known everywhere. He just puts it down everywhere. I just fail to see an argument being made out of this.

MR. THATCHER: — If this is true, taking your argument in reverse, then why don't you make them list the companies? What is the difference? What is the difference? If that's the case then darn it, put the companies down here.

MR. ROMANOW: — Mr. Chairman, I've brought the member the subsection d where the listing of the company is required also, (I've been through that argument before), I want to point out to the member one more thing, but it's an important thing. Companies don't vote in this House. MLAs do. Persons do. I know you'll say that I can still be the president of a company and I'm still the MLA; that's possibly true. The only way out of that I tell the member again, net worth total asset disclosure, right across the board. If you're not going that way you're going to have this kind of bill. I remain unconvinced by the member. I won't be supporting a motion to remove it.

MR. THATCHER: — There's one of the big loopholes. Because you're saying if you don't want to fill this out, form a company and we exempt you. If you want to own it in your own name you would have to record it. It is recorded in virtually the same way that it would be under The Companies Act. Mr. Attorney General that is one of the big loopholes that you're using — form a company and turn in a blank sheet of paper. I'm sure Mr. Attorney General you are probably counselling the people on your side who wish to avoid any disclosures on this to do precisely that. Tell me the difference. I fail to see it. It's that big hole, that big Mack truck could go through on the terms of the member for Qu'Appelle. If I may again use the phrase, instil public confidence — hogwash. And we'll be using that phrase a little bit later on this evening.

Section 19 agreed.

Sections 20 to 28 agreed.

The committee agreed to report the bill.

MR. ROMANOW: — Mr. Chairman, I don't know where our acting whip, Mr. Allen, is. But

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I would like to continue in Committee of the Whole. I've given a printed list of material for Committee of the Whole. I think we should go to the top of it and start with Mr. Rolfe's item 3, Bill No. 8 and work straight down the list with the exception of those bills which we may have done and see how far we go.

I should also like to report Mr. Chairman — Labour, 222 seats; Conservatives, 221 seats; 6 Liberal; 4 other. The problem is there are another 200 seats to come!

MR. CHAIRMAN: — Order, order! We'll continue now with item 3, Bill No. 8. Order!

BILL NO. 8 — AN ACT TO AMEND THE UNIVERSITIES COMMISSION ACT

Sections 1 to 5 agreed.

The committee agreed to report the bill on division.

BILL NO. 44 — AN ACT TO AMEND THE HOUSING AND SPECIAL-CARE HOMES ACT

Section 1 agreed.

Section 2 as amended agreed.

The committee agreed to report the bill.

BILL NO. 58 — AN ACT TO AMEND THE DEPARTMENT OF SOCIAL SERVICES ACT

Sections 1 and 2 agreed.

Section 3

MRS. J. DUNCAN (Maple Creek): — Mr. Minister, what type of criteria do you use when you make these grants and why do you want it increased to \$10,000?

HON. H.H. ROLFES (Minister of Social Services): — Mr. Chairman, there is really no criteria as such that will be used except that in the Department of Social Services I think there are approximately 300 to 400 different grants that the minister has to make and many of them are of a relatively small nature. It takes a lot of manpower to prepare an OC (order in council) to take to cabinet. For example, in this particular year in home care itself, we may have up to 200 OCs. Many of them are small OCs of a \$3,000 or \$4,000 nature which go to various groups in many communities of Saskatchewan. I am not sure when this was last revised but it must be at least 10 or 15 years ago and that is why we would like to have it up to \$10,000, so that we don't have to have all the manpower in preparing OCs. As I indicated, to prepare an OC takes a fair amount of time and it's fairly costly.

MRS. DUNCAN: — Just one comment, Mr. Minister. It appears to me that the jump from \$5,000 to \$10,000 adequately keeps up with the rate of inflation and yet a lot of our programs haven't made the same increase.

Section 3 agreed.

Section 4 as amended agreed.

The committee agreed to report the bill.

**BILL NO. 68 — AN ACT RESPECTING THE POSSESSION AND DISTRIBUTION OF
PROPERTY BETWEEN SPOUSES**

Sections 1 to 7 agreed.

Section 8

MR. J.G. LANE (Qu'Appelle): — Mr. Chairman, if I can interject and ask the Attorney General a question at this point. Can you tell us what your proposed date is that the act is to come into force? Have you got a date chosen? I'm asking for a specific reason. I would like to know. We're going through some amendments tonight rather rapidly and I just took a quick look at them and I don't see any great problems, but nor have I had time to review them in any depth. So what I'm concerned about is, before it comes into force whether amendments by regulations can ease some of those if we find a problem.

MR. ROMANOW: — I think I can assure the member here (as he says himself, he's glanced through them) these amendments, unfortunately a lot of them are typographical and printing errors. Some of them are clarification which we in our own deliberation of the bill feel are necessary, but there are no major ones. To answer the member specifically, I don't expect this bill will be proclaimed before January 1, 1980. That will mean a session in the fall so that if anything does go through, we'll be able to hear your representations otherwise. Furthermore, we plan to have full seminars with the law society and the chartered accountants of Saskatchewan well before the bill is implemented.

MR. LANE: — I'm just trying to recall before we get off that. O.K. fine. Fifty-nine covers it.

Section 8 as amended agreed.

Sections 9 to 13 agreed.

Section 14 as amended agreed.

Sections 15 to 17 agreed.

Section 18

MR. CHAIRMAN: — Section 18 of the printed bill is amended. Amend clause 18(2) of the printed bill by striking out 'any' where it appears for the second time in the first line and substituting 'or'. Amendment to Section 18 agreed?

MR. LANE: — Mr. Chairman, in second reading I raised certain matters with regard to The Homesteads Act and I suggested that, perhaps, The Homesteads Act is now irrelevant given the particular bill and whether the Attorney General would, in fact, consider the repeal of The Homesteads Act once this particular bill comes into force.

Secondly, I indicated if you are maintaining your thinking on The Homesteads Act, that in fact the requirement in the situation where there is an estate and they have a six-month period in which to make application or forever be barred, then as a practical matter if the homestead thinking is to apply, there should be a notice in all such estates,

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advising the surviving spouses that, in fact, they have six months to make an application. Would you advise why that is not considered? Now, again, this is without looking at the amendment.

MR. ROMANOW: — Well, Mr. Chairman, two points. One, in the education process which I have talked about with lawyers and accountants we might avoid the notice question or at least cut down the kinds of difficulties that are related there.

On the The Homestead Act, I undertake to the member, (I will do this now), to see whether or not we just don't do away with The Homesteads Act. You raised this question with me in second reading and I gave you an answer I wasn't satisfied with. I went back to the department people and I said, why? They have not given me an answer which I am satisfied with. Our position is, that while it still applies, technically under the law here, you may be right and we may very well be back here in the fall doing away with The Homesteads Act. I can't give you that assurance. I can't give you a specific answer on it other than give you the assurance we will look at the relevancy of the The Homesteads Act vis-a-vis this bill, before the bill is proclaimed.

MR. LANE: — My suggestion was contingent on the act coming into force. You are also considering the matter of a routine notice in the event of an estate — formal notice.

MR. ROMANOW: — Yes. I will undertake that, too.

Section 18 as amended agreed.

Section 19 agreed.

Sections 20, 21 and 22 as amended agreed.

Section 23 as amended agreed.

Section 24 agreed.

Section 25

MR. LANE: — Mr. Chairman, I would just like to call the Attorney General's attention to section 25. It's a rather significant change in divorce law in practice in Canada and I assume Britain as well, that for the first time dissipation of marital property is a much greater concern and a greater wrong in the marriage than is immoral conduct. It's a rather strange position to take and certainly it should be a factor that the judge should be able to take into account. We know now that the judges are putting the so-called immoral conduct in perspective. They are not necessarily penalizing the parties 'at fault', but to put it in the bill where in fact dissipation, financial dissipation of marital property is a more serious matter than the immoral conduct, I question the necessity of the provision.

Section 25 agreed.

Section 26 as amended agreed.

Section 27 as amended agreed.

Section 28 as amended agreed.

Sections 29 and 30 agreed.

Section 31

MR. LANE: — Mr. Chairman, Mr. Minister, I don't think it's going to be a common one, but one that I don't think would be covered under the bill. If two spouses agree by will to make certain provisions and one subsequently changes the will without notifying the other for any reason, and there is a distribution of property as a result, surely the judge should be able to take into account the wills that were drawn and drafted which, although not a formal interspousal contract may have at some point have had that intent and one party acted upon it.

MR. ROMANOW: — I don't know whether section 40 is an escape — it might be.

The court may, in any proceedings under the Act, take into consideration any agreement between spouses . . .

A will's agreement that is not . . . you know, I guess that deals with interspousal contract. It may give that agreement whatever weight it considers agreeable. And that is not an interspousal he's talking about, so it might apply; 40 might apply.

MR. LANE: — If we're saying agreement in 40 and I'll accept that, if we say any agreement, verbal or otherwise, would you accept the House amendment to that effect, because you still have to prove the agreement? Your standards of proof are still there.

Section 31 as amended agreed.

Sections 32 to 34 agreed.

Section 35 as amended agreed.

Sections 36 to 38 agreed.

Section 39 as amended agreed.

Section 40

MR. ROMANOW: — I have a House amendment here. I would like to move, seconded by the Minister of Finance (Mr. Smishek), for Regina North East, that:

Section 40 of the printed bill be amended to add the words, verbal or otherwise, after the word 'agreement' in the second line thereof.

Section 40 as amended agreed.

Sections 41 and 42 agreed.

Section 43 as amended agreed.

Section 44 agreed.

Section 45 as amended agreed.

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Sections 46 to 49 agreed.

Section 50 as amended agreed.

Sections 51 to 56 agreed.

Section 57 as amended agreed.

Sections 58 to 61 agreed.

The committee agreed to report the bill.

**BILL NO. 94 — AN ACT RESPECTING THE SASKATCHEWAN CODE OF HUMAN RIGHTS
AND ITS ADMINISTRATION**

MR. LANE: — I had a chance to peruse the House amendments, and if the Attorney General will permit a couple of questions at this point, perhaps we can just go through with the numbers.

Section 15, where you are inserting the prohibition against sexual discrimination for a contract — will this in fact mean that there can be no statistical weighing, say, in insurance contracts because of sex?

MR. ROMANOW: — My information is yes, there still can be that kind of weighing. The amendment is a very limited one, only as it relates to pregnancy or pregnancy related illnesses.

MR. LANE: — I think if you check section 15 . . . and then section 29, I believe dealt with the matter I raised in second reading, giving discretion to the commission as well. I thank the Attorney General for those amendments. I have no objection to just simply calling the numbers or whatever is quickest for the chairman.

Sections 1 to 5 agreed.

Section 6 as amended agreed.

Sections 7 to 14 agreed.

Section 15 as amended agreed.

Section 16 as amended agreed.

Sections 17 to 26 agreed.

Section 27 as amended agreed.

Section 28 agreed.

Section 29 as amended agreed.

Section 30 agreed.

Section 31 as amended agreed.

Sections 32 to 52 agreed.

The committee agreed to report the bill.

BILL NO. 23 — AN ACT TO AMEND THE SASKATCHEWAN HOUSING CORPORATION ACT

Sections 1 to 6 agreed.

The committee agreed to report the bill.

BILL NO. 45 — AN ACT TO AMEND THE HORNE D CATTLE PURCHASES ACT

Sections 1 to 9 agreed.

The committee agreed to report the bill.

BILL NO. 47 — AN ACT TO AMEND THE LAND BANK ACT

Sections 1 to 19 agreed.

Section 20 agreed on division.

Sections 21 to 27 agreed.

The committee agreed to report the bill.

BILL NO. 60 — AN ACT TO ESTABLISH THE DEPARTMENT OF INTERGOVERNMENTAL AFFAIRS

Sections 1 to 14 agreed.

The committee agreed to report the bill.

BILL NO. 89 — AN ACT TO AMEND THE NORTHERN ADMINISTRATION ACT

Sections 1 to 3 agreed.

Section 4 as amended agreed.

Sections 5 to 13 agreed.

Section 14 as amended agreed.

The committee agreed to report the bill.

The committee reported progress.

SECOND READINGS

HON. R. ROMANOW (Attorney General): — moved second reading of Bill No. 106 — **An Act respecting the Legislative Assembly, the Executive Council and Legislative Secretaries.**

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He said: Mr. Speaker, I move second reading of The Legislative Assembly and Executive Council Act. This year I think all members will know, the public certainly knows, that we have brought forth new acts in a number of areas which affect the rights, privileges and responsibilities of the members. For example, tonight we dealt with sections of The Legislative Assembly Act dealing with the matters relating to conflict of interest. We think, therefore, this is an appropriate time to consolidate The Legislative Assembly Act, The Legislative Secretaries Act and The Executive Council Act.

This bill provides, Mr. Speaker, for new salaries and allowances for members. There are, of course, many ways and many opinions about the way to revise the salaries and allowances paid to members. In the past we have set up a committee chaired by one of the judges of our superior courts to review the matter. This was done with Mr. Justice Woods and was done with Mr. Justice E.N. Hughes.

In his report, Mr. Justice E.N. Hughes noted that the ever-expanding workload of MLAs is present. He commented that while it was not yet a full-time job, (that was in 1976), the trend was definitely in that direction. Mr. Speaker, I believe and the government believes that we have reached that point where for many MLAs it is a full-time job. The sessions are longer and harder and there are usually two sittings. Constituents are placing increasing demands on MLAs. Most members find that even when the House is not sitting they make very frequent trips to Regina on behalf of their constituents. The time has come for the pay scale to adequately compensate MLAs for the work that they do.

The combined indemnity and annual expense allowance in this bill will go from \$16,030 to \$17,500 or an increase of 9 per cent. The allowance paid to cabinet ministers is increased from \$19,300 to \$20,500, an increase of about 6 per cent. The Premier's allowance goes up in this bill from \$26,095 to \$27,250, an increase of 4.5 per cent. The Leader of the Opposition receives the same allowance as a cabinet minister. The grant to the office of the Leader of the Opposition will increase from \$40,000 to \$50,000. Members will also receive an increase in the sessional expense allowance from \$3,530 to \$5,000. The travelling, telephone, communication, constituency office allowances and sessional per diem allowances paid to members have also been revised to take into account increased responsibilities. The grants paid to the caucus office will be increased. This will allow for improvement in research and other facilities provided for all members. The further allowances of legislative secretaries will increase to \$5,000.

The other changes in the Executive Council and legislative secretary's portion are mainly of a housekeeping nature. The act provides that, in future, the salaries and allowances paid to members will be adjusted in accordance with the average weekly wages and salaries of the industrial composite in Canada.

Although this will mean we're always one year behind, it will eliminate the necessity to come back to the legislature time after time to change salaries and allowances.

Mr. Speaker, important objective are accomplished in the bill:

- (1) We have brought together three pieces of legislation affecting the rights, privileges and obligations of our members.
- (2) We have established a system of allowances which will enable members to serve

their constituents better.

(3) In my judgment we will have provided for a means of adjusting members' salaries and allowances, without legislative amendment, to compensate them for the onerous and important job that we carry out.

Mr. Speaker, I move second reading of a bill respecting the members of the Legislative Assembly, the Executive Council and the Legislative Secretaries Act.

MR. W.C. THATCHER (Thunder Creek): — Mr. Speaker, I think it's fair to say that when a bill such as this reaches the Assembly I think all members on both sides of the House find it highly distasteful. In fact, I think it's fair to say that the entire exercise could be categorized and summarized as degrading.

Mr. Speaker, we have heard in the Assembly this evening the phrase, 'instilling public confidence' used a great deal in association with another bill.

Mr. Speaker, we had an election in this province, last October 18th. I would like to suggest to this Assembly this evening that probably politicians, not only in this province but all over, are really not in the highest standing in the eyes of the public. There are reasons for that; things that have happened south of the border. But whatever the reasons, the public perception of politicians is not good.

Mr. Speaker, as I mentioned a moment ago, we had an election last October. We could have handled this matter this evening very, very simply and very clearly and concisely. It has been suggested in this Assembly before that a preceding legislature should set the salaries and conditions prior to the election, and then it's front and centre. Everybody sees it, and everybody who's going to seek collective office knows exactly what the terms and conditions are that he's walking into. He knows what it is going to be; he knows he should know what it is before they seek nomination and certainly before they get down to the nitty-gritty of an election.

Mr. Speaker, as I think, I mentioned about an hour ago on another bill, it could have been done front and centre so that everybody who was interested in obtaining election to this Assembly, knew exactly what he was coming into. This degrading exercise could be avoided.

Mr. Speaker, I have no comment to make on the terms and the conditions of what's contained in this bill. They deal with one or two things that I would like to point out and draw to your attention.

I have no hesitation in stating categorically, I think the Premier and, at the very least, some of the senior cabinet ministers (probably the majority of the cabinet ministers) are grossly underpaid. Frankly, Mr. Speaker, if this bill were to make the Premier of this province the highest paid man in government, I would be the first one to stand up and say go because I firmly believe the Premier should be the highest paid man in government. We've heard the exercise during the Committee of Finance as this side of the House has asked for salaries of heads of various departments and deputy ministers. We have heard what some of these salaries are. Mr. Speaker, when you compare the Premier's salary with the heads of many of our Crown corporations, it is a pittance. I suppose more than many of you, I know what that job can take out of an individual. I don't know why the government (This is not a new speech for me in this area; I've said this before in 1975), refuses to mention or refuses to acknowledge the most difficult

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job is that of the Premier because the buck must stop with him. I think those of you who have watched the Premier, you see him age five years for every one of us. I firmly believe he should be the highest paid man in government. I think it is a ridiculous situation when the cabinet ministers, who must account for their entire department, are paid less money in a vast majority of cases from their deputies. Again, if the government chose to recognize this situation and elevate the salaries of senior cabinet ministers, I have no quarrel with that.

Mr. Speaker, as far as MLAs are concerned, I'm not prepared to acknowledge the Attorney General's assertion that the job of an ordinary MLA has become a full-time job. I'm not prepared to acknowledge that. I sincerely hope that it hasn't. The terms and conditions that the government is putting forward in this bill may be very valid. They may very well be valid.

Mr. Speaker, this evening we have heard a great deal. In another bill, about an hour ago, we heard the phrase, used several times by the Attorney General, of instilling public confidence. Mr. Speaker, I must say I don't think we are instilling very much public confidence in anything, at 11:15 in the last night of this session, moving first, second and third reading of a bill to increase our salaries. I ask each and everyone of you to reflect on that. How much public confidence are we instilling?

Mr. Speaker, I have no comment, as I have indicated, about the terms and conditions of this bill. I have to say, Mr. Speaker, I think it is very presumptuous of any member in this Assembly to choose to run in an election, based on the assumption that when he arrives in this Assembly there will be an automatic pay increase. I believe that when you come into this Assembly you know what the terms and conditions are and I think you should be prepared to accept them.

The points that the Attorney General makes as far as increasing the benefits, may very well be valid. I have no quarrel with them; I have no dispute with them. However, Mr. Speaker, I think that when we are supposedly advocating some degree of restraint in our economy, the example should start with this Assembly.

Mr. Speaker, it is my contention that I must oppose this bill, as a matter of conscience and I pass no judgment, whatsoever, on anyone who chooses to support it. As I indicated earlier, the Attorney General's reasons (and his numbers) are probably very valid.

But for the reason that I indicate, Mr. Speaker, — that the government did not present this package in the past legislature, that all candidates of any party could have run under these terms and conditions and taken away the degradation of this exercise — in all clear conscience I do not feel that I can support it. I want to make it very clear, I pass no judgment on anyone who chooses to support it.

As the Attorney General has said, he has probably some valid reasons. But for the reasons that I have indicated, that it was not done before the election, I feel that I have no choice but to express my opposition.

MR. R. KATZMAN (Rosthern): — Mr. Speaker, I stand in support of this bill for two reasons.

First of all, it deals with the reality of the increases because it ties them to the industrial composite in the future. Secondly, it deals with the added expenses of an MLA not

having his prime residence in Regina. Added expense items will go some way to easing the expensive costs of being an MLA.

For these two reasons I feel justified in supporting this bill and, in addition, I believe an MLA puts in well in excess of 2,080 hours which is considered to be a working year. Therefore, I will support the bill.

Motion agreed to and bill read a second time.

MR. SPEAKER: — I just want to acquaint the House with the fact that they are giving the same kind of leave to this bill as they did to the one which immediately preceded on the two counts.

HON. R. ROMANOW (Attorney General) moved second reading of Bill No. 107 — **An Act respecting the Superannuation of Persons who have served as Members of the Legislative Assembly of Saskatchewan.**

He said: Mr. Speaker, I rise to move second reading of the Members of the Legislative Assembly Superannuation Act, 1979. Mr. Speaker, 1974 was the last time that amendments were brought forward in this area. Since that time we have received the report of Mr. Justice E.M. Hughes and other proposals for reform of the legislation.

The government believes the time has come for a thorough review and revision of the legislation for members' pensions. This is what this bill does.

Election to the Legislative Assembly creates special pension problems for many people. As we all know, the average term for a member of the Saskatchewan Legislative Assembly is very short. In many instances a members' term of service comes at his or her peak earning years in another job, profession or business enterprise. This means that the person can lose the advantage of pension contributions in these areas.

We have taken the special problems faced by members into account in our review of the bill.

Briefly the bill provides for the following: The bill continues the formula plan and it establishes a new money purchase or money accumulation plan. The formula plan applies only to members elected before April 1, 1979. The pensions of members retiring before July 1, 1974, between July 1, 1974 and October 18, 1978, and after October 18, 1978, are calculated on the basis of different formulas. The contribution rate for cabinet ministers will go up from 7 per cent to 9 per cent, and pensions will be calculated on the basis of 35 years service. The contribution rate for MLAs will continue at 9 per cent and pensions will be calculated on the basis of 25 years of service.

Under the present legislation the Premier receives an MLA's pension, plus 60 per cent of the Premier's salary at the time he retires. In addition, some argue that he also receives a cabinet minister's pension, in his capacity as president of the council. He contributes for the MLA portion, but after two years he makes no contributions for the Premier's portion. Under this bill the Premier is entitled to the regular pension of a cabinet minister. He must contribute for his pension at the rate of 9 per cent. After two years he is entitled to an allowance of 10 per cent of his total salary and after four years an allowance of 15 per cent of his total salary.

In the past members had to serve 10 years in the Assembly before they could qualify for

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a pension. The number of years was later reduced to 8 and now, not by this bill but before, the requirement is 1 year's service before a pension becomes payable.

Mr. Speaker, there is a group of members who served eight years in the House and who retired at the time when 10 years was required in order to qualify for a pension. These people will now be able to elect to receive a pension upon the payment of the contributions for their period of service. The rates for these contributions are set out in the act.

There are a few changes in the section of the act dealing with payments to the family. All widows and widowers of members will now receive a pension at the rate of 60 per cent of the member's pension which is now more or less the consistent legislation for other pensions in other areas. Pensions will no longer be discontinued on remarriage. Again, nothing which is unusual there. Effective July 1, 1979, Mr. Speaker, all of those retirees who are on pension from this Assembly, all those persons in receipt of an allowance on July 1, 1978, will receive supplementary allowance based on the same formula used in 1974 and 1976. Those persons who have been receiving pensions for the longest period of time, will receive the largest amount.

I think one of the most important aspects of this bill, Mr. Speaker, is the establishment of a money purchase plan for all members elected after April 1, 1979. Present members will be able to elect or to transfer to the money purchase plan before May 1, 1980. The contribution rate for members will be 9 per cent of the indemnity and allowance. This amount will be matched by the Minister of Finance except in those cases where the member first elected is 40 or 50 years of age. In these cases, additional amounts will be contributed. Mr. Speaker, I believe that this bill will have cleared up some of the inconsistencies and contradictory parts of the old formula plans. We also provide a new basis for members' pensions together with the money purchase plan, the details of which are set out in the bill. We can deal with them in Committee of the Whole. I move therefore, second reading of Bill No. 107.

Motion agreed to and bill read a second time.

SECOND READINGS

HON. R. ROMANOW (Attorney General) moved second reading of Bill No. 108 — **An Act to amend The Statute Law.**

Motion agreed to and bill read a second time.

COMMITTEE OF THE WHOLE

BILL NO. 81 — AN ACT RESPECTING SCHOOL TAX REBATES TO SENIOR CITIZENS.

Sections 1 and 2 agreed.

Section 3 as amended agreed.

Sections 4 to 10 agreed.

Section 11 as amended agreed.

Sections 12 to 17 agreed.

The committee agreed to report the bill.

BILL NO. 90 — AN ACT TO AMEND THE EDUCATION AND HEALTH TAX ACT

Sections 1 to 8 agreed.

The Committee agreed to report the bill.

**BILL NO. 91 — AN ACT TO PROVIDE FOR THE IMPOSITION AND COLLECTION OF A
TAX ON CONSUMERS AND USERS OF ALCOHOLIC BEVERAGES**

Sections 1 to 13 agreed.

Section 14 as amended agreed.

Sections 15 to 18 agreed.

Section 19 as amended agreed.

Sections 20 to 24 agreed.

Section 25 as amended agreed.

Section 26 as amended agreed.

Section 27 agreed.

Section 28 as amended agreed.

Section 29

MR. ROBBINS: — Mr. Chairman, I am informed by my officials that if you use this act on the day it comes into effect, we have difficulty unless it is the first of the month.

I would like to move an amendment, seconded by the member for Kelsey-Tisdale, (Mr. Messer).

Strike out clause 29 and substitute the following;

that this act or any provisions of this act come into force on day or days to be fixed by proclamation of the Lieutenant-Governor.

Section 29 as amended agreed.

The committee agreed to report the bill.

BILL NO. 39 — AN ACT TO AMEND THE POWER CORPORATION ACT

Sections 1 and 2 agreed.

Section 3 as amended agreed.

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Sections 4 to 8 agreed.

Section 9 as amended agreed.

Sections 10 to 15 agreed.

Section 16

MR. LARTER: — Mr. Chairman, just one question. Mr. Minister, can I ask what you mean by section 16(1)? Could you tell me exactly what that means?

MR. MESSER: — Mr. Chairman, the intent is to allow the corporation some powers of setting the rate of provision of electricity or steam or gas in the system. It is not clear now whether we have that kind of power within the interpretation of the act as it now stands. It is not something that is new to the corporation; it is something that makes it clear that it does, in fact, have the authority to do that when circumstances dictate that it should, in the best interests of the total customers that it serves, carry out such authority.

Section 16 agreed.

Sections 17 and 18 agreed.

The committee agreed to report the bill.

BILL NO. 40 — AN ACT TO AMEND THE MINERAL TAXATION ACT

Sections 1 to 3 agreed.

Section 4 as amended agreed.

Section 5 as amended agreed.

Sections 6 to 9 agreed.

Section 10 as amended agreed.

Sections 11 to 13 agreed.

The committee agreed to report the bill.

BILL NO. 69 — AN ACT TO PROVIDE FOR COMMUNITY HEALTH UNITS

Section 1 agreed.

Section 2 as amended agreed.

Sections 3 to 17 agreed.

Section 18 as amended agreed.

Sections 19 and 20 agreed.

Section 21 as amended agreed.

Sections 22 to 24 agreed.

Section 25 as amended agreed.

Sections 26 to 30 agreed.

Section 31 as amended agreed.

Sections 32 and 33 agreed.

Section 34 as amended agreed.

Section 35 as amended agreed.

Sections 36 to 44 agreed.

The committee agreed to report the bill.

BILL NO. 84 — AN ACT TO ESTABLISH THE SASKATCHEWAN CANCER FOUNDATION

MR. E.A. BERNTSON (Souris-Cannington): — Mr. Chairman, a couple of quick comments on this bill. This bill was precipitated in crisis and it's important that the bill gets through or we'll have another crisis on our hands. I have a couple of reservations about the bill. The first one is that it doesn't provide for the autonomy that, with the exception of those with the mentality of the Minister of Environment for Saskatchewan, it doesn't provide for the autonomy that was recommended by Dr. Watson. In formulating the bill the minister failed to solicit the input that he indicated that he would. There are a couple of sections in the bill that I will question on the way through. Generally speaking I think it is important that this legislation is on the books. It is something to build on. It is better than the old act. I can promise you that four years down the road it will be amended so that it does provide for that autonomy and for input from interested parties.

HON. E.L. TCHORZEWSKI (Minister of Health): — Mr. Chairman, I'm going to be equally as brief as the member for Souris-Cannington. The problem that I find with his comment is that he says that there isn't enough autonomy but he doesn't say what he means by that. I feel there is autonomy. We disagree on that obviously. I don't think any amount of argument between us will change our positions on it. We have followed precisely what Dr. Watson recommended. We think it's a good bill. All the people whom we have consulted think it's a good bill. Therefore, I would ask the member to support it, as he did in second reading.

Section 1 agreed.

Sections 1 to 5 agreed.

Section 6 as amended agreed.

Sections 7 to 10 agreed.

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Section 11 as amended agreed.

Section 12

MR. BERNTSON: — Mr. Chairman, 12(b) it says, one of the powers of the foundation, they may employ administrative, technical, professional personnel. One of the problems, one of the things that precipitated our crisis in the past was that we had no proper recruiting policy. Does this section mean employ or does it mean recruit? What I'm saying is, does the foundation inherit the mess that's already there or can they recruit people of their own?

MR. TCHORZEWSKI: — Mr. Chairman, I think that that subsection is fairly clear in what its intent is; it's another example of the autonomy which this foundation will have. It will employ; it will establish the policies and the guidelines and the recruitment procedures and all of the things that come along with employing personnel.

Sections 12 to 16 agreed.

Section 17

MR. BERNTSON: — Section 17(f) which says 'exempting any class of persons from entitlement to the services provided under this Act.' I just don't understand what you're getting at there — exempting any class? It might even sound a little discriminatory.

MR. TCHORZEWSKI: — Mr. Chairman, there are certain cases where you have to have exemptions provided. For example, (I'll give you the example and I think that will answer the question) it could apply to certain categories of persons such as members of the Royal Canadian Mounted Police or members of the Canadian Armed Forces because they are covered through other kinds of federal arrangements and that's why that section has to be there — to provide for these kinds of exemptions which come up from time-to-time.

Sections 17 to 20 agreed.

Section 21 as amended agreed.

Sections 22 to 30 agreed.

Section 31

MR. BERNTSON: — On section 31, I just need a little clarification here.

Employees of the foundation are deemed to be employees to whom The Public Service Superannuation Act applies.

One of the recommendations of Dr. Watson was that the foundation be separate and apart from government and not part of the civil service. Does this mean they are part of the civil service or is that just the benefits of the act — the superannuation?

MR. TCHORZEWSKI: — Mr. Chairman, for the information of the member opposite, I maybe should have discussed this with him before.

The employees of the cancer commission and their representatives in the SGEA

(Saskatchewan Government Employees Association) requested that they be able to remain as part of the public service superannuation plan only. I think it's group life insurance as well. So it really continues their pension arrangements as they have had them and I think that's fair and does not, in any way, take away from the functions of the foundation as it will now exist under this new legislation.

Section 31 agreed.

Sections 32 as amended agreed.

Sections 33 to 35 agreed.

Section 36 as amended agreed.

Section 37 as amended agreed.

Section 38 as amended agreed.

Section 39 agreed.

The committee agreed to report the bill.

BILL NO. 97 — AN ACT TO AMEND THE SASKATCHEWAN MEDICAL CARE INSURANCE ACT

Section 1

MR. BERTSON: — Mr. Speaker, with the exception of section 4, this bill does little more than nothing. I am disturbed with section 4 for a couple of reasons, and we've talked about this in the back row. You've indicated to me that it's not your intention to proclaim this bill immediately, and I wonder why. The dangers I see in this particular section, if you brought in your own little approved form, particularly since we've had some disenchantment between MCIC (Medical Care Insurance Commission) and SMA (Saskatchewan Medical Association) as of late, is that you could use this for a hammer, complicating administrative tasks at the physician level. You could considerably increase the overhead of some of these doctors and there's some dispute as to whether they are getting enough now, and obviously you people think they're getting too much. But the part that really concerns me is the form approved by the commission which hasn't been prescribed yet. Nobody knows what shape the form will take or what form the form will take. My fear is that for mode 3 billing you could lay out your happy little form to indicate what the fee schedule portion of his charge is, and what his total charge was (and quite frankly, I don't think that's any of your business), and I think it could be an invasion of privacy. Since I have a fundamental distrust for you guys, I think that the bill would be better without it. I would, therefore, move, seconded by the member for Rosthern (Mr. Katzman):

that section 4 of Bill No. 97 be deleted and the remaining sections be renumbered accordingly.

MR. CHAIRMAN: — If I just might mention to the member for Souris-Cannington (Mr. Bertson) we're not on section 4 yet.

Sections 1 to 3 agreed.

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Motion defeated.

Sections 5 and 6 agreed.

The committee agreed to report the bill.

BILL NO. 95 — AN ACT TO AMEND THE INCOME TAX ACT

Sections 1 to 9 agreed.

The committee agreed to report the bill.

BILL NO. 96 — AN ACT TO AMEND THE DEPARTMENT OF FINANCE ACT

Sections 1 to 6 agreed.

The committee agreed to report the bill.

BILL NO. 106 — AN ACT RESPECTING THE MEMBERS OF THE LEGISLATIVE ASSEMBLY, THE EXECUTIVE COUNCIL AND LEGISLATIVE SECRETARIES

Section 1 agreed.

Section 2 as amended agreed.

Sections 3 to 12 agreed.

Section 13 as amended agreed.

Section 14 to 50 agreed.

Section 51

MR. ROMANOW: — Mr. Chairman, clause 51 is the substantive amendment I wish to propose. I would like to move, seconded by the Minister of the Environment (Mr. Bowerman):

that we amend clause 51 of the printed bill by striking out the words 'to a maximum of 50 days in each session' in the seventh line thereof.

This is the daily allowance that MLA's get. For some reason, we limited it to 50 days. I don't see why MLA's should be penalized if the session runs beyond 50 days, as has been the case on occasion from time to time. It is the only substantive amendment I introduce.

Section 51 as amended agreed.

Section 52 agreed.

Section 53 as amended agreed.

Sections 54 and 55 agreed.

Section 56 as amended agreed.

Sections 57 to 62 agreed.

Section 63 as amended agreed.

Sections 64 to 66 agreed.

Section 67 as amended agreed.

Sections 68 to 87 agreed.

Section 88 as amended agreed.

Section 89 agreed.

The committee agreed to report the bill.

**BILL NO. 107 — AN ACT RESPECTING THE SUPERANNUATION OF PERSONS WHO
HAVE SERVED AS MEMBERS OF THE LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**

Sections 1 to 12 agreed.

Section 13 as amended agreed.

Sections 14 to 18 agreed.

Section 19 as amended agreed.

Sections 20 to 41 agreed.

Section 42 as amended agreed.

Sections 43 and 44 agreed.

The committee agreed to report the bill.

BILL NO. 108 — AN ACT TO AMEND THE STATUTE LAW

Sections 1 to 25 agreed.

The committee agreed to report the bill.

MOTION

COMMITTEE TO CONSIDER REGULATIONS

HON. R. ROMANOW (Attorney General): — Mr. Speaker, by leave of the House, I would like to move, seconded by the Minister of Finance (Mr. Smishek):

That members Lane, Andrew, Duncan, Hammersmith, McArthur, Prebble, Romanow, Swan and White be constituted to a special committee to consider

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every regulation filed with the Clerk of the Legislative Assembly pursuant to the provisions of The Regulations Act, with a view to determining whether the special attention of the Assembly should be drawn to any of the said regulations on any of the following grounds:

- (a) That it imposes a charge on the public revenues or prescribes a payment to be made to any public authority not specifically provided for by statute;
- (b) That it is excluded from challenge in the courts;
- (c) That it makes unusual or unexpected use of powers conferred by statute;
- (d) That it purports to have retrospective effect where the parent statute confers no express authority so to provide;
- (e) That it has been insufficiently promulgated;
- (f) That it is not clear in meaning;

and if they so determine, to report to that effect.

That the committee have the assistance of legal counsel in reviewing the said regulations; that it be given the power to sit after prorogation of the Assembly; and that it be required prior to reporting that the special attention of the Assembly be drawn to any regulation, to inform the government department or authority concerned of its intention so to report; and

That the committee be empowered to invite any regulation-making authority to submit a memorandum explaining any regulation which may be under consideration by the committee or to invite any regulation-making authority to appear before the committee as a witness for the purpose of explaining any such regulation; and

That the committee be empowered to review the bylaws of the professional societies and amendments thereto as referred to the committee, to determine whether or not they, or any of them, are in any way, prejudicial to the public interest.

Mr. Speaker, I so move.

Motion agreed to.

BYLAWS OF THE PROFESSIONAL SOCIETIES

HON. R. ROMANOW (Attorney General): — I move, by leave of the Assembly, seconded by the Hon. Mr. Smishek (Minister of Finance):

That the bylaws of the professional societies and amendments thereto tabled after March 6, 1979 as addenda to Sessional Paper No. 3 of 1979 be referred to the Special Committee on Regulations.

Motion agreed to.

SPECIAL COMMITTEE

HON. R. ROMANOW (Attorney General): — I move, by leave, seconded by the Hon. Mr. Smishek (Minister of Finance):

That a special committee consisting of Mr. Speaker as Chairman and 12 members, to be named at a later date, be appointed to:

1. consider the extent that voice clips should be used by the media; the number, size and nature of standing committees; and the operation of the Committee of Finance and Committee of the Whole;
2. review and clarify the rules and procedures of the Assembly; and
3. consider such other matters relating to rules and procedures which the committee deems necessary;

That the committee be instructed to include in its report drafts of proposed rules drawn to give effect, if adopted by the Assembly, to any change or changes that may be proposed by the committee;

That the committee will have the power to sit during the intersessional period and during any legislative session, except when the Assembly is sitting;

That the committee will have the power to send for persons, papers and records and to examine witnesses under oath; to require the assistance of staff employed by departments and agencies of the government; and to hold meetings at and away from the seat of government in order that the provisions in other legislatures can be studied; and

That this special committee be further instructed to submit its report to the Assembly with all convenient speed.

Motion agreed to.

SPECIAL COMMITTEE

HON. R. ROMANOW (Attorney General): — Mr. Speaker, I move, by leave of the Assembly, seconded by the Hon. Mr. Smishek (Minister of Finance):

That a special committee consisting of ten members, to be named at a later date, be appointed:

1. to review the role, responsibilities and functions of legislative libraries in other jurisdictions in Canada.
2. to make recommendations regarding the appropriate role, responsibilities and functions of the Legislative Library of Saskatchewan; and
3. to make recommendations regarding the appropriate services for the Legislative Library of Saskatchewan to provide to members of the Legislative Assembly, the government, and the public;

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That such committee will have the power to sit during the intersessional period and during any legislative session, except when the Assembly is sitting; and

That such committee will have the power to send for persons, papers and records and to examine witnesses under oath; to receive representations from interested parties and members of the general public; to require the assistance of staff employed by departments and agencies of the government; and to hold meetings at and away from the seat of government in order that the fullest representations may be received without unduly inconveniencing those desiring to be heard and in order that the functions of legislative libraries in other Canadian jurisdictions can be studied; and

That such committee be instructed to submit its report to the Assembly with all convenient speed.

Motion agreed to.

MR. ROMANOW: — Mr. Speaker, I move, by leave of the Assembly, seconded by the Minister of Finance (Mr. Smishek) that:

the special committee on the review of rules and procedures of the Legislative Assembly, appointed on May 3, 1979 or thereabouts, be composed of Mr. Speaker, as chairman, and the following members: Messrs. Romanow, Allen, Banda, Engel, Skoberg, Hammersmith, Pepper, Mostoway, Lane, McLeod, Andrews and Berntson.

MR. ROMANOW: — Mr. Speaker, I believe there is one other motion on library, but before I move it, I would like to ask leave of the Assembly to revert to private members' business, and to have on private member's business, Item 21, Bill 64 of Mr. Taylor's on The Education Act — I don't know where it is at — Item 16, Bill 77 of Mr. Prebble's — I don't know where it is at — we get the appropriate leaves in order to deal with those bills.

COMMITTEE OF THE WHOLE

BILL NO. 64 — AN ACT TO AMEND THE EDUCATION ACT

Sections 1 to 5 agreed.

The committee agreed to report the bill.

BILL NO. 77 — AN ACT TO PROVIDE THE CITY OF SASKATOON WITH THE AUTHORITY TO IMPOSE A MORATORIUM ON ANY DEMOLITION, ALTERATION, OR MODIFICATION OF THE CAPITOL THEATRE

Section 1 agreed.

Section 2 as amended agreed.

Section 3 agreed.

Sections 4, 5 and 6 as amended agreed.

The committee agreed to report the bill.

The committee reported progress.

MOTION

REVIEW OF LEGISLATIVE LIBRARY COMMITTEE

HON. R. ROMANOW (Attorney General): — Mr. Speaker, I move by leave of the Assembly, seconded by the Minister of Finance (Mr. Smishek):

That the Special Committee on the Review of the Legislative Library of Saskatchewan, appointed on May 3rd, 1979, be composed of the following members, Messrs. McArthur, White, Poniatowski, Nelson, Long, Lingenfelter, MacMurchy, Katzman, Taylor and Pickering.

Motion agreed to.

SECOND AND THIRD READINGS

APPROPRIATION BILL

HON. W.E. SMISHEK (Minister of Finance) moved that Bill No. 109 — **An Act for granting to Her Majesty certain sums of Money for the Public Service for the Fiscal Year ending respectively the Thirty-first day of March, 1979 and the Thirty-first day of March, 1980** be now read a second and third time.

He said: Mr. Speaker, I have three prepared speeches, one is for 40 minutes, one is for 30 minutes, and one is for 20 minutes and I am really wondering whether anybody would appreciate me giving any of those speeches at this hour of the night.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — Mr. Speaker, this is an important and serious bill that I have just given first reading to. I'd like to discuss it in some depth but the hour is such that, as I said, I doubt whether anybody would appreciate any serious discussion at this hour. I propose to take only a minute or two as the members know that I still have the last kick at the can as is said, though I'll be governed thereafter on the length of time that the members opposite decide to take in debating this bill. Mr. Speaker, this has been a hardworking session and it's been a good session in my judgment. I want to commend all the members on both sides of the House, particularly the new members, for devoting the time and their energies to working and bringing about new legislation that we have passed. One hundred and nine bills in less than 50 days is, indeed, a big task. It's true that we have passed some housekeeping legislation, but at the same time we have passed some very substantive legislation which is going to have an important influence and impact on the people of Saskatchewan.

Legislation like workers' compensation, legislation like constituency boundaries or matrimonial properties; or establishing the Department of Intergovernmental Affairs, cancer foundation, Saskatchewan Code of Human Rights, establishing the Meewasin Authority and one goes on and on. Very substantive and important legislation, including bills that we passed tonight — the independence of members. At the same time we also introduced the budget which has been very well received by the people of

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Saskatchewan.

Mr. Speaker, it is not unusual for the government immediately after the election to come in with kind of a blah budget to introduce limited legislation, but that is not the behavior of this government. We take our work seriously. We believe that every session should produce things for the people of this province. This session and this government introduced many important pieces of legislation. But more importantly, Mr. Speaker, what we did during this session is, by and large, to introduce the largest component of the commitments that we made to the people of Saskatchewan during the last election. What we introduced was the New Decade of Progress. The new decade that the people of Saskatchewan are going to be very proud of and prosper under. Mr. Speaker, I can go through the list of things that have been done such as easing the property taxes on senior citizens, eliminating the provincial capital gains on homes, farms and small businesses, approval for which was given today or the implementation of that program. We extended revenue sharing for local governments, implemented the \$150 rebate for renters and provided for a deduction of income tax for mortgage interest and homes and the list goes on and on.

Mr. Speaker, one thing that our party is noted for: when during the election we make promises, we deliver. We deliver, Mr. Speaker!

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — In a matter of six months — we promised a New Decade of Progress for the people of Saskatchewan and during the first session following that election, Mr. Speaker, more than 50 per cent of the promises that we made are being delivered to the people now.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — No can fault us, Mr. Speaker, for not keeping our promises. Mr. Speaker, I am somewhat disappointed in one aspect of the budget, Mr. Speaker, and that is in respect of page 47 of the budget address, that the members opposite haven't talked about, and for that matter, the media didn't give very much publicity, if any, to it. Mr. Speaker, I refer to page 47 because what that page does is give a comparison of Saskatchewan taxes to other provinces. It is interesting to note, Mr. Speaker, that a person earning up to \$15,000, with two children and a wife, pays the lowest taxes in the province of Saskatchewan.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — Mr. Speaker, one other important thing to remember is that that same person earning \$25,000 and even \$30,000 in Saskatchewan, pays the second lowest taxes in Canada. Mr. Speaker, that's a good record. It's a record that this government is proud of. Because we had a different approach to our resources, we were able to do these things for the people of the province. Mr. Speaker, one other thing that probably received very little notice during this session is, if you recall, several years ago there was a commission established called the Johnson Commission, to standardize the report . . . (inaudible interjection) . . . really doesn't matter. There are certain things that have to be said . . . to standardize the reports of the government. The members will notice that we did that this year. We were able to save money for the government, save money for the people of Saskatchewan. This is another thing that we said we would do in an effort to become more efficient, in an effort to make economies for the people of Saskatchewan. As I said at the outset, this has been a good session. It has been a

session that accomplished many things for the people of Saskatchewan. It's a session that will go on record as another New Democratic government introducing progress for the people of Saskatchewan. Mr. Speaker, I move that the bill be now read a second and third time.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — Mr. Speaker, I should have said by leave, under rule 48(2) the said bill will now be read a second and third time.

MR. LANE: — The minister who has just took his chair has indicated that he didn't think it was a 'blah' session. You couldn't tell by his speech. I've been limited to a two minute speech after a filibuster that starts at about 12:50 in the morning. I think that's a rather unique position in the history of the province. Just a few comments, just a few comments, a few things that were established. The minister talks about his budget as being well accepted by the public. Some other things are pretty well accepted, that the minister of squander mania, as I think he has become, has literally thrown away, squandered and lost the heritage fund of the province of Saskatchewan. It is a rather ironical position for the party opposite to be in where in the province of Alberta they are crying, weeping and wailing because Peter Lougheed isn't spending enough in social programs. But in the province of Saskatchewan they are spending every cent they can find out of the heritage fund into general revenues, so that future generations will only have a legacy of debt from the government opposite. That is pretty well established and that is pretty well known by the people in the province of Saskatchewan.

We have also had some rather significant events come about in this session. We found, and I think it was proven to every person in the province of Saskatchewan, and again to future generations that the government opposite has one of the worst, if not the worst, Department of the Environment in the Dominion of Canada and that it has, in fact, not the capabilities, nor the management, nor the will to be able to deal with the environmental problems that will be facing the province of Saskatchewan.

We have, in addition, Mr. Speaker, seen the Saskatchewan answer to the Berlin Wall as we see the government opposite stonewalling and closing off every avenue of attempt by the opposition to get into the public review of government expenditures; every single avenue has been faced with the defence of, oh, I wasn't the minister at the time. Every time there is a cabinet shuffle — and God knows the problem needs one. There should be an emergency bill to put it into place now, because there are 28 people over there Mr. Speaker, that all think they can do a better job than the ones that are in there now. I think they should all be given a chance of doing it. One exception — the only member, and I knew it from past experience and he knew it from past experience, he knows he couldn't do a better job than any of the cabinet ministers and he has just spoken up. I apologize for lumping him with the rest of the members. But I also congratulate him for an honest and objective assessment of his talents and his ability. I am sure that is something we welcome at 10 minutes after 1 o'clock in the morning.

We take a look at the stonewalling on the government revenues and the government expenditures. But above all, we also get the stonewalling on the refusal of that government to give any information (and I think it is afraid to give information) on the markets for uranium and the markets for potash and the market potential for both of those natural resources.

The interesting thing is that those two resources pretty well make up the base and the

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potential of the heritage fund and it is on a pretty shaky foundation.

We take a look at the stonewalling and a minor example, we saw tonight about CPN and the government mismanagement. I think, Mr. Speaker, that we have embarked upon a government for four years which is going to squander money, that has no concept of fiscal responsibility, and no concern for future generations. We have not embarked upon a new decade of progress, but what we've embarked upon is a new decade of debt, as the government opposite is known across the country as the New Debt Party of Canada.

Mr. Speaker, we've seen stonewalling, we've seen an inability to deal with the environment, we've seen little concern about public expenditures and the proper management of public expenditures.

Mr. Speaker, this government has shown that it's off to a pretty shaky start over the next four years and, if the minister is proud of the start today, then, if I was in his position, I wouldn't be buying any long-playing records based on keeping a cabinet post, if that's any indication of what we've seen today.

Mr. Speaker, we will not be supporting the motion.

MR. SMISHEK: — Mr. Speaker, I'll first take a drink and then take my 20 minutes that I'm entitled to. Mr. Speaker, the role of the opposition, they tell me, is to criticize, to present alternatives. We have seen in the last 50 days that their criticism has been poor. They had no alternatives. In fact, I can remind this House that the members opposite didn't even dare talk about the election program that they had presented to the people of Saskatchewan because the people rejected it so resoundly that they are ashamed of it.

SOME HON. MEMBERS: Hear, hear!

MR. SMISHEK: — Mr. Speaker, as the member who has just taken his seat proved to us his ineptness to criticize, as has been the record of this session. Mr. Speaker, their ineptness has been totally displayed. They don't even understand, Mr. Speaker, the difference, or comprehend the difference, between the consolidated fund and the heritage fund. They don't even recognize that Saskatchewan has the second lowest per capita debt in Canada. They don't appreciate that Saskatchewan is able to borrow money at lower rates than any Tory government in Canada. Mr. Speaker, Saskatchewan is on the verge of new horizons, new thrust, and it has all happened under the administration of the Blakeney NDP government.

Mr. Speaker, this session and this budget will go down in record as another milestone for the citizens of this province.

SOME HON. MEMBERS: Hear, hear!

ROYAL ASSENT AND PROROGATION

At 1:16 a.m. His Honour the Lieutenant-Governor having entered the Chamber, took his seat upon the throne and gave Royal Assent to the Bills presented to him.

His Honour, the Lieutenant-Governor was then pleased to deliver the following speech:

Mr. Speaker, members of the Legislative Assembly:

it is my duty to relieve you of further attendance at the Legislative Assembly. In doing so I wish to thank you and congratulate you on the work you have done.

At this first session of the 19th legislature, you have dealt with more than 100 bills and have approved measures which will have a positive effect upon the well-being of the people of Saskatchewan.

You have taken steps to soften the effect of inflation upon the people of Saskatchewan, by passing legislation to provide rebates to renters, reduce the property tax burden on senior citizens, increase the tax credit for dependent children, increase public service pensions, and to pay rebates on capital gains tax.

To assist families to own their own home, you've provided for a mortgage interest tax credit.

You have taken initiatives to maintain the high standard of health care in Saskatchewan. To this end, you have established a health research fund, created the Saskatchewan Cancer Foundation, and approved The Community Health Unit Act. You have passed legislation to deal with the abuse of prescription drugs.

By approving a new workers' compensation act based on the principle of income maintenance, you have kept Saskatchewan in the forefront of the protection of injured and disabled workers.

You have taken innovative steps to establish more harmonious labor-management relations in the province's construction industry.

To exercise stewardship over land on the edge of the South Saskatchewan River, you have established the Meewasin Valley Authority.

You have strengthened the principle of equal partnership in marriage by providing for the equitable division of matrimonial property.

By enacting the Saskatchewan Human Rights code, you have codified and expanded the basic human rights of Saskatchewan citizens.

New guidelines to govern the conduct of members of the Legislative Assembly have been established. These will assure the public of the integrity of their elected representatives.

In order to provide provincial funding for agricultural research, you have passed The Agricultural Research Funding Act.

To ensure a fair return to Saskatchewan people from our coal resources, you have approved amendments to The Mineral Taxation Act.

You have authorized villages and towns to appoint boards to operate local transportation systems.

You have provided for a consolidation and modernization of the legislation respecting wildlife management.

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In keeping with the legislation updating the law on business corporations which you approved at the last session of the legislature, you have modernized the law respecting non-profit corporations.

In recognition of the growing importance of relations between provinces and the federal government, you have created the Department of Intergovernmental Affairs.

I thank you for the provision you have made to meet the further requirements of the public service and I assure you that this sum of money will be used economically, prudently, and in the public interest.

In taking leave of you, I thank you for the manner in which you have devoted your energies to the activities of the session and wish you the full blessing of Providence.

The Hon. Mr. Tchorzewski, Minister of Health, then said:

Mr. Speaker, and members of the Legislative Assembly:

It is the will and pleasure of His Honour, the Lieutenant-Governor and this Legislative Assembly to be prorogued until it pleases His Honour to summon the same for the dispatch of business, and the Legislative Assembly is accordingly prorogued.

His Honour then retired from the Chamber at 1:28 a.m.