

JOURNALS  
of the  
LEGISLATIVE ASSEMBLY  
of the  
Province of Saskatchewan

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From the 7th day of September, 1966, to the 8th day of December, 1966,

In the Fifteenth Year of the Reign of Our Sovereign Lady,  
Queen Elizabeth II,

BEING THE THIRD SESSION OF THE FIFTEENTH LEGISLATURE OF  
THE PROVINCE OF SASKATCHEWAN

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**Second Session, 1966**

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REGINA:  
LAWRENCE AMON, QUEEN'S PRINTER  
1966

VOLUME *LXVIII*



MEETING OF THE LEGISLATIVE ASSEMBLY

R. L. HANBIDGE,  
*Lieutenant Governor,*  
(L.S.)

CANADA  
PROVINCE OF SASKATCHEWAN

ELIZABETH THE SECOND, by the Grace of God of the United Kingdom,  
Canada and Her other Realms and Territories, QUEEN, Head of the  
Commonwealth, Defender of the Faith.

TO OUR FAITHFUL the MEMBERS elected to serve in the Legislative Assembly  
of Our Province of Saskatchewan, and to every one of you, GREETING:

**A P R O C L A M A T I O N**

ROY S. MELDRUM,  
*Deputy*  
*Attorney General*

WHEREAS, it is expedient for causes  
and considerations to convene the  
Legislative Assembly of Our Province  
of Saskatchewan, WE DO WILL that you and each of you and all others  
in this behalf interested on WEDNESDAY, the SEVENTH day of SEPTEMBER,  
1966, at Our City of Regina, personally be and appear for the despatch of  
Business, there to take into consideration the state and welfare of Our said  
Province of Saskatchewan and thereby do as may seem necessary, HEREIN  
FAIL NOT.

IN TESTIMONY WHEREOF we have caused Our Letters to be made Patent  
and the Great Seal of Our said Province of Saskatchewan to be  
hereunto affixed.

WITNESS: Our right trusty and well beloved THE HONOURABLE ROBERT  
LEITH HANBIDGE, Q.C., Lieutenant-Governor of Our Province of  
Saskatchewan.

AT OUR CAPITAL CITY OF REGINA, in Our said Province, this THIRD day  
of SEPTEMBER, in the year of Our Lord ONE THOUSAND AND NINE  
HUNDRED AND SIXTY-SIX, and in the FIFTEENTH year of Our Reign.

By Command,

L. J. BEAUDRY,  
Deputy Provincial Secretary.

# JOURNALS

OF THE

## LEGISLATIVE ASSEMBLY

### Province of Saskatchewan

THIRD SESSION

FIFTEENTH LEGISLATURE

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### **Regina, Wednesday, September 7, 1966**

This being the day appointed by Proclamation of His Honour the Lieutenant-Governor, dated the Third day of September, 1966, for the meeting of the Third Session of the Fifteenth Legislative Assembly of the Province of Saskatchewan, and the Assembly having met:

Mr. Speaker informed the Assembly that he had received a communication from the Private Secretary to His Honour the Lieutenant-Governor stating that His Honour would open the Session at eleven o'clock a.m. today, Wednesday, the Seventh day of September, 1966.

*11:00 o'clock a.m.*

His Honour the Lieutenant-Governor entered the Chamber and having taken his seat upon the Throne, was pleased to open the Session with the following Speech:

MR. SPEAKER,

MEMBERS OF THE LEGISLATIVE ASSEMBLY:

IT IS MY PRIVILEGE to welcome you to the Third Session of the Fifteenth Legislative Assembly of Saskatchewan.

Last week the employees of the gas division of the Saskatchewan Power Corporation went on strike.

Therefore, you have been called to this Session to give legislative effect to a bill to ensure the continuation of certain essential services.

I leave you now to the business of the Session, with full confidence that you will favourably discharge your duties and responsibilities.

May Divine Providence continue to bless our province and guide this Legislature in all its deliberations.

His Honour the Lieutenant-Governor then retired from the Chamber.

Leave of the Assembly having been granted to open the sitting at a time earlier than that stated in Standing Order 2, Mr. Speaker read —

PRAYERS:

Ordered, That the Hon. Mr. Thatcher have leave to introduce a Bill respecting the Administration of Oaths of Office.

He accordingly presented the said Bill, and the same was received and read the first time.

Mr. Speaker then informed the Assembly that, in order to prevent mistakes, he had obtained a copy of the Speech of His Honour the Lieutenant-Governor, which was laid upon the Table.

On motion of the Hon. Mr. Thatcher, seconded by Mr. Lloyd, by leave of the Assembly:

Ordered, that as the Legislature has been convened in this Session for the purpose of considering certain matters which have been laid before you in the address of His Honour the Lieutenant-Governor, the House hereby resolves to dispense with the customary formal debate on the subject matters of the address as such matters will be debated during the consideration of the legislation submitted to the House.

On motion of the Hon. Mr. Thatcher, seconded by Mr. Lloyd:

Ordered, That the Votes and Proceedings of this Assembly be printed, after first having been perused by Mr. Speaker; that he do appoint the printing thereof, and that no person but such as he shall appoint do presume to print the same.

On motion of the Hon. Mr. Thatcher, seconded by Mr. Lloyd, by leave of the Assembly:

Ordered, That the following Standing Orders be suspended for the duration of this Session:

- (1) Standing Order 50 respecting the appointment of Select Standing Committees;
- (2) Standing Order 73 respecting lists of reports required to be tabled; and
- (3) Standing Order 105 respecting the report of the Legislative Librarian.

On motion of the Hon. Mr. Thatcher, seconded by Mr. Lloyd, by leave of the Assembly:

Ordered, That notwithstanding Standing Order 2, this House shall meet at 10:00 o'clock a.m. each sitting day, and there shall be a recess from 12:30 o'clock p.m. until 2:30 o'clock p.m.

Leave to introduce the same without notice having been granted, the following Bill was received, read the first time, and, by leave of the Assembly and under Standing Order 58, ordered to be read a second time later this day:

Bill No. 1—An Act to provide for the Postponement of the Tabling of Certain Documents.

(*Hon. Mr. Thatcher*)

Leave to introduce the same without notice having been granted, and the Minister having acquainted the Assembly that His Honour the Lieutenant-Governor, having been informed of the subject matter of the Bill, recommends it to the consideration of the Assembly, the following Bill was received, read the first time, and, by leave of the Assembly and under Standing Order 58, ordered to be read a second time later this day.

Bill No. 2—An Act Respecting the Continuation of Services Essential to the Public.

(*Hon. Mr. Thatcher*)

According to Order, the following Bill was read the second time, and, by leave of the Assembly and under Standing Order 58, referred to a Committee of the Whole later this day:

Bill No. 1—An Act to provide for the Postponement of the Tabling of Certain Documents.

Moved by the Hon. Mr. Thatcher that Bill No. 2—An Act Respecting the Continuation of Services Essential to the Public—be now read the second time.

A debate arising, it was moved by Mr. Lloyd, seconded by Mr. Brockelbank (Kelsey), in amendment thereto:

That all the words after "That" be struck out and the following substituted therefor:

"this house not now proceed with the second reading of this bill but request the government to substitute therefor a bill to deal specifically with the single dispute referred to in His Honour's address, such bill to

- (1) provide for the return to work of Saskatchewan Power employees involved after the government has given consideration to the advisability of including in the bill provisions for interim wage increases retroactive to June 1, 1966;
- (2) order the resumption of negotiations on all remaining outstanding issues, including wage and other monetary benefits;
- (3) direct the parties to employ impartial mediation and conciliation procedures;
- (4) direct the parties in the event these measures fail to bring agreement in 60 days, to consider submission of remaining matters in dispute to an agreed arbitrator for a binding decision; and
- (5) if the parties fail to so agree that the matter be submitted to arbitration within an additional ten days, direct that the dispute be referred to an arbitrator to be named by the Chief Justice of Saskatchewan."

The debate continuing on the motion and the amendment, by unanimous consent, the Assembly reverted to Orders of the Day.

On motion of the Hon. Mr. Gardiner, seconded by the Hon. Mr. Heald:

Ordered, That the adjournment of the House today, Wednesday, September 7, 1966, be set at 10:00 p.m.

The debate continuing on the motion for second reading of Bill No. 2, and the proposed amendment thereto it was, on motion of the Hon. Mr. McFarlane adjourned.

At 10:00 o'clock p.m., Mr. Speaker adjourned the Assembly without question put, until tomorrow at 10:00 o'clock a.m.

## Regina, Thursday, September 8, 1966

10:00 'clock a.m.

PRAYERS:

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

That Bill No. 2 — An Act Respecting the Continuation of Services Essential to the Public — be now read the second time;

And the proposed amendment thereto by Mr. Lloyd:

That all the words after "That" be struck out and the following substituted therefor:

"this house not now proceed with the second reading of this bill but request the government to substitute therefor a bill to deal specifically with the single dispute referred to in His Honour's address, such bill to

- (1) provide for the return to work of Saskatchewan Power employees involved after the government has given consideration to the the advisability of including in the bill provisions for interim wage increases retroactive to June 1, 1966;
- (2) order the resumption of negotiations on all remaining outstanding issues, including wage and other monetary benefits;
- (3) direct the parties to employ impartial mediation and conciliation procedures;
- (4) direct the parties in the event these measures fail to bring agreement in 60 days, to consider submission of remaining matters in dispute to an agreed arbitrator for binding decision; and
- (5) if the parties fail to so agree that the matter be submitted to arbitration within an additional ten days, direct that the dispute be referred to an arbitrator to be named by the Chief Justice of Saskatchewan."

The debate continuing, and the question being put on the amendment, it was negatived on the following Recorded Division:

YEAS

*Messieurs*

Lloyd  
 Hunt (Mrs.)  
 Wood  
 Nollet  
 Walker  
 Blakeney  
 Davies  
 Thibault  
 Willis

Whelan  
 Nicholson  
 Dewhurst  
 Berezowsky  
 Michayluk  
 Smishek  
 Link  
 Baker  
 Wooff

Snyder  
 Broten  
 Larson  
 Robbins  
 Pepper  
 Brockelbank  
 (Saskatoon City)

## NAYS

*Messieurs*

Thatcher	MacDougall	Radloff
Howes	Grant	Romuld
McFarlane	Coderre	Weatherald
Boldt	Bjarnason	MacLennan
Cameron	Trapp	Larochelle
Gardiner (Melville)	Mclsaac	Hooker
Heald	MacDonald	Coupland
Guy	Gallagher	Gardner (Moosomin)
Merchant (Mrs.)	Breker	Mitchell
Loken	Leith	Pederson
		—30

The question being put on the motion, it was agreed to on the following Recorded Division:

## YEAS

*Messieurs*

Thatcher	MacDougall	Radloff
Howes	Grant	Romuld
McFarlane	Coderre	Weatherald
Boldt	Bjarnason	MacLennan
Cameron	Trapp	Larochelle
Gardiner (Melville)	Mclsaac	Hooker
Heald	MacDonald	Coupland
Guy	Gallagher	Gardiner (Moosomin)
Merchant (Mrs.)	Breker	Mitchell
Loken	Leith	Pederson
		—30

## NAYS

*Messieurs*

Lloyd	Whelan	Snyder
Hunt (Mrs.)	Nicholson	Broten
Wood	Dewhurst	Larson
Nollet	Berezowsky	Robbins
Walker	Michayluk	Pepper
Blakeney	Smishek	Brockelbank
Davies	Link	(Saskatoon City)
Thibault	Baker	
Willis	Wooff	
		—24

The said Bill was accordingly read the second time and, by leave of the Assembly and under Standing Order 58, referred to a Committee of the Whole later this day.

The Assembly, according to Order resolved itself into a Committee of the Whole on the undermentioned Bills:—

The following Bill was reported without amendment, read the third time and passed:

Bill No. 1—An Act to provide for the Postponement of the Tabling of Certain Documents.

The following Bill was reported with amendment, considered as amended and, by leave of the Assembly and under Standing Order 58, read the third time and passed.



Bill No. 2—An Act Respecting the Continuation of Services Essential to the Public.

On motion of the Hon. Mr. Thatcher, by leave of the Assembly:

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

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5:20 o'clock p.m.

His Honour the Lieutenant Governor, having entered the Chamber, took his seat upon the Throne.

Mr. Speaker addressed His Honour:—

MAY IT PLEASE YOUR HONOUR:

This Legislative Assembly at its present Session passed several Bills, which, in the name of the Assembly, I present to Your Honour, and to which Bills I respectfully request Your Honour's Assent.

The Clerk of the Assembly then read the titles of the Bills that had been passed severally as follows:

No.

- 1 An Act to provide for the Postponement of the Tabling of Certain Documents.
- 2 An Act Respecting the Continuation of Services Essential to the Public.

The Royal Assent to these Bills was announced by the Clerk:

"In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these Bills."

His Honour the Lieutenant Governor then retired from the Chamber.

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Mr. Speaker resumed the Chair.

At 5:27 o'clock p.m. the Assembly adjourned on motion of the Hon. Mr. Gardiner to the call of the Chair, pursuant to Order made this day.

## Regina, Thursday, December 8, 1966

10:00 o'clock a.m.

**PRAYERS:**

The Assembly, which had adjourned on Thursday, September 8, 1966, to the call of the Chair, met this day pursuant to an Order passed on September 8, 1966, and to the following notice, given by Mr. Speaker to all Members by registered mail and wire, the substance of such notice also having been published in *The Saskatchewan Gazette* dated November 18, 1966:—

LEGISLATIVE ASSEMBLY OFFICE  
ROOM 239  
LEGISLATIVE BUILDING

REGINA, Saskatchewan.  
November 14, 1966.

To: The Members of the  
Legislative Assembly.

Having received a request from the Government to reconvene the Third Session of the Fifteenth Legislature, I hereby give notice that in pursuance to an Order of the Assembly passed on September 8, 1966, I have set December 8, 1966, at 10:00 o'clock a.m. as the day upon which the Legislative Assembly will meet. It is requested that you govern yourself accordingly.

Yours sincerely,  
J. E. SNEDKER,  
*Speaker.*

*(Copy of Night Letter addressed to all Members)*

November 14, 1966.

NOTICE GIVEN HEREWITH THAT I HAVE SET DECEMBER 8, 1966, AT 10:00 a.m. AS DATE OF RECONVENING THIRD SESSION FIFTEENTH LEGISLATURE.

J. E. SNEDKER,  
*Speaker.*

Leave to introduce the same without notice having been granted, and the Minister having acquainted the Assembly that His Honour the Lieutenant Governor, having been informed of the subject matter of the Bill, recommends it to the consideration of the Assembly, the following Bill was received and read the first time.

Bill No. 3—An Act to amend The Income Tax Act.

*(Hon. Mr. Thatcher)*

Leave not being granted to read the said Bill a second time later this day, it was ordered to be read the second time on Friday next.

Leave to introduce the same without notice having been granted, and the Minister having acquainted the Assembly that His Honour the Lieutenant Governor, having been informed of the subject matter of the

Bill, recommends it to the consideration of the Assembly, the following Bill was received, read the first time, and ordered to be read the second time on Friday next.

Bill No. 4—An Act respecting Allowances to Members of the Legislative Assembly, and to Certain other Persons, for the Second Session, 1966.

(Hon. Mr. Thatcher)

By leave of the Assembly, on motion of the Hon. Mr. Steuart, seconded by the Hon. Mr. Trapp:

Ordered, That the name of Mr. Cameron be substituted for that of Mr. Cuelenaere on the list of Members composing the Select Committee on Regulations appointed on April 6, 1966.

The Order of the Day for Resolution No. 1 standing in the name of Mr. Lloyd having been called, and a point of order having been raised to the effect that the said motion was out of order on the grounds that it was *sub judice*, Mr. Speaker made the following statement;

#### STATEMENT BY MR. SPEAKER

As I see it, the issue before the Chair is to decide first whether the motion standing on the Order Paper in the name of the Hon. Leader of the Opposition is in fact proposing an inquiry by a legislative committee into the same matters as are presently being inquired into by a commission established under *The Public Inquiries Act*, Chapter 19, Revised Statutes of Saskatchewan, 1965, and if so whether the motion is out of order under the *sub judice* rule.

A resolution submitted to the legislature must always be considered in the light of its effect if passed by the House and the effect of this particular resolution would be to order the establishment of a legislative committee. In essence the motion proposes that a special legislative committee be established to conduct an inquiry "into all matters relating to the effects on levels of living of recent price increases in Saskatchewan and their causes, and to recommend measures to halt the price spiral."

A royal commission has been established under Order in Council No. 2394/66 dated December 7, 1966, "(a) to inquire into the causes of price increases and of the general rise in the cost of living . . . ; (b) to inquire into the various factors which may have contributed and are now contributing to price increases and to the general rise in the cost of living . . . ; (c) to investigate, as the Commission deems expedient, matters relating to the effects on standards of living of recent price increases of food and other commodities . . . ; (d) to make such recommendations as the Commission from time to time deems appropriate and in the public interest to combat the price spiral and assist consumers to ameliorate the problem of increases in the cost of living." Moreover, the powers granted to the commission by both the Act and the Order in Council are such as to enable it to conduct a judicial inquiry into the matters referred.

The terms of reference of the commission appear to me to be as broad as the terms of inquiry implied by Resolution No. 1. It would seem to me, therefore, that if Resolution No. 1 were debated and passed we would be in the position of having two public bodies investigating the same matter at the same time.

The application of the *sub judice* rule in this case can be sustained by certain precedents of this House. As the Attorney General pointed out, a ruling by Mr. Speaker Agar in the *Journals* of 1940, page 38, is as follows: "it scarcely would be proper for the Assembly, under whose law [a commission of inquiry] is constituted, to derogate from the prestige, dignity and authority of that tribunal by constituting itself a second tribunal to determine the same cause."

Members should also refer to Beauchesne's Fourth Edition, citation 153, where a Speaker's ruling is to be found to the effect that a "question cannot be before two public bodies at the same time." Again, in a report of a select committee of the British House of Commons appointed at the session of 1962-63 to examine the *sub judice* rule it was stated that "the purpose of the rule was not to avoid a conflict between the House and the Courts, but to avoid the House setting itself up as an alternative forum."

It should be noted that in ruling on the resolution it is not so much a question of what should be discussed but whether or not two public bodies should discuss the same subject concurrently. Thus a discussion of prices and costs of living as such is not necessarily out of order, but the discussion as to whether the legislature should establish a committee to inquire into the same is out of order, since another official body already has the matter under discussion.

Moreover royal commissions are established to conduct impartial and unbiased inquiries and produce impartial reports. Discussion of the motion to set up a further official body might imply lack of faith in the commission therefore derogating from its authority.

I must therefore rule that Resolution No. 1 is out of order on the grounds that the matter is indeed *sub judice*. Nor by ruling this motion out of order is any member deprived of the right to state his views fully before the commission.

Mr. Speaker's ruling having been appealed by Mr. Brockelbank (Kelsey), Mr. Speaker put the question: "Shall the Ruling of the Chair be sustained?"—which was agreed to on the following recorded division:

## YEAS

*Messieurs*

Thatcher	MacDougall	Romuld
Howes	Grant	Weatherald
McFarlane	Coderre	MacLennan
Boldt	Bjarnason	Larochelle
Cameron	Trapp	Hooker
Steuart	McIsaac	Coupland
Heald	MacDonald	Gardner (Moosomin)
Gardiner (Melville)	Gallagher	Mitchell
Guy	Breker	Pederson
Merchant (Mrs.)	Leith	
Loken	Radloff	

—31

## NAYS

*Messieurs*

Lloyd	Willis	Wooff
Hunt (Mrs.)	Whelan	Snyder
Wood	Nicholson	Brotten
Nollet	Dewhurst	Larson
Walker	Berezowsky	Robbins
Brockelbank (Kelsey)	Michayluk	Pepper
Blakeney	Smishek	Brockelbank
Davies	Link	(Saskatoon City)
Thibault	Baker	

—25

On motion of the Hon. Mr. Thatcher, seconded by the Hon. Mr. Heald:

Ordered, That the Orders of the Assembly made this day setting down Bill No. 3 and Bill No. 4 for second reading at the next sitting of the House be discharged, and the said Bills be set down for second reading later this day.

Moved by the Hon. Mr. Thatcher: That Bill No. 3—An Act to amend The Income Tax Act—be now read the second time.

A debate arising, and the question being put, it was agreed to, and the said Bill was, accordingly, read the second time, and by leave of the Assembly and under Standing Order 58 referred to a Committee of the Whole later this day.

According to Order, the following Bill was read the second time, and by leave of the Assembly and under Standing Order 58 referred to a Committee of the Whole later this day.

Bill No. 4—An Act respecting Allowances to Members of the Legislative Assembly, and to Certain other Persons, for the Second Session, 1966.

The Assembly according to Order resolved itself into a Committee of the Whole on the undermentioned Bills:—

Bill No. 3—An Act to amend The Income Tax Act.

Bill No. 4—An Act respecting Allowances to Members of the Legislative Assembly, and to Certain other Persons, for the Second Session, 1966.

The said Bills were reported without amendment, read the third time and passed.

*5:15 o'clock p.m.*

His Honour the Lieutenant Governor, having entered the Chamber, took his seat upon the Throne.

Mr. Speaker addressed His Honour:

MAY IT PLEASE YOUR HONOUR:

This Legislative Assembly at its present Session has passed several Bills, which, in the name of the Assembly I present to Your Honour, and to which Bills I respectfully request Your Honour's Assent.

The Clerk of the Assembly then read the titles of the Bills that had been passed severally as follows:

No.

3 An Act to amend The Income Tax Act.

4 An Act respecting Allowances to Members of the Legislative Assembly, and to Certain other Persons, for the Second Session, 1966.

The Royal Assent to these Bills was announced by the Clerk:

"In Her Majesty's name, His Honour the Lieutenant Governor doth assent to these Bills."

His Honour the Lieutenant Governor then delivered 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 for, and congratulate you upon the work you have done. I wish also to express my confidence that the legislation approved by you will continue to provide sound development to our province.

The legislation you have passed in this Third Session of the Fifteenth Legislature was designed to accomplish two objectives:

the continuation of certain essential services in the course of labour, disputes; and

the ratification of a new tax agreement between this province and the Government of Canada.

In taking leave of you, I desire to 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 as you return again to your respective homes.

The Hon. Mr. Heald, Provincial Secretary, then said:

MR. SPEAKER, AND MEMBERS OF THE LEGISLATIVE ASSEMBLY:

It is the will and pleasure of His Honour the Lieutenant Governor that this Legislative Assembly 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.

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*Returns, Reports and Papers Tabled*

By the Hon. Mr. Heald, a member of the Executive Council:

Certified copy of Order in Council 2394/66 dated December 7, 1966, establishing an inquiry under *The Public Inquiries Act* to inquire into certain matters related to the cause of price increases and the general rise of the cost of living in Saskatchewan, Manitoba and Alberta.

*(Sessional Paper No. 1)*

Addendum to Sessional Paper No. 77/66 namely:

Reply to an Address (No. 7) to His Honour the Lieutenant Governor dated February 18, 1965, on the Motion of Mrs. Cooper.

*(Sessional Paper No. 2)*

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J. E. SNEDKER,  
*Speaker.*

# INDEX TO JOURNALS

**SECOND SESSION, 1966**

## Third Session of the Fifteenth Legislature PROVINCE OF SASKATCHEWAN

### ABBREVIATIONS

1 R.—First Reading.	COMM.—Committee of Whole or Select Standing or Special Committee.
2 R.—Second Reading	S.O.C.—Committee on Standing Orders.
3 R.—Third Reading.	S.P.—Sessional Papers.
P.—Passed.	
A.—Assent.	

### B

Bills, Public	Bill No.	1 R.	Crown Rec.	2 R.	Comm.	3 R. & P.	A.
Allowances to Members of the Legislative Assembly, and to Certain other Persons, for the Second Session, 1966: respecting.....	4	13	13	15	15	15	15
Continuation of services Essential to the Public: respecting.....	2	7	7	10	10	10	11
Income Tax Act: to amend the.....	3	12	12	15	15	15	15
Postponement of the Tabling of Certain Documents: to provide for the.....	1	7	....	7	10	10	11
<i>Pro Forma</i> .....	....	6	....	....	....	....	....

**D****Debates**

## ON SECOND READINGS:

Bill No. 2—An Act respecting the Continuation of Services Essential to the Public—7, 9.

Bill No. 3—An Act to amend The Income Tax Act—15.

On amendment (Mr. Lloyd) to motion for Second Reading of Bill No. 2—7, 9.

**Divisions**

On amendment (Mr. Lloyd) to motion for Second Reading of Bill No. 2—9.

On motion for Second Reading of Bill No. 2—10.

On appeal (Mr. Brockelbank (Kelsey)) from Speaker's Ruling *re* Resolution No. 1 (Mr. Lloyd), 14.

**L****Legislative Assembly**

Convened by Proclamation, 4; Prorogued, 16.

## Statement of Work of Session:

Number of Sitting Days.....	3
Number of Evening Sittings.....	1
Number of Morning Sittings.....	3
Number of Sessional Papers.....	2
Number of Public Bills introduced.....	4
Number of Public Bills passed.....	4
Number of Divisions.....	3

**Lieutenant-Governor**

Proclamation convening Legislature, 3.

Prorogues Session, 16.

Royal Assent to Bills given, 11, 15.

Speech from Throne at Close of Session, 16.

Speech from Throne at Opening of Session, 5.

**P****Procedure**

Address-in-Reply: motion to dispense with, 6.

Adjournment: motion setting time of, 8.

Adjournment to a date to be set by Mr. Speaker: motion for, 11.

Bills advanced two or more stages at same sitting, 6, 7, 10, 15.

Bills introduced without notice, 6, 7, 12.

Bills: leave not granted to advance two or more stages at same sitting, 12.

Discharge of orders: motion for, 14.

Meeting of Assembly at 10:00 a.m.: motion for, 6.

Reconvening Legislature, 12.

Sitting of Assembly at an early hour: leave obtained for, 6.

Speaker's Ruling: appeal from, 14.

Standing Orders: motion to suspend certain, 6.

*Sub Judice* Rule: application of, 13.

**Proclamation**

Convening Legislature, 3.



**R**

<b>Resolutions</b>	<b>Member</b>	<b>Page</b>
Address-in-Reply: to dispense with.....	Thatcher	6
Adjournment on a Wednesday to be at 10:00 p.m.....	Gardiner	8
Adjournment to date to be set by Mr. Speaker.....	Thatcher	11
Meeting of Assembly at 10:00 a.m.....	Thatcher	6
Regulations Committee: substitution of Mr. Cameron for Mr. Cuelenaere.....	Steuart	13
Second Readings: discharge of certain orders for.....	Thatcher	14
Standing Orders: suspension of certain.....	Thatcher	6
Votes and Proceedings: printing of.....	Thatcher	6

**S**

<b>Sessional Papers</b>	<b>S.P. No.</b>	<b>Ordered</b>	<b>Pre- sented</b>
Order in Council 2394/66 <i>re</i> Cost of Living Inquiry.....	1	....	16
Addendum to Sessional Paper No. 77/66.....	2	....	16

**Speaker**

- Informs Assembly *re* opening of Legislature, 5.
- Obtains leave to open sitting at an early hour, 6.
- Reconvenes Legislature, 12.
- Tables copy of Speech from the Throne, 6.

**Speaker's Rulings and Statements**

- On Resolution No. 1 (Mr. Lloyd) *re* Cost of Living inquiry, 13.

**Speeches from the Throne**

- At the Opening of the Session, 5.
- At the close of the Session, 16.