

The Assembly met at 1:30 p.m.

Prayers

ROUTINE PROCEEDINGS

NOTICES OF MOTIONS AND QUESTIONS

Ms. Haverstock: -- Thank you, Mr. Speaker. I give notice that I shall on Tuesday next ask the government the following question:

Regarding the Saskatchewan Liquor and Gaming Authority: (1) for all Saskatchewan Liquor and Gaming Authority's full-time equivalents: (a) how many of those full-time equivalents in Saskatchewan Liquor and Gaming Authority are temporary, part-time, labour service, or summer students; (b) what is the payroll cost for all of those employees in (a); (c) how many of those positions will be affected by the proposed changes to The Labour Standards Act as contained in Bill 32; (d) what is the projected cost to the Saskatchewan Liquor and Gaming Authority for (c) above; and (e) has the cost stated in (d) been factored into the expenditure estimates for the Saskatchewan Liquor and Gaming Authority?

Mr. McPherson: -- Thank you, Mr. Speaker. I give notice that I shall on Tuesday next ask the government the following question:

Regarding the Public Service Commission: (1) for all provincial government full-time equivalents covered by The Public Service Act; (a) how many of those full-time equivalents government-wide are temporary, part-time, labour service, or summer students; (b) in which departments are those above-named categories of employees located and in what numbers; (c) what is the payroll cost for those employees on a department basis; (d) how many of these positions will be affected by the proposed change to The Labour Standards Act, as contained in Bill 32; (e) what is the projected cost for the government as a whole and on a department basis, and for (d) above; (f) has the cost stated in (e) been factored into the expenditure estimates for the government as a whole and each government department?

Mrs. Bergman: -- Mr. Speaker, I give notice that I shall on Tuesday next ask the government the following question:

Regarding the Saskatchewan Water Corporation: (1) for all Saskatchewan Water Corporation's full-time equivalents; (a) how many of these full-time equivalents in Saskatchewan Water Corporation are temporary, part-time, labour service, or summer students; (b) what is the payroll costs for all those employees in (a); (c) how many of these positions will be affected by the proposed change to The Labour Standards Act as

contained in Bill 32; (d) what is the projected cost to Saskatchewan Water Corporation for (c) above; and (e) has the cost stated in (d) been factored into the expenditure estimates for Saskatchewan Water Corporation?

The Speaker: -- I want to remind members that the tradition in this House is that you only present one motion per member.

INTRODUCTION OF GUESTS

Hon. Mr. Calvert: -- Thank you, Mr. Speaker. Mr. Speaker, I'm very pleased to introduce to you and to all members today, in your gallery, Mr. Speaker, 12 students who have come from the SIAST (Saskatchewan Institute of Applied Science and Technology) Alexandra campus in Moose Jaw. They are visiting today with their instructor, Larry Shaak.

We welcome them to the legislature, hope that they have enjoyed their tour, will enjoy question period, and we look forward to either the member from Moose Jaw Palliser or myself greeting you at 2:30 over some drinks. So welcome to the legislature and have a good trip home.

Hon. Members: Hear, hear!

Ms. Haverstock: -- Thank you, Mr. Speaker. I'd like to introduce to you and through you to all the members of the Assembly, two very good friends who are in your gallery this afternoon, Cal and Noreen Mills. They're from Fleming, Saskatchewan. Cal is in Regina for the next while to receive some treatments in Regina. I want us all to wish them well and to welcome them here today.

Hon. Members: Hear, hear!

Mr. Trew: -- Thank you, Mr. Speaker. It's my pleasure today to introduce to you and through you to my colleagues in the legislature, 50 grade 4 students seated in the west gallery. These 50 students are from Ruth Pawson School in my constituency. Accompanying them are teachers Lois Clarke and Gloria Pickard, as well student teachers Mr. Kujaneck and Ms. Roziak.

I very much look forward to meeting, greeting, and sharing a refreshment with this crew after question period. I ask all of my colleagues to join me in giving a warm welcome to the grade 4 students from Ruth Pawson.

Hon. Members: Hear, hear!

Mr. Draper: -- Mr. Speaker, sir, I'd like to introduce to you and through to you to the members of the House, some guests from Gravelbourg area. Debbie McDonald is my constituency assistant; and Barb Heinrichs, who helps out part-time there; and Flo Bekar, who is a friend of ours and of the family. They're seated in your west gallery there and I'd like you to join in with me in greeting them here today.

Hon. Members: Hear, hear!

STATEMENTS BY MEMBERS

Saskatchewan-made home shipped to Budapest

Ms. Stanger: -- Thank you, Mr. Speaker. Today I would like to announce to the Assembly a great moment for Saskatchewan business. Nelson Lumber in Lloydminster will be shipping one of their Saskatchewan-made homes to Budapest, Hungary. The 1,400 foot-square bi-level house with a two-car garage will be sent to Edmonton by truck, then on to Vancouver by rail, and sent to Budapest by ship. This will mark the first time that one of Nelson Lumber's home packages will be shipped off the continent.

The home's long journey began 15 years ago, when a German businesswoman visiting Turtle Lake and Lloydminster met Neil Johnson, who is the marketing manager of Nelson Lumber. She was very interested in becoming a distributor of the home packages for Nelson Lumber. She believed that by distributing the homes in Budapest, an area with a shortage of houses, a significant profit could be made. The first house will actually be used as a display and sales office, and from there more will be sent. The houses sent from Saskatchewan are actually quicker to build and quite a bit warmer than the traditional houses in Budapest.

Mr. Speaker, once again we see an example of the effort, the determination, and the imagination of the people of Saskatchewan. Nelson Lumber is reaching across the ocean and showing the world a bit of what people of this fair province can accomplish.

Some Hon. Members: Hear, hear!

Tribute to Bankend and A.J. McPhail

Mr. Kluz: -- Thank you, Mr. Speaker. It is often said that one can tell of a community's background by some of its businesses, like co-ops and credit unions and the Wheat Pool. And certainly Bankend is no stranger to social democracy and cooperation. The hamlet of Bankend, with a population of 22, boast of their co-op with annual sales approaching \$2 million. It's quite an accomplishment with a small population base.

And just north of Bankend, there is an historic point of interest. The historic site is the homestead of Alexander James McPhail, and he was very active in promoting cooperation and was instrumental in the creation of a new, grass-roots farm movement. In the year 1924, through his hard work and dedication, he became the first president of the Saskatchewan Wheat Pool, which is celebrating its 70th anniversary this year. From people's ideas and thoughts grew the Saskatchewan Wheat Pool, which for 70 years now has exceptionally served Saskatchewan farmers.

Thanks to A.J. McPhail and Bankend for being leaders in social democracy and cooperation. And, Mr. Speaker, being from Bankend, it certainly makes it

quite practical for me to be a politician.

Some Hon. Members: Hear, hear!

Sophia House

Ms. Hamilton: -- Thank you, Mr. Speaker. I rise today today to commend the women of vision who have established Sophia House in Regina: Sister Yvonne; Doris Sheldon, the executive director; Margaret, the house manager; and the women on the board.

Sophia House is the first second-stage housing established in Saskatchewan. For some women the level of violence escalates after separation; thus, second-stage housing is required to provide a secure environment for up to a year following the termination of a violent relationship.

Sophia House was the dream of Sister Yvonne Toucanne, who actively worked, despite obstacles, to make her dream a reality. It is also an example of a solution developed at the community level. The house came into existence because of the work of dedicated women who responded to a need that was identified by the task force on women's issues in Regina.

Mr. Speaker, I was proud to be able to present to Sophia House a grant of \$23,000 to provide additional staffing for their expanded facility. It is also in some small part the recognition of the work that the community has provided and the support that's so vital to the ongoing operation of this now expanded facility. And example of that would be the seniors who at Cedar Manor got together and developed some fund-raisers to purchase a thousand dollars television and VCR (video cassette recorder) for the new suites. The corporate sponsors have also provided furnishings, although four suites still need to be sponsored for furnishings.

The Speaker: -- Order, order. The member's time has elapsed.

Some Hon. Members: Hear, hear!

Gravelbourg Skating Carnival

Mr. Draper: -- Mr. Speaker, sir, the world's attention over the past week or two has been riveted on the World Figure Skating Championships in Japan. But on Sunday, March 27, I spent the afternoon at the Gravelbourg hockey arena watching Icing the Year which is the Gravelbourg Figure Skating Club's annual wind-up carnival.

If it may be said that the level of skills did not quite match those of Elvis Stojko and his friends in Japan, I can say that the level of enthusiasm was overwhelmingly greater.

Were it not for the hard work and dedication of the club, their executive, the mothers, the coaches and assistants of Gravelbourg and Lafleche and Assiniboia and every other small town throughout

Saskatchewan, Canada, and indeed the world, events such as the Olympic games and the world championships in any sport you care to mention, just would not happen.

It was particularly thrilling to me, whose children are all grown up and away, to see the babies that I have delivered zooming around the ice at breakneck speed. And if perhaps little Erica Giesen, who was named in honour of my wife, fell flat on her face in the middle of a green tribute to St. Patrick's Day, she struggled happily to her feet and carried on in fine style. Perhaps in 10 years time she too will be a champion.

Mr. Speaker, sir, I humbly salute them all -- clubs, parents, and participants of all ages. Thank you.

Some Hon. Members: Hear, hear!

Accreditation of Saskatchewan Indian Federated College

Mr. Van Mulligen: -- I would like the Assembly to join me in congratulating the Saskatchewan Indian Federated College, which is located in the constituency of Regina Victoria, in becoming the first post-secondary Indian institution to be accredited as a university by the Association of Universities and Colleges of Canada. The association, which is made up of 87 universities and colleges from across Canada, unanimously approved the college's membership during its national meeting this month.

The college was granted provisional membership when it first applied in 1984. In order to qualify for full membership, the college had to secure a long-term financial commitment from the federal government, and provide an academic freedom statement. Since it was recognized as providing a high quality education, with appropriate library services, respect for academic freedom, and financial stability, the institution was accredited. Full membership in the association will now qualify the college for more research grants.

Mr. Speaker, I would once again like to congratulate the Saskatchewan Indian Federated College on receiving accreditation as a university. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

World's Largest Quilt

Mr. Keeping: -- Thank you, Mr. Speaker. Mr. Speaker, in the town of Nipawin, the biggest cover-up story in the history of Saskatchewan is about to take place. The annual Saskatchewan Seniors Association and the convention is being held in Nipawin in June and seniors' clubs from all over this province are gathering together and combining to make the biggest quilt in the world -- the biggest quilt in the world. Each club in Saskatchewan is bringing a quilt to Nipawin, and many of them are already there. There's over 200 of them now; they need about 40 more.

They're going to sew them end to end and they'll have the biggest quilt in the world, Mr. Speaker.

I have seen some of the quilts that are there now and they're really beautiful and tremendous to see. And when I looked at them and thought of the amount of work that it took, the number of hours of work, to make one of those, and then multiply it by 200 or more, maybe 300, it reminds me of what many hands can do when they cooperate. Thank you.

Some Hon. Members: Hear, hear!

Saskatoon -- Best City on the Prairies

Mrs. Teichrob: -- Thank you, Mr. Speaker. The city that 10 of us have the privilege to represent -- including you, sir -- has received a special recognition from a national magazine. This recognition should not pass without comment in this House. Based on a poll of its readers, **Chatelaine** has declared Saskatoon to be the best city on the prairies in which to live and it is ranked third overall in Canada. I should add that out of 25 cities covered, Regina fared quite well also.

Mr. Speaker, if this were simply a popularity contest, I would not take the Assembly's time, but the criteria used, the opinions gathered, to take the measure of the cities are significant. According to **Chatelaine's** survey, what people want are, quote: safe streets, clean air, and jobs, as well as affordable housing, good schools and libraries, and some other amenities. Saskatoon has the lowest cost of living of the 25 cities, air quality second only to Thunder Bay, and impressive job-growth percentage, and as one correspondent said, a quality of life second to none. It is the human touches that keep the city liveable, human touches like the development and preservation of the river bank by the Meewasin Valley Authority.

Mr. Speaker, you and I know about the quality of life in our town. It is good, though, to see some national recognition. Thank you.

Some Hon. Members: Hear, hear!

ORAL QUESTIONS

Labour Standards Amendments

Mr. Goohsen: -- Thank you, Mr. Speaker. My question is to the Minister of Labour. Mr. Minister, yesterday you said that businesses and other associations who disagreed with your labour legislation were extremists. Mr. Minister, our office has been literally flooded with faxes and letters from extremists who feel this legislation will devastate the business community and job creation in the province.

One group of extremists includes the Saskatoon Chamber of Commerce who have identified 10 major flaws in your legislation. Another group is the city of Regina, who told us, and quote: the amendments to section 72 is an unacceptable interference to the

collective bargaining process. They also said that you gave them an assurance that this provision would not be in the legislation.

Mr. Minister, it is clear that you did not consult to the extent that you should have and where you did meet with these groups, you misled them.

Mr. Minister, why did you keep the whole story from these employers that you met with? What were you trying to hide?

Some Hon. Members: Hear, hear!

Hon. Mr. Shillington: -- I have met with a fair number of employers over the last few days. The same pattern appears; Liberals and Conservatives standing shoulder to shoulder to oppose this legislation and divide employers -- divide working people from their employers -- spread misinformation. And to some extent I regret to say, there are still people who listen to what you have to say, although I think that number is declining.

We have attempted to forge a cooperative relationship between management and labour to resolve some of the problems which we have. I may say that after we have met with many of the groups, many of the groups agree that this can and should be done and that these problems should be resolved.

So I wish you people luck in spreading misinformation, in dividing and setting people against people, but we are attempting to get them working together.

Some Hon. Members: Hear, hear!

Mr. Goohsen: -- Thank you, Mr. Speaker. Now that the cat is out of the bag small-business people are simply appalled and they are speaking out -- something they were not allowed to do previously.

One extremist small-business person faxed us today on behalf of the Saskatoon Station Place, as president of the Power Buying Group, an association of 40 restaurants in Saskatoon. This person said, and I quote:

The changes you intend to make to the labour laws will destroy most small-business restaurants -- therefore less jobs -- higher unemployment -- more welfare.

Mr. Minister, it is not these groups that are extremists. They have a very keen understanding of business and labour relations. You have repeatedly denied that your legislation will have a detrimental effect on job creation.

In the face of the overwhelming firsthand evidence to the contrary, will you admit that your Bill will cause great unemployment for those who need the jobs most?

Some Hon. Members: Hear, hear!

Hon. Mr. Shillington: -- The legislation, Mr. Speaker, which is before the Assembly, is attempting a slightly different process. Rather than have all of the rules set out in legislation, this legislation provides a framework within which these problems can be resolved by regulation.

The danger in doing so is that you leave a blackboard for which knaves can write whatever they want on. And members opposite are doing that. You are writing their worst fears on this legislation.

I'd suggest to members opposite, you're not doing the community of Saskatchewan any good with your fearmongering. And in the long run you're not doing yourself any good politically, because in the end result we'll be judged by the quality of the product.

And we believe that this particular legislation will be judged well, and it'll be judged well in the immediate future.

Some Hon. Members: Hear, hear!

Mr. Goohsen: -- Thank you, Mr. Speaker. Mr. Minister, it appears that you did not consult with Early's Farm and Garden Centre in Saskatoon. These extremists told us:

The proposed provisions will undoubtedly force our company to downsize its operation and eliminate four to five seasonal employment positions.

Mr. Minister, you have said that there will be no job loss. Your Premier stands in this House and says that he sticks up for the little guy. Mr. Minister, what do you tell these four or five people, most likely summer students, when they can't find a job this summer. Do you tell them, don't worry, your Premier sticks up for the little guy?

Some Hon. Members: Hear, hear!

Hon. Mr. Shillington: -- I know, Mr. Speaker, there's nothing I can do to prevent the member from misrepresenting my comments where he believes he'll find a group of people who'll believe him. I did not call them extremists. I would be prepared to admit there are people concerned about this. And a large part of that occurs because members opposite insist upon fearmongering.

I'm quite sure, Mr. Speaker, when the CCF (Co-operative Commonwealth Federation) brought in medicare that it was said by members opposite that it was terrible and going to destroy the province. And I am quite sure that Liberals and PCs (Progressive Conservatives) did the same thing when we introduced . . . when the Blakeney government introduced things like occupational health and safety.

This, Mr. Speaker, is one of those issues which is bringing forward to this province a significant reform of a difficult problem, that of part-time workers. And

just as they now take credit for medicare, just as they now take credit for some of the things the Blakeney government had done, probably in a decade they'll be trying to take credit for this as well.

Some Hon. Members: Hear, hear!

Mr. Goohsen: -- Thank you, Mr. Speaker. Mr. Minister, here is what the Saskatchewan business coalition had to say about your consultation process:

Despite an extensive ad campaign that says, "we're listening," the business employer community had no prior opportunity to review the detailed proposals contained in this legislation. The mere act of meeting does not count as meaningful "consultation" if the Department does not reveal its detailed intentions and does not really hear our legitimate concerns.

Now, Mr. Minister, that's your consultation process. Now that they have been, for the most part, informed, business is saying thumbs down, way down, to you and your legislation. Mr. Minister, will you assure this Assembly and all of those that will be looking for jobs this summer, that the changes you allude to in the media that will be occurring today or tomorrow, will be to pull this Bill until everyone has had an opportunity to review and analyse its devastating effects? Will you do that, Mr. Minister, for the people of Saskatchewan today?

Some Hon. Members: Hear, hear!

Hon. Mr. Shillington: -- I can give the community of Saskatchewan categorical assurance that this legislation isn't going to cost any jobs this summer. And I suggest that the members opposite would serve the province better if they did the same, instead of misrepresenting what we're attempting to do.

What we are attempting to do is to get management and labour together to resolve a problem which everyone agrees upon. And most reasonable people agree it should be resolved.

An Hon. Member: -- Except the opposition.

Hon. Mr. Shillington: -- Except members opposite who for narrow, political reasons want to play politics, want to play politics with the lives of part-time workers. Well I say to Liberals and Conservatives opposite, it is unfortunate you don't have some sense of responsibility to those part-time workers whose problems need to be resolved. I really ask you to consider them, rather than your own narrow, political interests.

Some Hon. Members: Hear, hear!

Mr. Swenson: -- Thank you, Mr. Speaker. My question is to the Minister of Labour, the man that likes to divide workers from their pay cheques. Mr. Minister, yesterday we heard you say that anyone who was not completely satisfied with your amendments

to The Labour Standards Act is an extremist; and you said that, sir.

I understand that yesterday you met with more of these extremist groups. They were SUMA (Saskatchewan Urban Municipalities Association), SARM (Saskatchewan Association of Rural Municipalities), and SAHO (Saskatchewan Association of Health Organizations). They all met with us after they met with you, Mr. Minister.

These groups are holding a news conference at this hour, Mr. Minister, to express their opposition to the labour standards amendments in their current form. Do you intend to respond to these concerns, Mr. Minister, or are you simply going to ignore them and write them off as more of the so-called extremists that you see out there?

Some Hon. Members: Hear, hear!

Hon. Mr. Shillington: -- It seems to me, Mr. Speaker, the extremists are those members opposite who for narrow political interests are fearmongering, and they clearly are. We intend to work with the health industry and with municipal government and with their employees to resolve some problems which everyone agrees exist. And when people become familiar with the process, they generally become fairly comfortable with it.

I admit we are struggling with members opposite, who it seems are being wilfully obtuse, don't want to understand the process, and therefore oppose it blindly, as both Liberals and Tories did on first reading -- voted against it without ever having seen it. You're applying the same thoughtful process to these amendments as you are here.

Some Hon. Members: Hear, hear!

Mr. Swenson: -- Thank you, Mr. Speaker. Mr. Minister, yes, there is fear out there and it is in the hearts of the taxpayers that SUMA, SARM, and SAHO represent. That's where the fear is, Mr. Minister -- in the hearts of those taxpayers.

First and foremost, these organizations said to you yesterday that they had not been properly consulted. In fact they had hardly been consulted at all on the changes that you propose, Mr. Minister. The briefing they provided says with respect to the lack of consultation, and I'll quote to you:

Our respective organizations take great exception to the manner in which the province reneged on its obligations to employer groups.

That's a quote, sir.

Mr. Minister, given the lack of public consultation, will you do what SUMA, SARM, and SAHO are requesting and delay passage of this Act until 1995 so that you will have adequate amount of time to properly consult with these and other employers in the province and respond to the concerns of the

taxpayers that these people represent? Would you do that, sir?

Some Hon. Members: Hear, hear!

Hon. Mr. Shillington: -- There's no question, Mr. Speaker, but that there are individuals -- 10 of whom . . . 13 of whom sit opposite actually -- who for narrow reasons, narrow personal reasons, want to spread fear.

We say to members opposite that the process which we intend to set up, that of dealing with the detail of the legislation in regulation in a consultative process with management and labour, will work well.

It worked well with occupational health and safety, notwithstanding the doomsday predictions by members opposite -- and members opposite who voted against the legislation, I want to add. Liberals and Tories voted against the occupational health and safety regulations; the process worked well. You will vote against this legislation and it'll work well. And I guess all I can say about the members opposite is, you never get tired of being wrong.

Some Hon. Members: Hear, hear!

Mr. Swenson: -- Mr. Minister, to say that SUMA and SARM and SSTA (Saskatchewan School Trustees Association) are only a narrow, narrow segment of our population, is absolute blasphemy. And you know it, sir. They represent tens of thousands of people.

Mr. Minister, these people have joined with private sector employers all over this province to say that your amendments will cost jobs. They say, and I quote:

The amendments make it extremely difficult, if not impossible, to attract new industries and employers to our province, especially when compared to the labour environment in neighbouring western provinces. We are equally concerned that the expansion of existing industries will be thwarted, leading to fewer jobs and fewer workers.

Mr. Minister, employer after employer, civic group after civic group, are saying that your changes will cost jobs. Mr. Minister, when are you going to start listening to the people who create the jobs in this province; when are you going to stop driving jobs out of this province? When will you do that, sir?

Some Hon. Members: Hear, hear!

Hon. Mr. Shillington: -- I recognize that it is the politics of the old-line parties, Liberals and Tories, to divide people. That was what was done by Liberals with Bill 2, with Ross Thatcher. It was brought into the legislature and rammed through the legislature. That's what was done with Bill 104; there was no opportunity for consultation.

This process has provided extensive consultation in advance and will provide an extensive consultation process afterwards. And you people might still be in

office had you adopted a similar process, but you didn't. You felt it good politics to divide one segment of this society against another. Well that's not our approach.

Some Hon. Members: Hear, hear!

Ms. Haverstock: -- Thank you, Mr. Speaker. My question is to the Minister of Labour. Mr. Minister, the amendments proposed to The Labour Standards Act will not only offer benefits to many non-unionized part-time workers, they will unilaterally change agreements that were achieved through the collective bargaining process.

Mr. Minister, what are the estimated costs, and how have you gone about doing this, to government departments and those agencies funded by the provincial government who will be directly affected by the amendments to this particular legislation?

Hon. Mr. Shillington: -- If some of the members opposite want to break with the practice they've had to date, and stick around for estimates and for Committee of the Whole, you'll have lots of opportunity to ask these questions in Committee of the Whole. I noted we have not received many of those questions to date from the members of the third party.

I want to say to members of the third party, who sound so much like the official opposition -- the members of the third party are asking many of the same questions -- let me say that we did cost these in advance. It was done by one of the province's more reputable chartered accountant firms. I know you say you don't accept it. May I say to you that I think the public are going to accept their version a lot sooner than they're going to accept your figures, given your success in office in budgeting, both provincially and federally.

Some Hon. Members: Hear, hear!

The Speaker: -- Order, order. Before I accept the next question, I would ask the member from Shaunavon to please not interrupt when the minister is answering his question. I didn't see any interruption when his leader asked her question, or very little, and I expect him to give the same respect to other members.

Ms. Haverstock: -- Mr. Speaker, my question is for the Minister of Education. Madam Minister, yesterday I met with the Saskatchewan School Trustees Association, Madam Minister of Education. Their members are very concerned about the effect that this will have on the cost of substitute teachers, caretakers and bus drivers. These employees are governed by either collective agreements or by an order of the Minimum Wage Board. In all cases, the Act could seriously alter those arrangements.

Madam Minister, has the Department of Education assessed the additional costs that this will create for school boards across the province, and can you tell us whether boards were advised to plan for these costs when they prepared their 1994 budgets?

Hon. Mr. Shillington: -- Not only have I met with the SSTA, Saskatchewan School Trustees Association, and teachers, but so has the Minister of Education. And some of those groups welcome these improvements. They're not all blindly opposed to any assistance which might be given to their employees -- unlike members opposite. In fact we have discussed this with those groups. I think there is a general agreement, that with respect to their institutions, these costs are manageable.

Now it is true, again, the legislation provides a framework within which we draft regulations and the details in the regulations. If the regulations were drafted as you people drafted your laws, that is without any consultation and you ram it down their throat, there could be some problems.

That's not the way we've approached this Bill. That's not the way we've approached government in general. And I think most of the people we've met with agree that the process which we described will work reasonably well.

Some Hon. Members: Hear, hear!

Ms. Haverstock: -- My question, Mr. Speaker, is for the Minister of Health. Representatives of the Saskatchewan Association of Health Organizations met with me yesterday to express their dismay with your government. And it will be months before the district health board executives can assess the financial impact of the proposed changes to labour standards.

In view of the tremendous upheaval they are experiencing at the local level, it is completely unreasonable to expect local health boards to review, to cost, and to analyse the impact of the amendments to labour standards overnight.

Madam Minister, will you defend the concerns of health boards and ask the Minister of Labour to stop this Bill at first reading to allow the people a few months to analyse, and to do analysis and input, before introducing it again in the next session. Will you commit to that?

Hon. Mr. Shillington: -- It does seem, Mr. Speaker, that this is the case of the same old chicken, one foot up and one foot down. We now apparently have the Liberal foot in the air asking if we will indeed consult with the health industry. And we have, and we will continue to do so. And that is the process which we've outlined -- a process by which the Act makes provision for regulations drawn up in a consultative process.

This government is not proceeding, as the former PC administration here did, which is confrontation. And we're not proceeding as the Trudeau Liberals did when they were in Ottawa, which is confrontation -- or Thatcher. We are consulting with people, we are working with people, and we are building a consensus to solve these problems. Unlike members opposite who for the narrowest of political, personal

reasons, want to get people fighting.

Some Hon. Members: Hear, hear!

Ms. Haverstock: -- Thank you, Mr. Speaker. My question is to the Minister of Municipal Government. Madam Minister, the cities of Regina, Saskatoon, Moose Jaw, as well as SARM, SUMA and SAHO, have all expressed grave concerns about how the amendments to labour standards, particularly to section 72, will affect their ability to meet their budgets.

According to a letter from the city of Regina, and I quote:

It is our concern and expectation that the new Act, if passed, will create a damaging effect upon both labour relations climate of the city of Regina and the specific provisions which the city of Regina will be obliged to negotiate out of their existing collective agreements.

I ask you, Madam Minister, on behalf of SUMA, on behalf of SARM and SAHO and SSTA and the thousands of jobs that they finance, will you commit to pressure your Minister of Labour to stop this Bill? Will you comply with the request of SUMA, SARM, and SAHO, that section 72 amendment does not proceed?

Some Hon. Members: Hear, hear!

Hon. Mr. Shillington: -- Mr. Speaker, I'm not sure what the Liberals and Tories opposite are paying the people who write those questions, and I assume it's the same person. I'm not sure what they're paying them, but I hope it's not much because I think they could come up with at least two different questions in a single question period. You've all been asking the same question.

Mr. Speaker, I say with respect to this as I said with respect to the others, we don't behave as the Thatcher Liberals did, as the Trudeau Liberals did, as the Devine . . . as the former administration did. Mr. Speaker, we have set up a consultative process. We consulted beforehand; we'll do so afterwards. And we will be more than willing to be judged on the final product. We will not have to be judged on your fearmongering that you people attempt to spread.

Some Hon. Members: Hear, hear!

Liquor Franchises

Mr. Neudorf: -- Thank you very much, Mr. Speaker. Mr. Minister, I say to you if there are similarities between the Conservatives and the Liberals it's because we're on the public agenda and you're the odd man out. That's what the problem is, Mr. Minister.

Mr. Speaker, I would like to address my . . . (inaudible interjection) . . . I see that disturbed them, Mr. Speaker. But I would ask this question, originally, if the minister of Gaming and Liquor was here, but in his absence . . .

The Speaker: -- Order, order. The member knows full well that that comment is out of order. And if he wishes to continue I'll recognize him, but I wish he'd ask his question.

Mr. Neudorf: -- I will direct this question to the member of Gaming and Liquor and I would expect that he will answer the question, Mr. Speaker.

Mr. Minister, Connie and Bill Buckton have leased the Elbow hotel for three years to help support their farm operation. They were recently informed that there is a good chance that the liquor franchise will be moved from their hotel to the local store. The Bucktons say that if they would have known that the Liquor Commission was going to make this move, they would not have signed the lease. They wouldn't have leased it, Mr. Minister, because over 50 per cent of the income comes directly from that franchise.

Connie told us that if that franchise is lost, the hotel is going to have to close. Is it true that your government is removing liquor franchises from hotels in rural Saskatchewan to the local stores? Is that now your policy, Mr. Minister?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: -- Mr. Speaker, on that very detailed question, which might be answered in estimates, I'll take notice and get back to the member.

Mr. Neudorf: -- Mr. Speaker, thank you very much. That was a policy question; it was not a detailed question. A policy question of what is your policy.

Connie Buckton and her husband were told by a representative of the Liquor Commission that there's a new concept being promoted by Saskatchewan Liquor and Gaming Commission. It's called the open shopping concept. The representative told the Bucktons that because liquor consumption is down by 9 per cent in Saskatchewan, that the government is going to try to increase the consumption of liquor so that it would be available in liquor stores, local stores, and so on, for more revenue. Is this true, Mr. Minister? Are you actively promoting liquor consumption . . .

The Speaker: -- Order, order, order. Order. Order. I'm certain that most members cannot hear the question that is being asked. Would the member please put his question?

Mr. Neudorf: -- Is it true, Mr. Minister, that your government is promoting liquor consumption because people are not drinking as much as they used to, in order to add money to your coffers? Is that your new policy, Mr. Minister?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: -- Mr. Speaker, if it weren't so sad and pathetic, it would be laughable, but that is the party that opened up liquor advertising in this province 10 years ago that we fought against. Do you

remember the days when you sat over here on the treasury benches and we argued against liquor advertising? Now you're pretending, in a sanctimonious way, that somehow you're opposed to it.

I think we should all be happy that liquor consumption is down, which all of us are, and I don't know what you're upset about here today.

Some Hon. Members: Hear, hear!

Mr. Neudorf: -- Mr. Minister, a few weeks ago, the minister of gambling and booze said that the people of Saskatchewan were not betting enough. They were not wagering enough and he was going to promote that. And I asked him at that time, does that mean that you're now going to be promoting liquor in the future? It's ironic, Mr. Minister, that in the year of the family, your government is hanging its financial hat on gambling and booze in order to generate revenues for your government.

And I ask you, Mr. Minister, what's next? Putting VLTs (video lottery terminal) in the elementary schools so children can blow their milk money on it? I'm serious about that, because where will this end, Mr. Minister? Or are you going to take your friend Mr. McKeown's advice and legalize prostitution? What's next, Mr. Minister? Where will it stop?

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: -- Mr. Speaker, one thing I will guarantee the member opposite, that the now instant Liberal, Mr. Ted Yarrton, who was up in the galleries recently as the new Liberal team, who was the individual who hauled the liquor, the booze, to the ministers' offices under your administration is not going to be getting a job with this government to continue that kind of action with liquor distribution in this building.

Some Hon. Members: Hear, hear!

(1415)

The Speaker: -- Order, order. Before we call the next order, I really do not want to single out certain individuals during question period, and I would ask all members, before I think I have to start singling certain people out, that constant interruption, of constant conversations that are going on between certain members when others are asking questions, are simply unacceptable.

I don't think we need to point any fingers at any particular member. Order. I'm simply asking members to please cooperate in question period so they don't have to be singled out in the future.

MINISTERIAL STATEMENTS

Prince Edward's Visit to Saskatchewan

Hon. Mr. Tchorzewski: -- Thank you, Mr. Speaker.

I'm pleased to announce to the House today that His Royal Highness, the Prince Edward, will visit Saskatchewan on August 14 and 15 of this year. The prince has accepted an invitation from four organizations co-sponsoring the visit: the Globe Theatre of Regina, the Duke of Edinburgh Awards young Canadian's challenge, the training academy of the Royal Canadian Mounted Police, and the Government of Saskatchewan.

While Prince Edward's itinerary has not been finalized, he has already agreed to several engagements. The prince will attend a gala performance at the Globe Theatre. He is a patron of the Globe Theatre; the only organization in Canada to which he has granted such royal patronage. This is a distinct honour to the cultural community of our province and is a reflection of the professional excellence achieved by the Globe.

Prince Edward will present gold Duke of Edinburgh's Awards to young people who have completed a demanding program of achievement over a number of years. The Duke of Edinburgh's Award is an international organization which promotes physical and intellectual development in youth.

The prince will also visit the RCMP Training Academy, one of the best-known police academies in the world. And the government will arrange some events in the Regina area.

Mr. Speaker, I want to emphasize the original nature of this royal visit. It is to be a working visit, not an official one. This means that the program can be more informal and that the royal visitor can undertake fund-raising events for the worthy causes like the Duke of Edinburgh's Award.

The government's role is to coordinate the visit and provide the expertise of the protocol office as well as arranging some events. We are pleased to assist such fine organizations as the Globe Theatre, the Duke of Edinburgh's Award, and the RCMP Academy in this way.

I might add, Mr. Speaker, that Saskatchewan has been in the forefront of developing the policy and educational dimensions of royal visits. This has been the case for successive governments over the past 15 years. The visits by members of the royal family contribute a great deal to our identity as a community and to our Canadian heritage as a parliamentary democracy and constitutional monarchy. It is our hope that the formula of the working visit may facilitate future visits of members of the royal family to Saskatchewan.

Mr. Speaker, I am sure that all members of the Assembly will extend a warm welcome to the youngest son of our Queen when he visits our province in August.

Some Hon. Members: Hear, hear!

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 45 -- An Act to amend The Child and Family Services Act

Hon. Mr. Pringle: -- Thank you very much, Mr. Speaker. I am pleased to rise today to move second reading of The Child and Family Services Amendment Act, 1994.

Saskatchewan has endorsed, as you know, the United Nations declaration making 1994 the International Year of the Family. The theme of this year is, family -- resources and responsibilities in a changing world.

This legislation, Mr. Speaker, is very significant in this particular year. Over the past several years, the world has changed at an astonishing rate. Technology has and will continue to revolutionize the way we live, work and play in the '90s and beyond. Families are not immune to that pressure to change. Nevertheless, despite intense outside pressure, the family as an institution in our society, Mr. Speaker, has survived.

While the family constellation has undergone significant change and today takes many forms, the evidence continues to confirm that regardless of its structure, a strong, healthy and loving family is still the most desirable environment in which to raise a child.

Mr. Speaker, this government has made the well-being of Saskatchewan children, youth, and families a priority. Last June we released the paper, **Children First: An Invitation to Work Together -- Creating Saskatchewan's Action Plan for Children**. Dozens of community groups and individuals responded with observations, suggestions, and proposals as to how we might help to ensure the safety, security, and healthy development of our children and youth. Over 40 follow-up consultations took place with various groups as we explored proposals in more detail.

One of the points most often emphasized, Mr. Speaker, was that children need strong, secure families. A family provides the base from which a child ventures forth to explore the world. A family provides the base to which the child turns for love, acceptance, guidance, and support. A family provides the child with a sense of permanence and belonging.

Mr. Speaker, we believe, all members of this legislature believe, every child has the right to grow up in a secure and nurturing environment of a lifetime family that will provide relationships that will last well into adulthood.

Some children also, who are permanent wards of the Minister of Social Services, find it difficult to experience any lasting feeling of security and familiarity in their lives. If these children are to enjoy the long-term benefits of belonging to a family, we must establish the means to connect them to a

reliable, long-term family environment. My department has undertaken an initiative to provide this sense of permanency for about 400 children who are currently in the care of the Minister of Social Services, and for many children who are at risk of being permanently committed in the future.

The family connections program is designed to link permanent wards with a secure, lifetime family by returning the child to their family or community of origin, or providing the child with a secure and a long-term placement with a family the child may have already come to accept as his or her own. Because many of these children are of first nations or Metis ancestry, Mr. Speaker, my officials are working very closely with the Federation of Saskatchewan Indian Nations, the Metis Society of Saskatchewan, and many government departments to ensure this necessary planning takes place.

We believe if a child is to enjoy a sense of belonging that comes with being an integral part of a family, the responsibility for decisions and choices regarding all aspects of the child's daily life must rest within the context of that family group. In order for the child and the family to achieve that sense of security and permanence, the care-giver must have the freedom to exercise all rights and obligations of a parent with respect to the child. Therefore, Mr. Speaker, one group of amendments in the Bill before the House authorizes the transfer of guardianship or custody of children permanently in the care of the minister.

The intent of these amendments, Mr. Speaker, is to permit the Minister of Social Services to enter into an agreement with another person, such as an extended family member. The purpose of the agreement is to transfer legal guardianship of a child permanently committed to the minister from the minister to the care-giver wishing to assume long-term responsibility for the child.

The amendments allow for the care-giver to assume legal guardianship of the child while preserving the birth parent's role as a key individual in the child's life, and allowing the birth parent a say in determining the child's future.

In order to safeguard the rights of a child's birth parent, the minister is required to make all reasonable efforts to locate and take into account the wishes of the child's birth parent prior to entering into such an agreement.

In addition, Mr. Speaker, in every case where the child is a status Indian, the minister must notify and take into account the wishes of the child's band before concluding such an agreement.

The effect of these amendments is to provide the authority to terminate a child's status as a permanent ward of the minister and grant guardianship of the child and the rights and responsibilities of a parent to the care-giver. The only exception is the guardian's right to place the child for adoption. This right will remain with the parent.

These amendments are particularly important for Indian families who do not wish to proceed with legal adoption of a child but who choose to care for and raise the child. While acknowledging every child's right to a family, the overall interests and well-being of each child remain paramount.

It is vitally important to the child's development and happiness that the substitute family have the ability to appropriately and adequately meet the child's developmental, physical, emotional, and intellectual needs.

Therefore the amendments require any person wishing to assume guardianship of a child permanently committed to the minister to participate in a home study similar to that required for adoption. Only homes approved through this process will be considered and only if the transfer is deemed by the minister to be in the best interests of the child.

My staff are sometimes faced with a situation wherein an extended family member or other interested person wishes to make a child who is a permanent ward as part of their family, but is unable to assume financial responsibility due in some cases to the special needs of the child.

Mr. Speaker, we believe no child should be denied the security of a family for monetary reasons alone. Therefore, while the minister's legal rights and responsibilities to a child for whom guardianship or custody has been transferred to a third party are terminated, this Bill will permit the minister to provide financial support to a child where such assistance is required to maintain the child in the guardian's home or to meet the child's special needs.

These amendments, Mr. Speaker, reflect the new, positive and progressive way of thinking and policy development which we will continue to pursue.

Mr. Speaker, this government is firmly committed to assisting and supporting first nations people as they assume increased control over the development and delivery of programs and services for first nations children and their families. As you are aware, over the past few months we have signed agreements with Touchwood, Battlefords and Meadow Lake's First Nations, and now with the La Ronge Band, Mr. Speaker, for development of agencies to deliver services to Indian children and families on reserve.

Mr. Speaker, one of the most emotionally moving . . . the most emotionally moving experiences in my six months' tenure as minister has been giving the first nations people -- a long overdue move -- but full authority and the devolution of opportunity to manage their own child and family services. This is long overdue and we're managing this with due dispatch. And these have been very moving experiences and one in which we've had a high degree of cooperation and consultation and sensitivity by all parties involved.

We are currently involved in discussions with several other bands and tribal councils for the formation of similar agreements. In support of this commitment, Mr. Speaker, another group of amendments to the current legislation will increase the autonomy and authority of Indian child and family service agencies.

Several amendments give the agencies the authority to enter into agreements with youth requiring care and supervision, appoint mediators to assist in child protection matters, and assume responsibility for costs of assessment of children and families requested by the court.

Other amendments ensure agencies are bound by the same rules of confidentiality which bind employees of the department and are given the same protection from liability given to the employees of the department.

Mr. Speaker, many of these amendments have been developed as a direct result of ongoing consultations with the Federation of Saskatchewan Indian Nations, bands, and tribal councils. The amendment which allows the court to take the recommendations of a child, band, or agency into account where a permanent committal or long-term care order is being requested, is just one example.

At the request of first nations, we have included amendments to ensure the relevant agency or the child's band receives 60 days notice of any application for a permanent or long-term care order, and to grant party status to a band or agency appearing in court in respect of a hearing related to such an order.

(1430)

In addition, amendments will enable agencies to exercise greater authority over their operations. For example, agencies may designate their own officials or officers and directors under the Act, without the need for formal endorsement of their appointments by the Minister of Social Services.

Amendments will, as well, provide for greater flexibility in the future development of Indian child welfare agencies as self-government discussions progress.

With respect to the commitment made by the federal government to provide funding to Indian child and family services agencies, Mr. Speaker, we respect this commitment. In recognition of that commitment, amendments contained in the Bill before the House ensure the Minister of Social Services in Saskatchewan will assume responsibility for expenses related to residential care of children for whom agencies are providing service only where there's been formal agreement to do so.

The final group of amendments, Mr. Speaker, are primarily of a technical nature. They relate to extending supervision orders rather than requiring my department to apply for a new order, and impose a

total maximum period of 18 months for any supervision order. Also included is an amendment designed to increase the flexibility of the court in cases where orders for substitutional service are required.

As I stated earlier, Mr. Speaker, this government has made the well-being of Saskatchewan children and youth a priority. For children who have been permanently committed or permanently removed from their birth parents, we believe the secure and caring environment which is the right of every child may often be found within the child's extended family or community.

We further believe that in order to provide children with the greatest opportunity to grow up with confidence and a sense of pride in who they are, it is imperative they learn about and experience the values and traditions which are part of their heritage. We believe such learning and experience can most effectively take place in an environment which is sensitive to their cultural and spiritual needs. This is particularly important, Mr. Speaker, for our first nations and Metis children.

Saskatchewan's action plan for children and my department's family connections programs are major initiatives undertaken by this government to enhance the well-being of Saskatchewan's children and youth. Under the umbrella of these larger initiatives, numerous preventive family support, parent education, and preschool programs and pilot projects have been developed and implemented by government departments across the piece, Mr. Speaker, and in consultation and partnership with our communities.

As we continue to work in partnership with schools, churches, aboriginal organizations and various community groups and individuals, many more will be planned and undertaken. The proclamation of 1994 as the International Year of the Family serves to focus the world's attention on the importance of families.

The amendments I have outlined today will strengthen our ability to provide more Saskatchewan children with the opportunity to grow up within the secure and loving environment of a family they can now call their own. We believe this is a birthright of every Saskatchewan child, Mr. Speaker.

I would like at this time to express my thanks to the Federation of Saskatchewan Indian Nations and the many bands and tribal councils and the Saskatchewan Metis society who have provided input, as well as to staff of our department, the Department of Justice, and the other departments of government, for the assistance and support that they have provided in the development of this legislation. Their cooperative spirit and dedication to Saskatchewan children and families is greatly appreciated.

Mr. Speaker, these are complex matters, but they are great challenges and opportunities. By working together, these challenges are being met, Mr. Speaker,

in a spirit of mutual respect, sensitivity, and creative thinking.

Mr. Speaker, I move second reading of An Act to amend The Child and Family Services Act. Thank you.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: -- Thank you, Mr. Speaker. Mr. Speaker, Mr. Minister, children and families are the most important asset that we have in Saskatchewan. Families are the basis on which our society is founded and the basis by which we support this society. Therefore anything which is done which enhances both children and families, we are prepared to support.

But that's not to say that we don't have questions when it comes to dealing with any piece of legislation. There are always questions as how the legislation is going to affect families and children, and how it's going to be implemented.

When you come to the question of our first nations -- the natives and their families -- I think it's very important that the children be raised within their heritage, if at all possible. It allows them to have a knowledge of where they are coming from and where they're going to. And that's important for all families without regard to their ethnic background. It's important for them to understand their heritages.

When you talk about guardianship, I think we have to ask some questions in that area to get a clearer definition as to what is exactly meant in this piece of legislation and how that kind of guardianship will work. Because it sounds to me like it's almost parenting but not quite. So we need some explanations; we'll need some explanations on exactly what that means.

We also have to question, Mr. Minister, on what supervisory role your department will play with this new piece of legislation. How will your department interact with bands and the tribal councils? And how will this piece of legislation interact with the children under the control of your department, under your control, Mr. Minister?

It's very important that children be given a permanent and secure home base -- one that is loving and caring. And when you mentioned home schooling, Mr. Minister, I kind of had to stop and think a little bit, that perhaps it might be worthwhile that we had the same sort of thing for all couples before they decided to become parents. And then some of the problems that we face with children in our society might be alleviated. Just a thought. I know that there would be a considerable amount of unrest if it was implemented, but nevertheless it may have some value.

Mr. Speaker, because we do have questions that we need to review with this legislation, we need to talk to the various parties who are interested in this, I would move that we adjourn debate now.

Debate adjourned.

Bill No. 49 -- An Act to amend The Traffic Safety Court of Saskatchewan Act, 1988/Une Loi modifiant la Loi de 1988 sur le Tribunal de la sécurité routière de la Saskatchewan

Hon. Mr. Mitchell: -- Mr. Speaker, I'm pleased to rise today to move second reading of The Traffic Safety Court of Saskatchewan Amendment Act, 1994. This amendment will repeal the appeal provision in this legislation, so that the general appeal procedures for provincial offences will apply to traffic offences heard in the traffic safety courts.

The present appeal section provides that when a matter is appealed from a traffic justice, the appeal is by a retrial before a Provincial Court judge. There is a further and final appeal to the Court of Queen's Bench.

There are a number of problems with this section. The first problem is that a retrial, as a standard appeal provision, has been found by the Supreme Court of Canada to be unconstitutional. It has been so found because of the possibility of the Crown bringing new evidence at the second trial that wasn't brought forward at the original trial.

The second problem is that the levels of court appealed to are different, if the traffic offence is not heard in a traffic safety court. Traffic safety courts exist only in Saskatoon and Regina at the present time. If the same provincial traffic offence is originally heard elsewhere in the province, apart from Regina or Saskatoon, the appeal is to the Court of Queen's Bench, with the final appeal to the Court of Appeal.

The difference in appeal procedures and levels is confusing to persons convicted as well as to lawyers and to judges. It is also unfair, as only Regina and Saskatoon residents are barred from going to the Court of Appeal on traffic offences.

The removal of the appeal provision will solve the constitutional problem and result in a uniform appeal procedure for traffic offences everywhere in the province. This amendment responds to complaints over the years from lawyers, from defendants, from persons charged, and from judges who find the present lack of uniformity in appeal procedures to be confusing and unfair.

Mr. Speaker, I move second reading of An Act to amend The Traffic Safety Court of Saskatchewan Act, 1988.

Mr. D'Autremont: -- Thank you, Mr. Speaker. Mr. Minister, it's interesting that the previous Act was unconstitutional. It seems that the constitutional questions are becoming more and more prevalent in our society today, and partially because of the way legislation is being brought forward.

Because, Mr. Minister, this deals with legal and constitutional questions, we need more time to

evaluate what this piece of legislation will do. We need time to be able to consult with those people who are experts in it, which I am not.

Therefore, Mr. Speaker, I would move we adjourn debate.

Debate adjourned.

Bill No. 50 -- An Act to amend The Summary Offences Procedure Act, 1990

Hon. Mr. Mitchell: -- Mr. Speaker, I rise today to move second reading of The Summary Offences Procedure Amendment Act, 1994. The Summary Offences Procedure Act, 1990, sets out the procedure for issuing and serving tickets for provincial and municipal offences. It establishes the options available to the person served with the ticket to respond to the ticket. It also deals with the processing of tickets through the court system and the enforcement of fines.

The first problem that this Act addresses is the situation where a person is arrested and taken to the police station because he or she has failed to appear in court on the required day with respect to a provincial offence. If a justice of the peace is not able to come to the police station to release the person, the person may have to spend a night in jail.

This Bill will allow the police officer in charge, in these circumstances, to authorize the interim release of a person who has been arrested on a warrant to appear in court. There are similar provisions in the Criminal Code and the uniform provincial offences Act to deal with the situation I've described. These have served as the model for this amendment.

Another amendment will repeal the municipal by-law appeal procedure. This procedure creates different appeal procedures for by-law offences in Regina and Saskatoon than are in place for municipal by-law offences elsewhere in the province. In Regina and Saskatoon, if a municipal by-law matter is heard by a justice of the peace, the appeal is to a Provincial Court judge. A further and final appeal can be taken to the Court of Queen's Bench. Outside of Regina and Saskatoon, Provincial Court judges hear by-law offences. An appeal can be taken to the Court of Queen's Bench with a further and final appeal to the Court of Appeal.

Existing appeal provisions in this Act and The Traffic Safety Court of Saskatchewan Act, 1988, prevent residents of Saskatoon and Regina from going to the Court of Appeal on most provincial and municipal offences. Yet if a trial for the same offence is heard elsewhere in the province, it can ultimately be determined by the Court of Appeal. There is no good reason for this distinction and it does not seem fair. By removing the municipal by-law appeal provisions, the same appeal procedures will be applicable in all parts of the province.

Two other minor clarification amendments are being

made with respect to the issue and service of municipal by-law tickets. These are purely housekeeping in nature. The changes made in this legislation provide for increased uniformity and fairness in the administration of provincial offences.

Mr. Speaker, I move second reading of An Act to amend The Summary Offences Procedure Act, 1990.

Mr. D'Autremont: -- Thank you, Mr. Speaker. Mr. Minister, again we're dealing with a situation here of legal technicalities and potentially even constitutional issues since the last traffic Act dealt with constitutional issues.

So I think, Mr. Speaker, Mr. Minister, that we need more time to investigate this and to find out what the ramifications of these amendments to the legislation are. Therefore I would move that we adjourn debate at this time.

Debate adjourned.

(1445)

ADJOURNED DEBATES

SECOND READINGS

Bill No. 30

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Mitchell that Bill No. 30 -- An Act respecting Victims of Domestic Violence be now read a second time.

Ms. Lorje: -- Thank you, Mr. Speaker. I'm very pleased to be able to rise today and make some remarks regarding Bill 30, The Victims of Domestic Violence Act.

You know, domestic violence is not a new problem, but this Act certainly does present us with a novel solution for this age-old problem. Domestic violence has existed down through the ages across all economic classes and throughout all religious belief systems.

I want to give members an example of how domestic violence has become so commonplace that it has entered our lexicon without us even thinking of it. And I refer to the common statement that we say, oh well, it's just a rule of thumb. How many of us actually stop and consider what is meant or what is the origin of that phrase, rule of thumb?

In fact, it's a phrase that dates back from about the 15th or 16th century and it comes from an English law at that time that forbade a man from beating his wife with any stick thicker than his thumb. There we see, at that time, socially sanctioned violence.

In these modern days the tacit social endorsement of violence as a behavioural control mechanism is more subtle, but it is still there. It ranges all the way from thought control techniques, like accusing somebody of being oh so politically correct if they disagree with

your world view, to increasing images of child sexuality being used to sell goods and services, to ridicule when people talk about domestic violence statistics.

You know, Mr. Speaker, some people genuinely cannot believe that one in five reported assaults in Saskatchewan are spousal assaults; that two-thirds of female murder victims are killed by family members or by close friends; or that up to 80 per cent of children of abused women actually saw the horror of their mother being beaten.

Still though, some people, many people, can believe these statistics, but they want to convince themselves and others that the statistics simply are not so. It's a sort of a whistling in the dark theory of social development. The theory that says, if I don't acknowledge a problem, it doesn't exist. If it doesn't exist, I don't have to do anything about it. If I don't have to do anything about it, I can ignore the pain and the screams I hear coming from my neighbours. This is, sadly, the logical extension of a hedonistic, individualistic society turned inwards upon itself.

Luckily here in Saskatchewan we are starting to recognize that this simply is not the socially useful or smart way to deal with domestic violence. Sometimes living in a small place with a close-knit population is a great advantage. All across this province, all across the political spectrum, people are coming to endorse the concept of zero tolerance for domestic violence.

Right now I would like to commend the member from Morse, who when speaking to the second reading of this Bill, told this House about the violence that he and his wife had had to deal with when they were helping a neighbour woman who was in jeopardy. I thought that what he and his wife did was very courageous; I thought he was very courageous in telling this House about it; and I am very pleased that he, like others, is standing up and starting to break the silence of the tyranny of domestic violence.

Previously people were often reluctant to interfere in a marital or family relationship. I think that came from the whole notion that a man's home is his castle. But you know, it is to be hoped that the notion of the divine right of husbands, just like the divine right of kings, can now be challenged successfully. The rule of thumb is almost over. And why? Because as a society we are recognizing that the castle walls are no longer merely a private domain.

We know that what happens in the privacy of a home spills out and affects the public domain as well. We know that private privileges are limited by public responsibilities. We simply cannot ignore the harm inflicted by one family member on another. This is no longer, if it ever was, merely a private problem.

In past decades, as women started talking about their abuse, the attitude was often, ah, she must have been asking for it; or, a few little slaps are a part of marriage; or, everything would be fine if only she'd stop provoking him. All that these attitudes and sayings did

was to enhance the feelings of shame, isolation, and helplessness that the victims of violence already felt. They already blamed themselves. Their families already blamed them.

Little wonder then that most victims stay in a violent situation until there have been 30 or 35 separate incidents of violent assaults.

What exactly are we talking about when we talk about domestic violence? I'd like to refer to my experience as a psychologist, because in my time, working as a clinical psychologist, I had a lot of contact with victims -- people, mostly women, but some men, who had been physically, emotionally, or sexually abused by the people they loved.

One example that I would like to share with the House today is a woman named Elaine, a very beautiful woman. She married the local handsome high school hero. They had two children. And each night she would wait in terror for him to come home and start punching her. And she felt she had no option but to take it because her mother had disapproved of her marriage, and because her father, from the time she was eight or nine, until she eloped with the high school hero, her father used to come into her bedroom regularly.

She finally left her husband, with her two boys. She started therapy. But one day she came to see me and she had a blackened eye. That blackened eye did not come from her ex-husband. Her oldest son, now a university student, had broken up with his girlfriend and he came home and he took out his frustration on his mother.

Another example, Judy, married to a very successful, prominent Saskatoon businessman. The picture of success -- great home, great clothes, great lines to cover up her abuse. Dave would come at night, having worked 10- and 15-hour days. He'd be exhausted and he'd start picking at little flaws in her housekeeping skills. He'd be irritated that she didn't have his favourite drink ready and waiting for him. He'd be angry that she was still folding laundry instead of comforting him about all his hard work.

And then she became pregnant. But what should have been a joyous time turned into a time of terror for her. Dave started out by pinching, always where her sleeves would cover the bruises. Then, as her baby grew, his violence grew until one day he pushed her down and kicked her in the stomach. His selective violence -- the bracelet and necklace pattern of punching where it didn't show -- wasn't enough for him when he was faced with the responsibility of a baby on the way. Judy's tale is all too common. Unfortunately, far too many pregnant women see an escalation of violence during their pregnancy.

You know, Mr. Speaker, there is a saying that sums up the abusive power in these situations that we all must take note of. The saying is: once a man has used his fist he doesn't have to hit again; all he has to do is make a fist. Just imagine the terror of always waiting for that

fist. Imagine living out the terror of the ongoing cycle of violence. For there is a pattern, a cycle, a circle that spirals in on itself.

A circle of violence starts with the tension build-up -- the little things that let the victim know she's not pleasing her partner. The intimidation, the threats, and then comes the violence -- physical violence like choking, kicking, or slapping; emotional violence like humiliation; sexual violence like forced sex or coercive ugly acts that degrade and shame.

And the circle of violence is closed then with the honeymoon phase. After the violence comes the honeymoon phase, where the perpetrator apologizes, maybe even weeps, certainly sobers up, and definitely promises that it will never, ever happen again. So she believes him, gives him another chance. And the dance, the circle of violence, starts all over again.

So that's the circle of violence, Mr. Speaker -- tension, violence, honeymoon hearts and flowers and promises -- that victims have to deal with over and over again.

I want to repeat, between 30 and 35 incidents of violence happen in the home before it's even reported. That's a shocking statistic. Just as shocking as is the statistic about the frequency of battering. Depending on the source that you read, the experts will say that it is either one in ten or one in eight women who are the victims of domestic violence.

Now it is important at this point, Mr. Speaker, since I have been talking primarily about women as victims, to acknowledge that not all batterers are men. Some, very few, but some batterers are women -- women in lesbian relationships, women abusing their ageing parents, women beating on their kids; even, in a curiously twisted and agonizing pattern for the victim, women beating up on men. Yes, there are some women who are violent. Our sex does not provide us with some sort of a magic hormonal inoculation against the violent messages all around us in this society.

But luckily, there are very few women who are violent, few enough that the odd reported incident still causes shock and consternation. Our senses haven't yet, thankfully, been dulled to the notion of female violence, like we have ignored male violence.

Yes, the incidence of women perpetrating violence on powerless victims is much less frequent than it is for men, but it is still unacceptable. Our goal today has to be zero tolerance for all violence -- zero tolerance for violence, no matter who commits the violence.

I would like to point out that this Act, Bill 30, gives remedy for any victim, regardless of sex or age or status. This Act is not aimed at men. The Act is aimed at violators. The Act deals with domestic violence, however perpetrated, by whomever.

Sadly, though, we know from the evidence, that a majority of violent offenders are indeed men. What a

terrible burden this must be for men, knowing that your brothers are all too frequently violent, knowing that your brothers have bought into the twisted notion that thumping is a substitute for thinking, that fists are stronger than feelings.

Now just who is your average batterer, Mr. Speaker? What is his profile? What would he look like on the street? Well to tell you the truth, he wouldn't look any different than the men here in this Chamber, for a batterer is not a brutish, depraved lout, frothing at the mouth and just yearning to whip his woman. In fact, the average batterer is quite terrifying just because he is so average. He could be any one of us -- any one. As was pointed out originally in the Badgley report way back in the early '80s, any man could be a batterer.

Violence occurs across all socio-economic lines. Violence affects all income groups, all employment classes; violence, potentially, affects all of us. Sadly, one in four girls will be raped; over 30 per cent of girls will be sexually assaulted before they're 18; and worst of all, over 70 per cent of assaults are within the family -- within the family, the home, the one place where people should have a 100 per cent, ironclad guarantee of safety -- within the home, the one place a victim should never have to leave.

It is very hard, looking at the statistics on domestic violence, to ignore one inevitable conclusion. For far too many women and their children, the home is one of the most violent places they will ever experience. We should change the old saying. It's not, home is where the hearth is. For far too many people, home is where the harm is.

(1500)

Abusive behaviour in the home is a serious social problem; it is not a private matter. Family violence, which is physical, psychological, or sexual maltreatment, abuse or neglect by a relative or care-giver, is a violation of trust and it is an abuse of power in a relationship where people should have the right, the right to absolute safety.

And so, Mr. Speaker, we have introduced this Act, The Victims of Domestic Violence Act, to work towards establishing the home as a place of safety. To give victims some assurance that they will not be doubly victimized in violence -- first to have to endure the pain and terror and then to have to leave their own home in order to seek out safety. This Act turns around the whole notion of responsibility and ownership of the problem of violence.

You know, there's an endless litany of commissions, reports, and initiatives that have attempted to deal with violence in the home. There are so many studies that if I brought them in here and stacked them up on my desk they would be as tall as a young child, as tall as a little kid watching his mother being beaten.

I want to just refer to a few of the studies in the past decade. In 1981, the Committee on Sexual Offences

Against Children and Youth, the Badgley report; 1983, the Fraser Committee on Pornography and Prostitution; 1986, a five-year child sexual abuse initiative funding over 300 projects to raise public awareness and to train front line workers; 1988, at the federal level, Bill C-15, amendments to the Criminal Code and the Canada Evidence Act to facilitate the testimony of child witnesses. Again in 1988, a family violence initiative by the federal government. In 1991, a new family violence initiative; and in 1992, most cynical of all, the program called brighter futures.

This program was announced to promote the health and well-being of children, and to build on the goodwill generated by Canada's profile at the United Nations during the Year of the Child. Well brighter futures, that program was announced just scant months before the federal government announced that it was shelving the whole notion of a universal child care program. The bulb on the brighter futures got considerably dimmer that day.

Nevertheless all these initiatives, these commissions, these studies, were attempts to deal with the problem of domestic violence. As such they should be applauded. They were all good band-aid solutions -- they kissed the problem but they didn't make it go away. Because no matter what, it was still the victim who was punished; the victim who had her life torn upside down; the victim who was forced into a twisted game of double jeopardy. She was first assaulted and then further abused by having to leave her own home.

It is time now to turn our understanding and concern about domestic violence upside down. We endorse zero tolerance of violence in the home. A home should be a safe place. Home can become a safe place. It is time now for the offender to leave the victim. And why do I say that? Well for some very compelling and practical reasons, practical reasons for women, for children, and for men. This Act provides positive advantages, positive solutions to violence for all three.

First, the most obvious group affected are the direct victims of domestic violence. Most often, as I've said, that's women. And so that's who I'll direct my remarks about.

What advantage does this Act provide for women victims? If women are forced to flee a violent situation, often leaving at night with only a few possessions in a garbage bag, they may be condemning themselves and their children to a lifetime of poverty. Don't forget, in this province 41 per cent of the social assistance case-load is single parent women and kids. A high number of them, I would suggest, have left violent situations.

Right now at least one woman in six lives below the poverty line. Some women victims face major problems -- major problems -- in trying to find alternate housing and employment. Just thinking about the logistics of looking for a new home when

you've got a black eye or a broken arm, should give you a fairly clear picture of why it's better, more appropriate, that the perpetrator leaves, not the victim.

This is particularly so for rural women. There are very few shelter spaces available for rural woman, even less than there are for urban women. So this Act is particularly important for rural women.

Another group of victims at great jeopardy is immigrant women. They are in many cases already doubly disadvantaged. First, they have poor or no English language skills, and they are trying to learn English in a system that doesn't provide ESL (English as a second language) training for someone only working in the home.

Secondly, because they're new to the country, they may lack knowledge about the systems available in Canada -- the practical things of figuring out how to find a place to rent, how to pay for it.

Third, one other factor for immigrant women is the fear of deportation. They may have been threatened that they will be deported if they dare leave their home. So to ask immigrant women to leave their own fragile, new, strange, and unfamiliar home, is an even greater trauma than it might be for others.

Now what about the men? In this instance I'm talking about men as violators, as perpetrators. Why would it be an advantage in terms of dealing effectively with domestic violence to have the perpetrator leave instead of the victim? Well there are three very practical reasons.

First, he would be the only one who would have to find alternate shelter. And it's much easier to find a home for one person rather than a parent to find a home for herself and any number of children.

Secondly, generally the perpetrator is the person with power, not only the power of the fist, but pocketbook power. So he likely has better access to financial support. He's less likely to sink into poverty and it will be easier for him to find alternate accommodation.

And third -- and most important from my point of view as a psychologist interested in motivating behavioural change -- if the perpetrator has to leave, this will lead on his part to a quicker realization of just who owns the problem and who is responsible to change. This Act will create pressure on men to recognize their problem and to do something about it.

Domestic violence unfortunately is one of the few crimes where the villain gets to punish the victim doubly -- first with direct violence and then by forcing the victim out and still remaining king of the castle. This attitude must stop. Only when perpetrators, primarily men, lose the luxury of denying the responsibility for their action, only when they experience some discomfort by having to leave the home, only then will there be real and meaningful pressure on them to change their unacceptable

behaviour. Only then will we be able to move in a practical way towards zero tolerance of violence in this society.

And we must do that, Mr. Speaker, because of the third group of people affected by domestic violence -- the children. These are the people who in many ways are most traumatized by violence in the home. This Act, Bill 30, this initiative, will provide a buffer and will protect the child. Why should the innocent children have to go and live in poverty, be uprooted from their school and their friends, lose their sense of stability and security, all because their mother is running away from terror?

The most important and often least-acknowledged victims of domestic violence are the children. Children grow up tremendously confused about intimate relationships when they grow up in violent homes. Guilt, fear, anxiety, intimidation -- these become all too common emotions for them. If the victim and her children leave, their living arrangements are disrupted; there is more stress and strain on the family; they have to find a new school, new friends; they often have to deal with poverty.

Seventy per cent of children, Mr. Speaker, living in single parent homes headed by women, live in poverty. Violence has a great impact on children: low self-esteem, insecurity, low self-confidence. Children do not feel safe in their own homes when they live in violent homes. They may feel guilt for their mother's pain; they may feel responsible for their father's anger. These children may not develop social competence. They become socially isolated. They have poor relationships with their peers because they have a great sense of shame and a great need to hide the secrets, the ugly secrets, of the violence in the home.

Sadly, many of these children may externalize their feelings. They may become delinquent and aggressive, mimicking the belittling behaviours that they see in the home. Severe psychological and emotional distress may lead to them running away, may lead to suicide attempts, abuse of drugs, or alcohol.

A child needs to feel loved by the people who matter in his or her life -- loved, not intimidated. There are long-term consequences to domestic violence. These children may develop inappropriate attitudes towards violence. They may learn at a gut level that violence is an acceptable way for men to relate to women and to resolve conflicts. Boys learn violence and the girl children see few options as they grow up.

Finally, in closing, Mr. Speaker, I want to briefly address two issues that have been raised in opposition to this Bill. The first issue, the legal technicalities and niceties of the Bill. Certain people in the legal community are saying the Bill is flawed. All the fine arguments that they have been raising, I have to tell you have already been considered by the drafters of the Bill. I won't repeat their arguments here -- that is up to the Minister of Justice to do

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drafted to provide liberty for violence within the home. And that issue, as well as questions about infringing on areas traditionally dealt with by Queen's Bench justices, etc., can and will be dealt with satisfactorily as the Bill comes to life.

Personally I hate to see lawyers arguing this out in courts instead of dealing with the more substantive issue of preventing and stopping violence in society. But I am satisfied that the Act will withstand the threatened legal challenges and will lead the way to a revolutionary and long-overdue attitudinal change in dealing with violence.

Secondly, Mr. Speaker, there has been some criticism of this Act by people who work in the shelter movement. Now I have a great deal of sympathy with their position that existing resources for battered women's shelters are inadequate. But I do reject the notion that the only response to domestic violence is to have a monolithic, unidimensional approach; that is, creating shelter situations for victims of domestic violence.

We have been grappling with the problem of domestic violence throughout the centuries. In this century we have made some considerable progress with the creation of safe shelters. But the problem is not always a simple and straightforward one. No one solution can fit all situations.

As Tolstoi said in his novel, **Anna Karenina**: "Happy families are all alike; every unhappy family is unhappy in its own way."

Some victims will want and will need to seek shelters; some victims will want and will need to remain in their own homes. This Act provides victims with choice. This Act is novel, revolutionary, and bold.

I call on all people who care about stopping domestic violence to support its passage. Thank you.

Some Hon. Members: Hear, hear!

(1515)

Ms. Haverstock: -- Thank you, Mr. Speaker. I am pleased today to speak in second reading of The Act respecting Domestic Violence.

I want to commend the government for its efforts to address the serious and desperate situations faced by so many people, women and children in particular, in our society, who are victims of domestic violence. And those of us who have been very blessed with a secure and safe home environment probably can't even imagine the horror that is experienced by those who are subjected to violence, particularly at the hands of someone they know and they love.

Mr. Speaker, it is difficult to put into law those things which so many of us assume to be the responsibility of the individual. Respect for the safety and security of another person should go without saying. But it has become painfully obvious that there are an alarming

number of individuals in our society who are unable to cope with that responsibility, due to a combination of emotional and psychological problems which result in their thinking that violence is an appropriate behaviour.

Mr. Speaker, regardless of what laws we enact, we must never forget that we are treating only the symptoms of violence and not the causes, and I urge all members in the Assembly to keep that realization in the forefront.

Today, however, we are talking about an enormously important step towards protecting the rights of victims. And this Bill will allow for a change in the approach used by law enforcement personnel when called to a scene of domestic violence. With this proposed Act it will now be possible, with minimal delay, to issue an order which removes the aggressor from the situation, thus offering temporary relief from the violence being perpetrated against the victims.

And the problem -- and I think it is one that we must be prepared to live with until further progress can be made -- the problem is that the removing of the aggressor will not guarantee the safety of the victims beyond the moment of removal. And there are many with whom I have communicated on this issue who caution that the ultimate safety of women and children in particular, the typical victims of domestic violence, can only be assured when they have more of a secure environment, when they have the potential to be able to leave the situation and, if necessary, travel to safe harbours such as transition houses and interval homes for a period of time.

Last year, as most people would know in this House by now, there was an estimated 20,000 Saskatchewan women abused by their husbands or male partners. But there are less than 250 bed spaces for women and children who are fleeing abusive relationships. I believe that it is critical for our government to continue to recognize its obligation to adequately fund the agencies which provide those safe havens, because this legislation does not provide a substitute, by any stretch of the imagination, for safe houses for victims of abuse.

When the police are called to a scene of domestic violence, they now have the power to remove the aggressor and order that individual to stay away from the victim's home. But they are limited, by sheer budget constraints and availability of police officers, in their power to monitor the situation and to ensure that the aggressor stays away.

Therefore I cannot stress enough the need to maintain and in fact expand our efforts to provide shelter for women and children who simply do not feel safe, in spite of the provisions that will be placed before them with this Act.

I want to speak for a moment about another aspect of the issue of domestic violence which is of particular concern to me, Mr. Speaker. In my work as a psychologist I dealt with many farm wives and

children for whom physical violence is all too much of a reality. And I realize that it is the intention of this particular Bill to empower the law enforcement agencies to act with some immediacy to defuse the violence and return some measure of safety and security to the home.

What I think is particularly difficult, in fact I know is extremely difficult for farm women, is to see their spouse removed not only from their home but from their place of business, and this is the location in which they, as a family, earn their entire family income.

There's a great deal of pressure and stress among rural families that has been produced by a tremendous amount of uncertainty and fragility of the farm economy over the past decade and a half. And many of the families who are experiencing problems with violent behaviour and physical abuse within these family units, have been put in that situation as result of circumstances with which some of these people have simply been unable to cope. And I would ask the government to be very cognizant of the interconnectedness of its policies in agriculture, in farm debt, in gaming, and in setting all of the regulations which it imposes on people from the government level.

Now as I said earlier, the level of physical abuse and family violence all over Saskatchewan is very much a symptom of what families are experiencing. Much of it can be directly associated with feelings of great desperation, often the result of financial circumstances.

Mr. Speaker, in trying to propose solutions to problems, we must be certain that we do not treat only the symptoms, but that we get right to the heart of what is causing the problem and put forward a concerted effort to solve these problems.

Mr. Speaker, I believe that overall this is a very positive step toward providing some immediate relief to victims of domestic violence which is far, far, long overdue. It is one of those initiatives that cost us little as a government, but which means so much to people who have felt abandoned and unprotected.

So I do hope that this is an Act which will be the beginning of a commitment to address the core of the problem of physical violence and domestic abuse in our society, and I am pleased to pledge the full support of the Saskatchewan Liberal Party and the members of our caucus to this significant legislation.

Some Hon. Members: Hear, hear!

Ms. Hamilton: -- Thank you, Mr. Speaker. I know with her kind words speaking to Bill 30 that then the Liberal caucus will be glad to support the budget that is going to be before us, because it does speak to 9.3 per cent increase in social programs that will begin to address some of the concerns she has. It identifies about \$750,000 worth of community-supported projects, such as the one I spoke to earlier on Sophia

House; that to address some of the concerns that she's raising; and that before us we have in discussion the \$4.5 million that's been identified in the child action plan that begins to address the preventative measures.

So I look forward to seeing the Liberals on their feet in support of that, unlike the provinces in the Maritimes where the Liberals are seeing a decrease in their budgeting and their monetary commitment to the programs that she mentions.

Mr. Speaker, I stand in support of Bill 30, and as I know many women in Saskatchewan that have grown up in this province -- not only in this province but Canada -- know that we're not alone in either knowing of, being a victim of, or witnessing the violence against women and children that occurs in our homes, in our neighbourhoods, or our communities. And statistics tell us why. The minister's outlined the statistics earlier but I think they need to be restated so that they become a part of our thinking and our understanding of the magnitude of the problem we face.

Over one-half of all adult women in Canada have experienced violence since the age of 16. Over one-half of all adult women, at least 5 million adult women, have experienced violence. One in ten, and some would say one in eight, have been assaulted within the last year. That's more than 1 million women in Canada who've been assaulted in the past year. One in four women have experienced violence in a marital relationship. More than one in ten women have reported violence in their current marital relationships and have at some point felt in their life that they were in danger or in fear of losing their lives; one in ten. Almost one-half of all women have experienced violence by men they know: their boyfriends, spouses, friends, and family. And almost 40 per cent of women in violent marriages reported that their children witnessed the violence against them -- their children witnessed the violence.

In beginning to address this issue and the task force in women's issues, the first thing that I was made painfully aware of, that those statistics don't report what's really happening out there, they report the tip of the iceberg. Because many statistics that are gathered don't break out the incidence of violence in family situations, or domestic situations, from those situations that occur in a bar fight, or people assaulting each other in some form in the community.

So they don't really have a good handle on it other than the reported statistics. And those reportings say that at least 30 incidences will occur before women will come forward just to report something happening. And that's before they're even going to brave trying to leave their home to escape the violence that is occurring.

So with those statistics, and it's hard to internalize them, we all know that the Bill does not address all of the concerns of everyone. It does begin to go a long way to talk about some of the psychology that was inherent in the old patriarchal structures that

schooled our men to believe that being big and brave and strong was so important. It would be a sign of weakness to allow your women or children to confront you, speak out or back to you, or to challenge your decision making on how the household operated or the income was being spent.

To assert authority by violence then was necessary and was tolerated. Today we must school everyone that zero tolerance to violence is the only acceptable tolerance level.

When we as an individual or collectively as a society hear the cries for help, we cringe and we feel inadequate, sometimes too inadequate to respond. Some of us are aware of the helping agencies, such as transition houses, Sophia House I mentioned earlier as second-stage housing, the crisis agencies, family services, and so on, and will try to assist in this situation by directing people to these assisting agencies. Or we may recognize that violence is a crime and we call the authorities and ask for the abuser to pay for the crime.

This many times still falls short of protecting the women and children, as we know that the numbers of people who now lose their lives at the hands of their partners, the men that they know, is also still among us and in some cases, growing.

We still don't have all the answers to that. We don't have all the solutions, but the Act before us must be supported if for no other reason than the power it contains to, in the first instance, make an emergency intervention order.

This government . . . and we all recognize that the need for support is at the moment of crisis. That's the need when there's support for intervention. And the Bill provides for this, where the woman has the ability then to ask for an immediate order from the justice of the peace, and that will require the abuser to leave the home.

This Bill assists communities and individuals in responding to either their notion or their idea, something that is happening in their neighbourhood or the home next door or in their own families; that they now have an instrument through section 11 of this Bill to have the authorities ask the justice of the peace to issue the power in an order to have an actual entry into a place where someone believes that someone may be the subject of abuse.

This is particularly so for those who would have difficulty in asking for help. Those people who may be dependent seniors; they may be people with either physical disabilities or mentally challenged individuals.

The importance of this Act is very basic. It does a number of things just by its being. The first one is that it removes the batterer from the home, and it says to someone who's battering, you've done something wrong; this is not acceptable.

And in many cases that might just be enough to have that individual seek help to break that cycle of violence and to become someone who understands why he's responding in a violent situation or in a violent way. And it may be a he or she. It could lead to someone changes their attitudes toward the confrontation that exists in all of our lives.

The second thing it does is for the victims, to reassure them that they didn't do anything wrong, that they're indeed the victims. And they're not going to also be bashed because they may have . . . in their minds, they have a guilt to carry that they've being doing something wrong.

And it tells those children in those homes that this behaviour is not acceptable, they can stay in a safe and caring environment, and that they are going to also learn that they can handle their problems in a peaceful and non-confrontational manner. And that in some way this will then begin to address the perpetration of the violence and the circle of violence that exists in the next generation.

(1530)

The other thing it does, and I mentioned earlier, is it assists caring family members, caring members of our neighbourhoods, to be able to intervene and to feel that they have some power in addressing and saying to other people that zero tolerance is the tolerance that they have in the issue of violence in their communities.

Mr. Speaker, this Bill touches the very basis of the measure of our society. It is one that touches my heart and soul. I look forward to all members of all parties rising in this Assembly to support Bill 30. From there, then not stopping, but moving it from being a piece of paper in hand that's been given our support, but to an instrument of justice and safety. It will offer a safe place for victims while we all move to a world where we know that no violence is tolerated.

I rise in support of Bill 30 and encourage all my colleagues and the members of all parties to include their support behind this Bill.

Some Hon. Members: Hear, hear!

Mrs. Bergman: -- Thank you, Mr. Speaker. I am pleased to speak today on Bill 30. Mr. Speaker, the intent of Bill 30, An Act respecting Victims of Domestic Violence, is to provide a much needed alternative to victims of family violence to remain in their family home rather than being forced to flee in fear with a few belongings.

For 25 years I have worked with many, many children, and their mothers, who have been victims and witnesses to violence. I have spent many hours working to help children learn less violent ways of expressing their frustration, their fears, and anger, after their young lives have been disrupted first by violence and then by the loss of familiar surroundings.

I believe this legislation will make it possible to lessen the trauma for young children, to help break the perpetuation of violence from generation to generation. However, as the member from Saskatoon Greystone has said, Bill 30 is only one step in solving the dilemma of family violence. There is a necessary, further step our society needs to take beyond this new, positive attempt to deal more justly with the vexing problem of family violence.

Bill 30 is a response to acute emergencies. It will need to be tested to assess the effectiveness in lessening the trauma of victims. There is more needed to ensure protection of victims and an end to the cycle of violence. We as a society need to not only stop the perpetrators, but also to deal with their continued need to act violently. We especially need to help the children who witness their acts of violence.

I know the roots of violence are in childhood experience. With the many children I've worked with, I found that the one goal of childhood is to learn how to progressively learn more appropriate means to express anger and violent feelings. Children learn these skills from their parents, from their play, but especially through role models. I endorse the intent of this legislation. It is an important step and I wish to express my support for Bill 30.

Some Hon. Members: Hear, hear!

Mr. Toth: -- Thank you, Mr. Speaker. Mr. Speaker, I found it a pleasure to be able to rise and speak, as well, to Bill No. 30. As a number of my colleagues have indicated, and certainly members on this side of the House and government members as well have -- pretty well everyone to a T, I think has indicated our support for the Bill before this Assembly. Our opposition fully supports the intent of this Bill, and we commend the government for bringing the issue to the forefront of debate in this province.

Mr. Speaker, for too long women have been the subject of abusive situations in the home at the hands of their partner, and action is certainly needed. I think, Mr. Speaker, violent crimes of all kinds in any matter must be addressed with all of the weight of the law and justice that society allows.

As I listened to the minister the other day, I was appalled at some of the statistics the minister was raising. During his second reading speech, the minister revealed some very startling statistics and some of those have been brought to the forefront again.

Those statistics include over one-half of all adult women in Canada have experienced violence since the age of 16. Over one-half of all adult women, at least 5 million adult women, have experienced violence. One in ten women have been assaulted within the last year. One in four women have experienced violence in a marital relationship. And more than one in ten women who reported violence in their current marital relationship have at some point felt their life was in danger.

Mr. Speaker, I'm not sure how many people happened to witness the CBC (Canadian Broadcasting Corporation) documentary -- I believe it was a week ago Thursday or it will be a week ago tomorrow night. They were talking about drugs and the drug scene in Vancouver and the prostitution that has hit the streets. And as I was watching that scene . . . they basically related it to the story of two individuals -- one was 33, I believe, and one was 37. As I watched that program I was appalled at what I saw, to think that there are people in our society living in such circumstances.

Now that may not directly relate to women that are facing violence in the home, but it certainly brought to the forefront something that an individual growing up in rural Saskatchewan, many of us do not see or do not even anticipate takes place out there.

And I listened to the member from Saskatoon relating the fact of what we may perceive as being individuals who would assault another person. It's unfortunate to think that men, married men or men in relationships, would think that the partner that they happen to be dwelling with is a person that they can vent their frustrations on. Almost one-half of all women have experienced violence by men they know, be it a boyfriend, be it a spouse, friend, or a family member. And we've all been reminded of that through the media and through circumstances that we've seen over the past little while.

And it would seem to me, Mr. Speaker, it's something that is certainly on the increase and it's appropriate that we at least have a piece of legislation brought forward. But I think the intent is there to bring some help, to bring some assistance, and to indeed punish the violator.

Mr. Speaker, almost 40 per cent of women in violent marriages reported that their children witnessed the violence against them.

I think, Mr. Speaker, these statistics offered by the Minister of Justice certainly are, to say the least, shocking. And I remember it wasn't . . . I'm not sure if it was a year, year and a half ago, a situation in the city where a man's life was abruptly ended by the police force who were called to a domestic situation. And I'm certain that the officers at the time were in a very difficult situation. Something that most officers that I've talked to, when they talk about going to a crime scene, the one crime scene that they fear and dread the most is being called into a home where there may be evidence of domestic violence.

The reason they fear that, Mr. Speaker, is because the perpetrator of the act is maybe violent and ready to just lash out at anyone who would step into the home. But as well, as soon as the officers would try to help the victim, sometimes the victim tries to protect the spouse who's perpetrating the act.

And I think it comes back to some of the comments made by the member from Saskatoon, where people do not want to really believe that the violence being

performed against them was intentional. And I think in many cases, Mr. Speaker, that is quite possibly true.

If these are the numbers of adult women suffering at the hands of violent men, imagine the number of children suffering from abuse as well. Imagine the thoughts going through a child's mind when they happen to see a mother being abused by a father, both individuals whom they love dearly, and they're trying to determine what is really happening here. Don't these two people love themselves? Isn't there love there? What is happening to my parents?

And, Mr. Speaker, it's certainly been brought up. It's not just a matter of women, it's not just a matter of wives, it's not just a matter of the abuse of children, but as well we've been reminded of the fact that seniors as well have faced the problems of abusive situations.

Mr. Speaker, if the abuse is not happening directly to us or our families, we do not see it. One thing we have known, and one thing I have found out in my short term as an MLA (Member of the Legislative Assembly), when you talk about violence, domestic violence is something that is always hidden. It's hidden away deep in the home. No one wants to talk about it. No one really wants to admit that that circumstance or situation is something that they are facing.

Mr. Speaker, home is a place where we are supposed to feel secure, where you are supposed to feel the most secure. And I don't believe society can continue to stand idly by allowing women, children, and senior citizens to be brutalized by members of their family or extended family. That is why I must stand here and commend the minister and the government for introducing the legislation, and I believe they deserve credit for moving in this direction.

However, Mr. Speaker, while I am in favour of the legislation, I am not sure that it will help victims of violence as much as we all hope. I, along with many others, anxiously wait for this Bill to pass. We desperately hope, many people across this province desperately hope it will help. But in some cases I'm not exactly convinced that it will.

And there's no doubt other provinces across this country are looking to this province regarding the legislation. And I think many other jurisdictions, if at the end of the day this legislation after being passed shows that it has a lot of benefits and has support, other provinces will probably move in the same direction.

But I think what the Bill does, at the very least, that the additional awareness and attention stimulated by this Bill will help in the fight against violence. And, Mr. Speaker, if even one family is assisted, it will be a significant help.

Mr. Speaker, allowing the police access to homes where a violent situation is reported is positive. It is my understanding that currently they can't enter the premises without a warrant. And can you imagine a

police officer trying to get a warrant at 3 o'clock in the morning, especially if there isn't a judge residing in the community?

What this piece of legislation does is allows the police, gives them the access to a home where violence is suspected. And as I mentioned previously, I'm not opposed to the legislation, but I do have questions that I will be dealing with in committee.

For example, Mr. Speaker, I'm wondering what will happen in situations where the spouse is being expelled, or the spouse being expelled from the home is a farmer. What will happen in that situation? And one might ask, well what do you mean by that, Mr. Speaker? And what I'm suggesting is the fact that a farmer is an individual who has to come back to that workplace. There are chores to be done.

And certainly it's an area that we're going to have to in our deliberations with the minister, we're going to have to explore ways and means. Because I believe as a person is allowed back to the . . . even close to the premises, it certainly invites the abusive situation to become more aggravated.

I believe, Mr. Speaker, the victim must be protected, but how do you deal with families who live in the same location as their place of business? I imagine this will impact a number of small businesses as well. And we're all aware of small businesses across this province where parents or where families live, reside right in the business that they are running. Mr. Speaker, these are cases that need consideration.

(1545)

Another question that has been raised is, if an order is issued by a justice of the peace, is the Department of Justice at risk of being sued by the expelled individual? And I think, Mr. Speaker, as we get into that debate we will be . . . the debate with the minister in Committee of the Whole, those are some of the questions we will raise, and we've raised them already.

And I want to also acknowledge . . . and I thank the minister for throwing out some of the concerns that he has, and as well trying to alleviate some of the concerns we may have, even through question period. But those are legitimate questions that we must explore before we allow the Bill to proceed through committee and indeed to receive Royal Assent.

As well I have some questions on the concerns raised by the University of Saskatchewan law professor, Doug Schmeiser. He feels the legislation has huge flaws and could violate several areas of Canada's Charter of Rights and Freedoms.

Mr. Speaker, while this Bill addresses violent crimes, we must wonder if the government opposite has considered if it goes beyond what society allows. Certainly the Charter of Rights and Freedoms under section 11(d) guarantees that there is a presumption of innocence before guilt. That is the fundamental

premise on which our legal system and our society stands.

As well, some have argued that there may be problems associated with section 15, which states that:

Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination . . . based on (among other things) sex . . .

My concern, and I believe they have already been echoed by some constitutional experts, is that this Bill may not survive a challenge based on these premisses.

Mr. Speaker, the government opposite has said that they have numerous legal opinions that say that the de-insuring of abortion procedures would violate the federal Health Act, and have therefore refused to act on this issue.

Therefore I would hope that the government has garnered a legal opinion that says that this Bill does not violate the Charter of Rights and Freedoms. We will be asking for opinions in this legislature, Mr. Speaker, because it would be a shame for the government to raise the hopes of victims of violent crime, only to have this Bill revoked because they may not have done their homework.

Mr. Deputy Speaker, the Minister of Justice continues to maintain that this Bill is constitutional and will not infringe on anyone's rights. I surely hope that this is the case. But as I've indicated, we will continue to ask questions to confirm that the minister has followed through and received all the legal advice that he can muster to guarantee that the Bill doesn't go part way and then stop there. Mr. Speaker, I truly hope that this Bill is successful in keeping families together in their own home.

I think, Mr. Speaker, one of the most important things we must remember when we're dealing with victims of violence is not just the matter of the victim, but we also must look at the perpetrator. Mr. Speaker, I think in the long run . . . or, Mr. Deputy Speaker, we want to address the concerns and the problems faced by the victim. But if we are going to prevent violent crime, it's also important that we look at ways and means of dealing with the perpetrator of violent crime so that they recognize their responsibility to society, and they realize that the rights of every individual in our society is to live freely, to live in an open and loving environment.

And we must all respect it. Whether we're a man, whether we're a woman, whether we're a person of another race, Mr. Speaker, these are all rights that we must adhere to and respect.

Mr. Deputy Speaker, we do look forward to raising questions in committee. And I therefore at this time will suggest that we move the Bill into committee.

Some Hon. Members: Hear, hear!

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

Bill No. 46

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Mitchell that Bill No. 46 -- An Act to amend The Provincial Court Act and to enact certain other provisions be now read a second time.

Mr. Boyd: -- Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, this Bill, we believe, goes against everything that a good government should be trying to do in the province of Saskatchewan, and that's to promote the laws and to lead by example with the laws of the province and the laws of the land, Mr. Speaker.

And unfortunately this government seems to feel that whenever there is something that is of political necessity to them, that they are perfectly willing to do whatever they need to in order to meet that need of political necessity, Mr. Speaker. And the Justice minister believes . . . I think, Mr. Minister, that he's, generally speaking, an honourable man. And to bring forward this kind of legislation, to bring forward this kind of legislation, Mr. Speaker, calls into question that very honour that the people of Saskatchewan believe that a Justice minister should have in order to hold that office, Mr. Speaker.

Mr. Speaker, it is of great concern, when the highest official in the province of Saskatchewan, the highest man associated with the Justice department in this province decides for whatever reasons -- for whatever reasons -- that the political necessity overrides law and good government, and law and justice, and law and order, Mr. Deputy Speaker.

So we in the opposition believe that the issue is that the Justice minister has broken the law, broken the law of the land, and now he feels somehow or another justified in it because it is of political necessity and somehow it's politically palatable enough for the people of Saskatchewan to buy into that argument.

Well, Mr. Speaker, I don't think the people of Saskatchewan are buying into it as much as they would like to believe, even though they did their little political polling and all of that sort of stuff, Mr. Speaker. I think that the results are beginning to come back and beginning to come back in sharp contrast to what the government believed at an earlier date. That just because we're talking about the increases, it's all right to talk about cancelling the laws, changing the laws, doing whatever is necessary to make it acceptable to the people out there, Mr. Speaker.

Mr. Speaker, it seems that this has developed into a pattern of **operandi**, Mr. Speaker, where the people of Saskatchewan now believe that this government seems to feel that whenever it's necessary they will

break a law to justify their actions. We saw that happening with the GRIP (gross revenue insurance program) debate, Mr. Speaker. We saw that happening with civil servants' contracts, Mr. Speaker. We saw that happening with the Co-op upgrader, and now we see it with the judges' salaries.

And I think if I was someone out there in Saskatchewan today that was dealing with this government, if you were a business person or you were someone that had some kind of contract with this government, if you were working for this government, or if you were in some way associated with this government and thought you had some kind of legally binding contract with this government, I would think that this kind of legislation should cause you pause to rethink that, Mr. Speaker.

If you had a collective agreement with this government, if you were a member of the civil service with this government, at some point when they decide and their political polling shows them that people are willing to roll back wage increases for civil servants, for example, would this government go ahead and do it? Well the way they've operated up till this point would lead one to believe that that might be what they would do, Mr. Speaker.

If you were a nurse in the province of Saskatchewan and you were coming up for contract negotiations, I would be concerned if I were them, Mr. Speaker. If you were a doctor in this province, or if you were a teacher in this province and were coming up to negotiations of contract, what stops a government from necessitating another law-breaking incident, Mr. Speaker? What stops them from deciding that maybe teachers now can be the next victim of this government?

If the people of Saskatchewan . . . or they think, in their way of looking at things they believe that the people of Saskatchewan might buy into the argument of a roll-back for teachers' salaries, this government might go ahead with it. That's the same criteria that they've applied to judges, farmers, civil servant contracts. Mr. Speaker, it's that same kind of rationale that they used to change the upgrader deal, against a great deal of opposition of the day and at that time, Mr. Speaker, and yet the government proceeded. Yet they went ahead and decided for whatever . . . and used whatever means possible.

And the absolute shocking thing about this, Mr. Deputy Speaker, is that they've done it with seemingly no conscience whatsoever. The minister comes in and he just announces that the Bill is going to be done and then rationalizes it by saying that it's an increase that's unacceptable to the public. Doesn't matter anything at all that's the only justification for it. It's an increase; it's unacceptable to the public, so therefore we break the laws of the land.

And it's breaking not only the laws of the province of Saskatchewan, Mr. Speaker, but it's breaking the very law that they brought in themselves. And, Mr. Speaker, they brought that law in last May, and the

Justice minister at that time used a number of quotes from the Supreme Court to justify the reasons for doing it at that time, saying that there needed to be some sort of independence from the judiciary and the executive branch of government.

And at that time I don't think there was a great deal of argument about that, Mr. Speaker. The opposition believed that that was the case, that there needed to be some kind of independence in there. But we also at that time, Mr. Speaker, set out a couple of warnings to the Minister of Justice.

We suggested to the Minister of Justice at that time that you better reconsider making it binding -- the agreement, Mr. Speaker -- because you might find out that the agreement at the end of the day isn't something that you can live with.

And, Mr. Deputy Speaker, we also suggested at that time that maybe people closely -- too closely, I would suggest -- associated with the judiciary, that is lawyers who often are in the same firms as these judges or have been in the past, who go before them on a daily basis, who somehow maybe are a little bit impartial to the views . . . or to the concerns of the people of Saskatchewan, maybe are a little too impartial in this . . .

An Hon. Member: -- Partial.

Mr. Boyd: -- Maybe too partial in this judgement, Mr. Speaker, that maybe they shouldn't be the ones that make up the entire commission, Mr. Speaker.

It's a little bit like, it's a little bit like you, Mr. Deputy Speaker, supposing you were the owner of a store and you're an employer and you decided that in order to be the fairest you can possibly be with the wages of your employees, that you decide to set a commission out or allow someone outside of the process to decide on their salaries. So you ask a former employee to deal with them. Well now that former employee is thinking to themselves, well maybe it would be in my best interests if I give my boss a pretty good raise here in order to keep him happy with me.

And I think that same kind of argument can be made of the lawyers that are on that commission, Mr. Speaker. Maybe they felt that because I go before -- as a lawyer -- before these judges on occasion, maybe I should give these judges a pretty good raise in order to, well we'll say, gain some kind of favour with the judges or gave them the feeling of comfort for myself going before them, Mr. Speaker. And that's why at that time we argued that appointing only lawyers to this commission is something that they should reconsider. But oh no, the Justice minister and the Premier of this province decided that they were all-knowing and pressed ahead with this and appointed three people to the commission. And they were going to set the trend for all of Canada.

That's what they were going to do, Mr. Speaker. The hotshot lawyer from Riversdale wanted to be the first in Canada to set the judiciary apart from the executive

branch of government and hold it up as an example to all Canada and say here, we were the ones that did this; we were the first. That's something that the NDP (New Democratic Party) takes great pride in, in promoting themselves as the great leaders in the field of justice in all of Canada, Mr. Speaker.

And so they set this commission up against some of the concerns that we had and against some of the judgements that other people had suggested, Mr. Speaker. And they went ahead with it, proceeded, thought to themselves, we've done wonderful work, Mr. Deputy Speaker, and the people of Saskatchewan and indeed the people of Canada will sit up and take notice at our wonderful work, Mr. Speaker.

And lo and behold, our fears were realized, Mr. Speaker. Our fears were realized that the commission came forward with recommendations that the government now appears unwilling to live with.

And so it's a fix of your own making, I say to the government and to the Justice minister. You made the mistakes, Mr. Minister, and unfortunately you're not prepared to live with your mistakes. You're prepared to break the law instead.

(1600)

And I think that's absolutely reprehensible that the Justice minister of this province is willing to break a law, particularly his own law that was brought in as early as last May, Mr. Speaker.

Mr. Speaker, the government has tried from time to time to justify this by suggesting it's too hefty of an increase, and the opposition agrees. It's an increase that is unwarranted, that the people of Saskatchewan can't live with.

But yet there's a higher principle that has to be adhered to, we believe, Mr. Deputy Speaker, and that's to uphold the laws of this country and this province. And if the Minister of Justice had've looked at some of the concerns we had last May, I don't think he would find himself in the mess he finds himself today, Mr. Speaker.

Mr. Speaker, I guess in conclusion, I would say that the Minister of Justice took an oath, took a solemn oath before the people of Saskatchewan to uphold the laws of Saskatchewan; and he has broken that law, Mr. Speaker, and he has broken his oath. And I believe that the Leader of the Opposition, in calling for his resignation, was doing exactly the right thing. I don't think the resignation should have even needed to be called for, Mr. Speaker. I think the Minister of Justice should have tendered that resignation because of the mess that he's brought before the people of Saskatchewan. Thank you.

Some Hon. Members: Hear, hear!

Ms. Stanger: -- Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, our government made a tough decision last week. The decision was whether we

accept the recommendation of an independent commission that would have given the Saskatchewan Provincial Court judges a 24 per cent pay hike, or a decision to reject that recommendation and change the legislation. We decided that the increase was not fair to Saskatchewan people and to Saskatchewan taxpayers. And the law we passed had to be rescinded.

Mr. Deputy Speaker, all Saskatchewan people have had to make sacrifices in order to weather the economic storm that we have had to endure and to restore some financial stability to our province. To exempt this one group of people would have been unjust and unfair. To me it is a matter of justice. On one hand we have the Leader of the Opposition and the Leader of the Third Party talking about legalities and undermining the judges. The truth is, it is a question of whether an increase of 24 per cent to the judges is fair and just, or it isn't fair and just.

I say I am elected as a legislator and a lawmaker. If a law is unjust for a majority of people it must be changed. Our laws are made by men and women elected to do so. They can be changed by men and women if they are perceived to be unfair or unjust. Mr. Speaker, this seems to be practical to me and I think it seems to be practical to the people that I represent.

Where does exactly the Leader of the Opposition stand on this issue? Would he have voted for the 24 per cent increase? When he was a member of the government he rejected an offer of a 15 per cent increase to judges, as did the hon. member from Moosomin. Are they telling me that they now accept a 24 per cent increase when they rejected a 15 per cent increase? Is the Leader of the Third Party telling me she accepts a 24 per cent increase for the judges but no increased benefits for women working part-time under The Labour Standards Act? A 24 per cent increase for judges but no benefits for part-time women under The Labour Standards Act?

Exactly where do the opposition and the third party stand? We have been clear and consistent since taking office. We were left with a financial mess. We have tried to manage that crisis and treat people fairly. We have laid out our debt reduction plan for all to see and the Minister of Finance is meeting these targets. We are restoring fiscal integrity so all of society can share in the good things of life. This is a dream I have: justice for all Saskatchewan people, not select groups; opportunities for our children, our grandchildren, to grow up in a society where cooperation, compassion, and caring are our values -- not privilege, divisiveness, and harshness.

I will be supporting this Act, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Lyons: -- Thank you very much, Mr. Speaker. I want to first of all congratulate the member from Cut Knife-Lloydminster on just an excellent speech, and I thought it outlined very well the issues that are before us.

I want to start off by saying that it's been somewhat puzzling to me why it would be that the Progressive Conservative caucus would stand up and take the position which they know is not only politically indefensible, but one which is morally indefensible, and quite frankly legally indefensible. And I've been racking my brains to try to figure it as why is it that they're up there defending, day after day, judges. What possible reason could they want to have to be out front on this issue, saying that we've got to stand up and defend judges?

Mr. Speaker, it may be unkind, but perhaps they're looking down the road a little ways, to some upcoming events that may transpire in this province and that's why we find them taking this position. That is indefensible legally, morally -- indefensible legally, morally, and politically. It may be, as the member from Saskatoon says, a conflict of interest. Now that may or may not be so. That may try to put the members of the Progressive Conservative caucus in a bad light; however, Mr. Speaker, the more one gets curiouser and curiouser the longer that this debate goes on.

Let's deal with the fundamental, underlying issue which the member from Kindersley has raised; the member from Moosomin have raised in this debate. And that is that somehow the Minister of Justice has broken the law and that by recommending to this Assembly that we repeal the Act which set up the commission, abrogate that commission's report and come up with a sensible response to judges' remuneration.

The underlying principle, the underlying principle which these members seem to take in this position in this debate is that it's okay to support bad laws; that laws which have been passed by this Assembly, no matter the quality of that law -- whether it's good or it's bad -- it's, one must come to its support, regardless of the content of the law.

Now that's, Mr. Speaker, Deputy Speaker, on the face of it, patently ridiculous. A bad law is a bad law. And we as elected representatives of this Assembly are charged with the obligation to change laws which do not fit society's version of what constitutes justice. Because bad laws, Mr. Deputy Speaker, inevitably lead to injustice.

And what we've seen in the case of the judges and the commission's recommendation for a 24 per cent increase in the justice's salary, is unjust in terms of society's needs, wishes, aspirations, at this point in time. Laws are not immutable objects hanging in the firmament, immune to the vagaries of time and circumstance. Laws are fashioned to deal with the questions of what is just and what is not just at any particular time in the development of a society's history.

We've seen that in many instances. The debate, for example, around capital punishment. Now obviously capital punishment and the repeal of capital

punishment couldn't have been made retroactively. But we know of three instances in Canada's history when that in fact is regrettable because mistakes were made in the application of that law. That law was a bad law; that law was repealed.

I don't think, Mr. Speaker, that any member of this Assembly is trying to suggest that this Assembly does not have the authority to alter, amend, or abrogate bad laws. But when you listen closely to what members of the Progressive Conservative caucus are saying, that seems to be precisely the underlying philosophical standpoint upon which they are making their argument -- that somehow a law which is not just cannot be touched.

Well as the Minister of Justice has said, this Assembly made a mistake in passing the law, and I don't think that there is any doubt in anybody's mind about that. I would ask the member from Arm River whether his constituents think that this Assembly didn't make a mistake in passing a law which resulted in judges getting a 24 per cent increase in their salaries.

And I can guarantee you, Mr. Speaker, that in the coffee shops in the constituency of Arm River, that you will be hard-pressed to find anybody -- gas jockey, lawyer, farmer, teacher, housewife, househusband -- anyone who thinks that a 24 per cent increase for judges is a just application of the law.

I can tell you that from my own experience in the constituency of Regina Rosemont that there has not been one single telephone call, not one single letter, not one single approach to me personally saying: gee, Bob, you did the wrong thing; you should have given the judges their 24 per cent increase. Not one, Mr. Speaker.

Let me tell you, Mr. Speaker, the residents, the good folks, of Regina Rosemont are not bashful about contacting my office when it comes to issues of political and social importance in this province. But I can tell you this, that no one . . . and I would, with the exception perhaps of a few lawyers and maybe some judges themselves, although I don't say that the judges would actually personally go and try to intervene in terms of contacting an individual member -- I must be clear about that -- I want to say clearly that I defy any member of this Assembly to stand up and talk about the overwhelming mass sentiment of people in their constituencies who think that the application of the law that we passed was a just application of the law. I defy any member of this Assembly to stand up and repeat that.

Mr. Speaker, I do not understand -- and perhaps it's because I'm not a lawyer -- but I don't understand why it would be that Liberals and Conservatives would try to justify an action by a government, if we were to have gone ahead and passed the 24 per cent, how they would have tried to justify the granting of the 24 per cent salary increase to judges.

Let's put the shoe on the other foot, Mr. Speaker. Let's say that this Assembly, in its wisdom, had gone ahead

and passed the commission's recommendation for the 24 per cent salary increase. Mr. Speaker, you can bet your bottom dollar, you can bet your bottom dollar that the members of the Liberal Party and the members of the Conservative Party sitting in this Assembly, would have been up bleating like sheep, like wounded ducks, like any other kind of fauna that we can find in this province, outraged -- outraged that . . .

The Deputy Speaker: -- The member does himself no credit by some of the adjectives that he uses, and I urge him to use some restraint in his language in referring to other members of the House.

Mr. Lyons: -- Thank you very much, Mr. Speaker. I was grasping for an appropriate . . . grasping for an appropriate adjective and I appreciate your ruling. Mr. Speaker . . . No I won't say that; I'll be besmirching the reputation of sheep and ducks. That would not be a . . .

(1615)

The Deputy Speaker: -- The member does himself no credit by carrying on this discourse, and I urge him to return to his remarks and to stick to the matter at hand and to do so now.

Mr. Lyons: -- Thank you very much, Mr. Speaker. I'll get out of the barnyard and back to the issue at hand. The issue at hand is very simply this, very simply this. For whatever partisan -- and I must say twisted partisan -- partisan reasons that the members of the Conservatives and Liberal caucuses are taking this position, is absolutely baffling. Absolutely baffling to the people of this province.

The people of this province are wise enough to realize that it's not very often that a government will stand up and say we made a mistake. I mean between 1982 and 1991, and the dozens and dozens and dozens of mistakes made by the members of the Progressive Conservative Party we have yet to hear one, not one repentant voice. Right? We have not heard during their reign of error one voice saying, gee we made a mistake, we should have changed our ways. Mr. Speaker, not one.

Unlike the former administration this government says we made a mistake -- we collectively. Because what's interesting is that the members of the Conservative and Liberal parties voted for that legislation. Despite what they say now, they voted for that legislation, went past, went through the House, right? We as the government saying we made an error. They're still the same kind of bull-headed, blockheaded refusal to stand up and say, we made a mistake.

The members of the Conservative caucus will not admit that they've made a mistake. They haven't changed their spots. And what's interesting, Mr. Speaker, is that the members of the Liberal caucus seem to have caught that same kind of measly disease -- they're not changing their spots either.

We made a mistake; we say it forthrightly. We're not afraid to say that, Mr. Speaker. And that's why I support the actions of the government and the Minister of Justice in doing what we've done, and which is to limit judges' salaries to a reasonable, reasonable amount.

And I can tell you this, Mr. Speaker. Some people in my constituency have phoned me and said, why are you even giving them two and a half per cent when they make \$90,000 a year. Well that can be debated, Mr. Speaker. Suffice it to say that two and a half per cent is much closer to reality than to whatever position the members of the Conservative and the Liberal parties are taking.

Some Hon. Members: Hear, hear!

Ms. Lorje: -- Thank you, Mr. Deputy Speaker. I want to address a few words to this subject because I think it is a matter that most people in Saskatchewan have some fairly fixed views on. I would suggest, given the phone calls and letters that I have been receiving on this matter, that their fixed views are that the judges did not need or deserve a 24 per cent salary increase.

However some people are also concerned about what they see as a process of a government short-circuiting the laws that it itself creates. So I think it is important in my role as a representative for the people of Saskatoon Wildwood that I stand today and address a few words on this matter.

Because, Mr. Deputy Speaker, following on the words of the member for Regina Rosemont, I do want to emphasize that our government is adopting and putting into practice and behaviour, word and deed, a new kind of politics, and that is we are trying to get away from the old, what I would call the macho style of politics which is, full steam ahead, damn the torpedoes, and don't worry about what's going on on any side.

Instead we are saying that when we make a mistake, we feel comfortable enough, we feel firm enough in our basic principles, in our desire for social justice in this province, that we will stand up and admit that we've made a mistake. I like to think that perhaps that might come a little bit from the influence that some of the women members in our party and in the legislature are having because feminists for years have been saying that we want to have a different approach to politics. And we don't want it to be so rigid and doctrinaire. And certainly our government, I believe, is being very forthright and very strong by standing up and saying that it has made a mistake; it created a commission whose report went badly off the rails.

But even more importantly, we are willing to learn from that mistake. When we create commissions, Mr. Deputy Speaker, it is important that we not only create commissions that can be independent, but commissions that are accountable. And clearly in this whole process, as we look back and review what went wrong, we have to take a look at whether or not that commission in its creation actually received sufficient

guidance for it to actually bring in an accountable report.

I went back to the original report, December 13, 1993, the report of the Provincial Court Commission written by Mr. Irwin, and also signed by Ms. Rothery and Mr. Allbright. And I found it interesting looking at it and checking out some of the comments in it. I think that the commission did try to bring in a reasonable recommendation, but I think that they had so many different competing philosophies and demands placed upon them that they ultimately, to my way of thinking, simply plucked out of the air an award. And it does not bear any relationship to what I would have expected, given the preamble in the commission's report. For instance, Mr. Speaker, they say, and I quote here:

The Commission believes it is important to consider the provincial economic environment.

They go on to say:

. . . the employer's ability to pay must also be considered .
. . . (the) real "employers" are the people of this province.

Reading that, one would not have expected a 24 per cent arbitration award. I go on, Mr. Deputy Speaker. They say:

The Commission sees its responsibility to the residents of our province and not to the government who appointed it. The economic condition of our Province and its people must be a factor in our recommendations on judicial compensation.

All of these fine phrases, and they still brought in a 24 per cent salary raise for judges who were already earning \$90,000. Finally, Mr. Speaker, most ironic of all, the commission says:

Local conditions, the ability to attract suitable candidates, and the ability of resident taxpayers to pay must all be considered.

So reading that, one would assume that there would be a reasonable standard applied to the recommendation that they brought in.

And I have some fair degree of sympathy for the commission members, because of course they had to make a decision as to what kind of a standard they would apply in terms of recommending a salary increase for the judges. Should they apply a federal standard?

We have in this province 44 judges who are appointed federally -- some 35 Queen's Bench judges, eight on the Court of Appeal, and then a Chief Justice -- 44 federally appointed judges who receive compensation that is equivalent to what all the judges federally across Canada receive, that is in excess of \$150,000 a year.

On the other hand, we have 44 Provincial Court judges -- it is somewhat ironic that the numbers happen to be the same -- 44 at 150,000 and 44 at 90,000. Those poor 44 at 90,000, receiving only \$90,000, felt that they should have the right to more compensation.

So of course the commission could have decided to bring in a recommendation to bring them right up to the level of federally appointed judges. They could have applied a federal standard. They could have applied a regional standard or a made-in-Saskatchewan standard.

As I look at it and as I read the commission report, I would have expected it would have been a made-in-Saskatchewan standard. Given that, I would have assumed that what they would have done would be to refer to what lawyers, who after all are the feeder stock for judges, were making.

So you would expect that they would look at the salaries for lawyers and then say, well we've got to take into account the working conditions and so forth, and take into account the prestige of the position of judge, as well as the onerousness of their working conditions, and bring in a recommendation that was appropriate there.

Well I go and I look at what kinds of salaries lawyers make in this province, if they're going to apply a local standard. Now it is a fallacy, Mr. Deputy Speaker, that lawyers make a great deal of money. Certainly they are middle income earners in this province, but they are not the fat cats that a lot of people who like to do lawyer bashing would have them be.

I think I'm getting interrupted in my thought process by a lawyer here. I will try to get back on track here. I want to address the issue of just exactly how much do lawyers make, if the commission is going to use a local standard as they seem to have been saying they would, when making recommendations for appropriate compensation for Provincial Court judges.

Well in fact, according to data reported to Statistics Canada, in 1990 the average income of lawyers was \$61,573. Now when you look at that, that may sound like an incredible amount of money; certainly it is to somebody who's earning minimum wage. But there's all sorts of factors that go into that. There are salaried lawyers; there are salaried unionized lawyers; there are non-salaried, self-employed lawyers.

There are differences between the earnings of men and women as lawyers too. In 1990 there were 1,330 lawyers who reported their income to Statistics Canada. As I said, the average salary for those lawyers was \$61,000-plus. For the men it was \$69,366, whereas for the women lawyers it was \$39,434. An issue, I would hope, that the legal profession would consider at some point is that whole question of salary differential within the legal profession. As a feminist, I'm often aghast at the fact that women only make 71

cents on the dollar compared to what men make. But I'm sorry women lawyers have got an even larger wage gap that they have to close.

So having looked at that, one would say if the commission is going to make its award based on a local standard and based on comparables within the profession, then they obviously are going to take a look at what is involved in the job of being a judge. Because the concept of being a judge has changed.

It used to be that in exchange for the prestige, the honour, and the security, the judges got certain other things in exchange. Right now judges in our provinces receive a group life insurance. They get holiday pay. This is all in addition to their \$90,000 a year salary. They have a defined benefit pension plan -- not a money-purchase plan, a defined benefit pension plan. They get an allowance of \$1,250 a year for miscellaneous expenses. They have six weeks vacation. And while technically they are to work five days a week, in fact one day a week is set aside for judgement writing. So they have a fairly reasonable bit of working conditions.

And I would suggest that all the benefits that I have listed there now . . . And the other thing that I didn't mention is that unlike lawyers who are self-employed, they don't have any capital investment. They don't have to maintain an office because the office is provided for them. They don't have to buy computers or pay secretarial staff or whatever. So they have fairly reasonable working conditions, I would suggest. All of these benefits likely add up to about an additional 20 per cent more.

(1630)

So I'm very hard-pressed to say that at 90,000 plus the 20 per cent perks and benefits, that they really are hard-pressed and one of the socially hard-done-by, poverty-ridden groups in society.

Still and all, I could understand that the commission would want to bring in a recommendation that would bear some relationship to local employment conditions, local economic conditions, and local conditions vis-a-vis other people in their profession.

Well they haven't done that. I mean, if you take a look at the local economic conditions in this province, we are struggling trying to maintain the province's credit rating. We are struggling trying to deal with a deficit that is obscene so that we can finally start to turn our attention to a debt that is even more obscene. And judges already are at the top 7 per cent of income earners in the legal profession in this province.

So as I look at it, it seems to me the commission did not apply a federal standard, because they didn't recommend that they get the 150,000-plus the 44 federally appointed judges get. They didn't apply a local standard.

It seems to me what they did was they applied a "pluck it out of the air" standard and said, well gee, sounds

good to me -- 20 per cent for April '93 and then 2 per cent the year after and 2 per cent the year after that. This is totally absurd and it is unacceptable to the people of Saskatchewan.

We recognized that when we got the recommendation from the commission and we struggled -- days and days. Indeed we struggled long past the time when we were to have adopted that recommendation, as members opposite know, because we were very concerned about the charges of well, this government is breaking its own rules; this is wrong; this is a terrible government. We did not want to have those kinds of cheap political shots aimed at us because we are, quite frankly, trying to govern with the best interests of the people of Saskatchewan at heart.

But I have to say that at the end of the day we finally decided that, by analogy to arbitration, what we had to do was recognize that we had a commission that had gone badly off the rails. The commission went off the rails in terms of its recommendations.

And so what we're doing with this legislation, Bill 46, is essentially the same thing that employers, and indeed sometimes unions often do when they are the subject of an off-the-rails, ridiculous arbitration award; they appeal it.

Now for employers and for unions, they have the ability to go to court to try to get the thing reversed. The problem that we have is we're dealing with judges' salary. We would be going to court and asking judges to once again review their own salary. It's absurd. So we finally decided that the court of appeal for us is the legislature. This is the court. We are in it. We are doing the same thing that any employer or any union would do when they have an off-the-rails arbitration award. We are appealing it.

But rather than having it fester along in the court system and affect the administration of justice, we are substituting the judgement of the legislature in this arbitration appeal process. This is not breaking our word or not breaking law, Mr. Speaker. This is seeking remedy from an illogical settlement.

Before I finish off, Mr. Speaker, I do want to point out that this is not unique. There have been other awards where governments of the day have felt that they were either out of line or the people who were subject to the awards did not agree with them.

And I want to refer very quickly to the 1988 Medical Compensation Review Committee. That was . . . the Medical Compensation Review Committee was set up by the government of the day in 1988, to review compensation packages for physicians. When they brought in their recommendations, the Saskatchewan Medical Association appealed it, and the recommendation was quashed in provincial court. The government of the day then appealed it successfully to the Court of Appeal.

Finally, as has been pointed out by other speakers, the

members of the parties opposite are not entirely clean on all of this. They might want to talk a lot about the independence of the judiciary and so forth, but we must never forget that it was the Mulroney Tories who, just a few years ago, actually froze federal court judges' salaries until 1996.

So clearly the time has come. This society recognizes that there is a certain amount of common sense that has to be applied to salaries for people who are working in jobs such as judges.

Clearly society is saying -- our telephone calls that we're receiving in all the constituencies in this province -- our telephone calls say that society recognizes that the judges are adequately compensated and it is time now for them to get on with doing the job that they are adequately being paid to do. Thank you very much, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Kowalsky: -- There's several speakers have spoken on this particular Bill and I do not want to address again the issues which have been addressed very well this afternoon.

But I do want to speak very briefly just to one concept and that is to the concept of the independence of the judiciary. Because during the course of this debate there have been some allegations that by the government doing what it is supposed to do -- that is evaluate laws -- evaluate laws to see if they're good or bad, and then changing the law if it's judged that they are bad, is somehow . . . in doing this would be undermining the ability of the judiciary or somehow is interfering with its autonomy.

And I've been trying to grapple with this, Mr. Speaker, and this argument, and to address it and see just where this argument came from or whether it holds water or not. And I thought to myself, Mr. Speaker, consider what would happen in the case of other professionals -- let's say doctors. If the government rules on an issue that affects doctors -- say medicare, imposing a medicare scheme -- does that interfere with the doctors' right to doctor, or did it? And history has proven, even though the doctors clamoured, and in the 1962 debates which were very, very aggressive, to say the least, found that the doctoring if anything, in Saskatchewan, had improved. There was absolutely no effect on their ability to doctor.

And I think, Mr. Speaker, of a situation where there have been occasions in this country, or on the continent at least, where the government has interfered with salary bargaining, or imposed salary bargaining on professors of universities or on teachers, and has that interfered with their academic . . . or their right of academic freedom. And I say, Mr. Speaker, never has it interfered with their academic freedom. All it has done is set the salary.

So for anybody to say, Mr. Speaker, that somehow this law undermines the independence of the judiciary, would be to impugn or to assume that somehow the

judges will stop acting professionally. And I say they won't; the judges will continue to act as professionally as they have in the past, as the public expects them to.

So I say, Mr. Speaker, that our job as legislators here is to look at the law, see if the law is a good law or a bad law. If we judge it as a bad law, it is our job to change it no matter who it is that it affects. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Muirhead: -- Thank you, Mr. Speaker. I will be speaking against this Bill of course, Mr. Speaker, as I think the members will all realize when I'm through my remarks that I'm definitely against the Bill.

I have a few remarks that I'm just going to read out. Then we're going to make a few comments from the remarks of my coffee rows, that you can come with me, the member from Rosetown, and we'll just take a tour. We'll be inviting him, Mr. Speaker, to come out on the weekend and we'll just tour Arm River and we'll talk to the coffee rows, and he'll find out and get a little lesson.

Mr. Speaker, as Dale Eisler asked in his editorial, March 19: who's next? Now that's just what all people listening in this room and all the television listeners right now, just think about this, who is next? And people are saying out there right now, the majority -- and I agree with the members opposite -- who cares if the judges don't get a raise? That's what a lot of the people are saying. They make a lot of money and these are tough times.

I heard the hot line this morning, Mr. Speaker, and it was about five to one coming in in favour of what the government's doing but didn't like how they were doing it. They were just thinking about the 24 per cent raise, Mr. Speaker, but it didn't make it right how they done it.

Because it came in very clearly on the hot lines this morning: I agree that the judges shouldn't get 24 per cent interest, they said, but why didn't the government think of this before they brought this Bill in? That was the clear message. Why didn't they use their head? Why weren't they thinking a year ago? But no, sir, they weren't.

People are asking why we're getting worked up about this. And I say we should get worked up about it because the pattern of government behaviour exemplifies this. It began with the government unilaterally vetoing all previous contracts with civil servants through The Crown Employment Contracts Act. There, as here, they could count on public apathy about their behaviour.

Then they cancelled the contracts with farmers by unilaterally changing the GRIP (gross revenue insurance program) program. I'm going to cover quite a bit about that, Mr. Speaker, because as every member knows, I like to talk about GRIP every time I get my chance.

And naturally when you get a Bill like this brought into this legislature, what the Minister of Justice has put upon the people of Saskatchewan, it's going to remind everybody how serious that changing of the GRIP contract was in 1992. Then they turned on Federated Co-op Ltd. by refusing to live up to the terms of the agreement the province had with the NewGrade heavy oil upgrader.

Now I would say, Mr. Speaker, that that caused quite an uproar in the province of Saskatchewan because they changed contracts. Now I don't know how anybody can possibly say that that's the right and proper thing for a government to do, to up and change a contract.

Time and again, Mr. Speaker, the government has shown that it regards the law and its responsibilities as a mere nuisance. What they want is the only thing that concerns them in dealing with the institutions of a civil society.

Now they have taken the ultimate step of defying their own law. No one is arguing that the government did not have the prerogative to deal with the judges' salary issue in any way they saw fit. They can do that. We know that, Mr. Speaker. They can do what they want. They've proved that to the people in Saskatchewan -- do it, they can do.

But from our experience with this issue, we tried to tell them that binding arbitration was not the way to go. We tried to tell them when they put the Bill through in the first place. But as usual they didn't listen. They held firm in their belief that no one, but no one but an NDP cabinet minister, knows anything about anything.

Mr. Speaker, that's their trouble. They should have thought this out very, very carefully when they put this Bill through in the first place, to give this commission the mandate that they did. Why didn't they think it out?

Well events have shown just how wrong that theory is. They made a mistake in our system of democracy. Governments must live with their mistakes. And I will say that the Minister of Justice has stood up and said, we have made a mistake. He said it to the media, he has said it in this legislature -- they have made a mistake. And I'll give credit that he's admitted they made a mistake. But it's how they're saying it. They're just saying, we made a mistake, and sloughing it off that it's a nothing thing to make a mistake around here.

When I make a mistake in my life, I've got to abide by the consequences. And all my life experience, when I make a mistake on the farm, if I don't do things right, I suffer the consequences. And the government should have realized that.

And when they give this commission this mandate, they thought that maybe they would come up with a 5 to 10 per cent increase. I'm sure that's what they were

thinking. They could have went 5 and 5, the commission, and nobody would have thought anything more of it. But when they come into a 24, a 20 -- I guess it was 20 per cent, two and two -- that was just more than they can stand.

(1645)

And I understand that. I can see why they've done it, but there's no justification for changing the law. There's no justification. I can see the bind they were in, but boy, if I was on that side of the House, in government, which we will be again, I would rather suffer the consequences than break an agreement. Breaking an agreement is bad enough between friends, neighbours and what not, but when the government breaks an agreement, it's serious. It'll have its consequences, my friend. Breaking agreements will never be forgotten.

Rather than admitting a mistake and accept the judgement of the public that would come with it, they have borrowed a page out of Orwell's **Nineteen Eighty-Four**. Big Brother has decided that the independent commission never existed. Hence they don't feel any embarrassment. No responsibility. Anyone who dares say otherwise is guilty of a thought crime and will be sentenced to listen. Big Brother pretends that he's Tommy Douglas.

That is why we as ordinary citizens should care about the judges' dispute and other such actions by the government. This kind of arbitrary and self-indulgent behaviour by a government is tyranny, Mr. Speaker, and is serious. If the media, the opposition, and the public let it slip by uncontested, then there is no board, no regulation, no institution of government that will not fall prey to the petty whims of the cabinet members.

Again, no one is arguing that the action of the government in the judges' dispute does not have the support of the majority of the people in Saskatchewan; however, a democracy is judged not only by how it represents the majority, but also on how it defends a minority, especially an unpopular minority.

To me, Mr. Speaker, it's just as important to stand up for a large group, the large group in Saskatchewan, as you would a minority. It's just as important, Mr. Speaker.

You see they didn't care about the farmers in the GRIP program because they were in the minority. They knew that the majority of the people in Saskatchewan would say, oh well, farmers doing all right; let's worry about myself. They knew that. That's why they done it.

But they're getting braver and braver. You see it's just like a person that commits a sin -- once he does it once, it's pretty hard on him, but the second time, not so bad, and then it gets to so it don't bother him any more. And this government, once they've done this . . .

They started out in 1991 breaking their own contracts

and it didn't seem to bother them a lot. I can see they really worried about breaking that GRIP contract. It was bothering them because letters and phone calls came from all over Saskatchewan. Then they broke another contract. And I see it didn't seem to bother them so much. And then they break another contract, and then another one. It don't bother them at all now.

And you watch, Mr. Speaker, over the next few years, to have this balanced budget as they promised before they go to the polls, the only way they're going to do it is -- which I'm going to touch on here -- who're they going to be touching to balance the budget? They'll be breaking contracts like the people in this province of Saskatchewan have ever seen or ever witnessed in their life.

Yesterday was civil servants' day; today, it's the judges. But watch out. And I say to Barb Byers, watch out, because tomorrow it will be you. You'll be hitting her tomorrow. When the government ignores the law, no one is safe. And the member from Rosemont should know that.

The member from Rosemont thinks he's very . . . he talks very proud, he stands up here, and he knows, he feels, he's in a safe seat. The member from Cut Knife-Lloyd was speaking here a while ago, how everybody in her riding said everything was just hunky-dory, they all agree with her.

This is the way I predict it -- when I predict anything about politics, I'm not too far wrong -- and I predict that the member from Rosemont will probably hang in there. He's fairly safe in the remarks he said, because he got a pretty safe riding around him, a labour riding.

But the member from Cut Knife-Lloyd, I wouldn't want that **Hansard** to get back out to that riding, because I'm sure they're saying in her riding exactly what they're saying in mine -- the judges don't need 24 per cent interest, but I don't like the method and how they done it.

Now that's what you better worry about, the member from Cut Knife-Lloyd. Go home this weekend. I challenge her to go to any coffee row -- as I challenge the member from Rosemont to come out to Arm River, and we'll go to the coffee row of your choice -- and if you can get anyone to agree with you, you've got my word, I will stand up in this House and say I made a mistake, I can't read my people. But you'll find out that I am right.

So we'll meet after this session tonight, Mr. Speaker, I'll meet with the member of Rosemont and we'll pick out our hour, our time, and when we're going to meet, and go through my riding, and to prove to him what people are really saying. It's not the judges they're thinking about, it's the method of what you're doing, because this has reminded every farmer in Saskatchewan, including the farmers from Cut Knife-Lloyd, and Arm River . . .

An Hon. Member: -- Rosemont.

Mr. Muirhead: -- There's a few farmers in Rosemont that probably aren't too happy with you breaking contracts either.

Let's just, Mr. Speaker, just touch on a few of the people here -- before 5 I probably won't be able to get through them all -- that they're really going to be touching here. I would not feel safe if I was working for the Crop Insurance right now, for Crop Insurance as a civil servant, because just with a snap of the finger every agent and adjuster could be gone. Just like that.

Because don't you remember, Mr. Speaker, we must remember about the contracts they broke when they formed the government in 1991. They came in here and they said, we've got to get rid of all those bin police, because we are not going to be out there harassing farmers, but boy they broke that contract in a hurry. But now what's happened, they've got more adjusters, and more bin police than ever before, and there's more farmers that have been charged, and more farmers have gone to jail. I just had one in my riding went to jail. He was framed by that Crop Insurance, the bin police, and I'll be bringing that to this legislature in the estimates of the Department of Justice, and we're going to be talking about it very freely in this House and how he was treated.

Well let's talk about contracts. If I was an agent out there and I was an adjuster, I'd wonder what's going to happen next. Because they know we don't need bin police, they've already said that, so that means their jobs are in jeopardy. Could be gone.

Now we talk about something that's really important here, what really worries me, if you want to know what you hear out in the Craik, and Davidson, Kenaston schools, is that teachers are worried about their own contracts. They're saying the population is going down in rural Saskatchewan, the farmers aren't surviving, the towns are getting smaller. They're either leaving the province or moving into the cities and they're having a job . . . quite a thing for a school teacher to hold onto his job not because of their qualifications -- because of not enough students.

And so to save money . . . and they've unloaded so bad, breaking contracts to the municipalities and to the Department of Education, has broke their contracts with the school units that they're passing this expense back onto the municipalities on taxes. And they can't stand it.

So what they're doing is talking about maybe we're going to have to cut back on keeping our schools up. And so what's going to happen? What I'm afraid of is more contracts are going to get broken, Mr. Speaker. They're going to be cutting down on their grants to keeping our schools in place, and the cost-sharing grant is now in place for education in our province of Saskatchewan. These contracts can be broken at any time.

Now if you want to talk about . . . I know what you're going to hear in Davidson, to the member from Rosemont; you're going to hear this if you happen to

get a hold of a teacher in that coffee row talk: well, they're going to say, Mr. Member, well how safe is my contract? How safe is my contract as a teacher? Am I going to just lose that job?

The member from Last Mountain-Touchwood says . . . he gripped his fist. I don't know what he was meaning there but he must figure they're safe. But boy if I lived in rural Saskatchewan, like the member from Last Mountain-Touchwood, I don't think I'd go home this weekend. Because this is . . . I don't think it's safe. It's not safe . . . (inaudible interjection) . . . Well I wouldn't want to be a government member, I wouldn't want to be a government member under the Progressive Conservatives and then have done something like you people and go home on the weekend.

I'll tell you that I would be staying in here for sure. I'd stay in Regina on the weekend because, Mr. Speaker, I can say in the 16 years I've been an MLA we figured out, my wife and I -- we've had five weekends that we've stayed in Regina. I love to go home to my riding. I like to talk to my people; I like to get their feeling, and I'll tell you, Mr. Speaker, I have 14 people that's on my executive that I make a phone call to and they phone four more, and we have covered every town in our riding. Every poll is covered, and in 24 hours to 48 hours, I can tell you what the coffee row in Arm River is saying.

And that's how I've listened to those people and that's why I've been returned to this legislature for 16 years, because I listen to people. But I could not go home ever and hold my face up and say to the people, we have broken a contract, whether it was something they didn't care about or not. I mean, about the judges and the 24 per cent, that wouldn't bother them. What's bothering them is you can break contracts.

I'd like some government member that's going to be speaking, follow me, whenever they speak again on this, somebody get up and say, how many contracts has any government in Canada ever broken? Just see how many other provinces have done the same thing as this.

We heard the member from . . . I believe it was from Saskatoon -- she was speaking a little while ago -- from Saskatoon Wildwood, and she said Mulroney broke a contract by freezing the salaries on court judges. Well what a statement to say. What a statement to say. Just freezing the wages, just freezing the wages is not breaking a contract that changed their salaries. Come on now, get serious. That was an awful statement for her to say, that Mulroney broke a contract. He didn't break a contract.

We as MLAs have froze our salaries for years here. We MLAs have done the honourable thing. We've all . . . and I agree with the members over there -- they've done it; and the members here, we did it when we were in government -- we froze our own salaries. But you don't freeze the salaries, you don't worry about the contracts. But breaking contracts -- they break the contracts of their own Executive Council and their own individual workers and EAs (executive assistants)

and their own departments -- they break the contracts but they don't go down, they go up. They raise the contracts up.

So I don't know how you people can be too proud. I just can't believe it. And if we want to . . . I want to touch on one more as quickly as I can, is the hospital contracts. If you think for one minute, Mr. Speaker, if the members opposite think for one minute that the people in Davidson and Craik and the community in Imperial and Outlook who have hospitals in danger -- and we're not talking about all Saskatchewan, but that's the four in my riding -- if you think breaking contracts to close hospitals . . . and we in the town of Craik are sitting there with an eight-bed, acute-care hospital, and the beds are sitting empty. But thank goodness the hospital's still open because we have 12 bed for level 4 care.

And that's breaking a contract. That hospital was built, it was opened under the Minister of Health under the NDP government; it was opened under them. And they come out and say, what a wonderful facility. And no more than got back to Regina, we're going to close it down. Never heard of such a thing of breaking contracts in my life, breaking contracts. The people from the Craik and Aylesbury and Chamberlain community in my riding, they raised \$875,000 cash; we have no debt; we own that hospital. And what did this government do in this last few weeks? Come in and took their title away. Took the title away and says, we now own this hospital. It went to the board; we've lost it.

And then they try to get their hands . . . when the mayor was away, they sent in some people to break another contract, to get their hands on some of the cash that was sitting in the hospital fund, but thank goodness there was some people got that stopped or they would have walked away with another contract broken. But they're taking some of it, don't worry; the title's gone, some of the money's gone, but we've had to fight to hold onto the contract of some of the funds that were left in the Craik bank account, the Craik community hospital bank account, that was put there by individuals. Thank goodness that is staying there momentarily while we're fighting this out.

Now the member from . . . the Associate Minister of Health said, it's all fixed. Well I'll tell you, things aren't fixed as good as he thinks it is because he's breaking contract, he breaks his word. I came to him and had a contract with him, Mr. Speaker, a contract with him about not moving four of my patients out of the Davidson Hospital to another town and he stopped it right there, and I appreciated that. But I no sooner got out of the country and was away to the United States, and whoop, one was gone 127 miles away. He broke his word just the second that I was gone.

The Speaker: -- Order, order. Order. It now being 5 o'clock, this House stands adjourned until tomorrow at 10 a.m.

The Assembly adjourned at 5 p.m.