

The Assembly met at 10 a.m.

Prayers

**ROUTINE PROCEEDINGS**

**PRESENTING PETITIONS**

**Mr. Osika:** — Thank you, Mr. Speaker. I rise on behalf of concerned citizens of the province of Saskatchewan with respect to the closure of the Plains Health Centre in Regina. The prayer reads:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

And the names on the petition are from Punnichy, Maryfield, Salisbury, and all small communities around Saskatchewan, Mr. Speaker. Thank you.

**Mr. Bjornerud:** — Thank you, Mr. Speaker. I also am presenting petitions of names of people throughout Saskatchewan regarding the Plains Health Centre. The prayer reads, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

Most of the signatures and petitioners are from the city of Regina.

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to present petitions of names from people throughout Saskatchewan regarding the closure of the Plains Health Centre. The petition reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed the petitions, Mr. Speaker, are from Regina, Moosomin, Francis, and throughout Saskatchewan. I so present.

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, I also rise on behalf of citizens of Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed this petition, Mr. Speaker, are from Regina, Assiniboia, Grenfell, and Kayville.

**Mr. Gantefoer:** — Thank you, Mr. Speaker. I rise as well on behalf of citizens concerned about the future of the Plains Health Centre. The prayer reads, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon.

Assembly may be pleased to reconsider closure of the Plains Health Centre.

Signatures on this petition today, Mr. Speaker, are from Regina.

**Ms. Draude:** — Thank you, Mr. Speaker. Today I rise to present petitions of names from people throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

The people that have signed this petition are from Regina, Saskatoon, and Moose Jaw.

**Mr. Aldridge:** — Thank you, Mr. Speaker. I also rise today to present petitions of names from throughout Saskatchewan regarding the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

And those who have signed this petition, Mr. Speaker, truly represent a rather broad cross-section of the province. We have Regina, Saskatoon, down to Yorkton, up to Esterhazy, Grenfell, Milestone, White City, Wapella, and numerous other centres.

**Mr. McPherson:** — Thank you, Mr. Speaker. I rise today, on day number 34 — the 34th day running that I have been with my colleagues and the people of Saskatchewan in presenting petitions in regards to saving the Plains Health Centre. The prayer reads as follows, Mr. Speaker:

Wherefore your petitioner humbly prays that your Hon. Assembly may be pleased to reconsider closure of the Plains Health Centre.

And the people that have signed the petition, Mr. Speaker, I see are basically all from the Regina area; in fact many from the Regina South constituency, Regina Coronation Park, Regina Victoria, Regina Lakeview, Regina Centre, Elphinstone, Northeast, Regina Dewdney, Regina Sherwood, Regina Wascana Plains, and Regina Qu'Appelle Valley constituencies, and I'm sure . . . I would like to present these today.

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I'm pleased to rise today to present some petitions on behalf of the people of Saskatchewan. Some of these were collected at the Foam Lake firearms information rally. The petition reads:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to unequivocally pass the Bill to protect the rights of firearms owners, otherwise known by short title as The Saskatchewan Property Rights Act, and as in duty bound, your petitioners will ever pray.

These petitions come from the Kelliher, Estevan, Sheho, Foam Lake, Springside, Kelvington, Wynyard, Sturgis, Theodore,

Yorkton, Kuroki — all across the north-east part of the province, Mr. Speaker.

And I also further have petitions that were collected up at the Saskatchewan Meat Processors Association that I also would like to turn in also.

**Mr. Heppner:** — Thank you, Mr. Speaker. I rise to present a petition from people from Regina, Saltcoats, but mainly from the area of Kamsack. And I read the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to support Bill 31, An Act to Amend The Saskatchewan Human Rights Code, which will benefit all property owners in Saskatchewan, and specifically firearms owners, in order to halt the federal Liberal government from infringing upon the rights of Saskatchewan people.

Thank you.

**Mr. Goohsen:** — Thank you, Mr. Speaker. I'm happy to present petitions on behalf of the people from the Maple Creek, Piapot, Eastend, Swift Current, Rush Lake, and Morse areas. I'll read the prayer:

Wherefore your petitioners humbly pray that your Hon. Assembly may be pleased to support Bill 31, An Act to amend The Saskatchewan Human Rights Code (Property Rights), which will benefit all property owners in Saskatchewan, and specifically firearm owners, in order to halt the federal Liberal government from infringing upon the rights of Saskatchewan people.

And as in duty bound, your petitioners will ever pray.

I thank you, Mr. Speaker.

#### READING AND RECEIVING PETITIONS

**Clerk:** — According to order the following petitions have been reviewed pursuant to rule 12(7), and they are hereby read and received.

Of citizens of the province petitioning the Assembly to reconsider closure of the Plains Health Centre; and

Of citizens of the province petitioning the government to take action to allow an increase in security deposits on rental properties.

#### INTRODUCTION OF GUESTS

**Hon. Mr. Lautermilch:** — Thank you very much, Mr. Speaker. I would like to introduce to you and through you to all members of the House, 10 grade 11 and 12 students from my home community, from Prince Albert. These are students from the Prince Albert Christian School.

They are accompanied by the principal, Dale Hassett, and two teachers, Dale Ehlert and David Haynes. And I'm hoping I pronounced Darren's name properly. The writing on this is, I

think, almost as messy as mine, so it's a little difficult to recognize.

But I would want to say to you that the school is situated on River Street in Prince Albert and it's served a number of functions. In 1991 it was the building that we used to house our election campaign. And some might argue that it's gone to a much better purpose, serving the Prince Albert Christian School students.

So I'd like all members to join with me and welcome them to the legislature today. Thank you very much.

**Hon. Members:** Hear, hear!

**Mr. Heppner:** — Thank you, Mr. Speaker. I would like to introduce to you and through you to the rest of the House, a group of students from Sask. Valley School Division from the community of Osler. Osler is a growing community, as are all the nine schools that are part of Sask. Valley School Division. And the Osler School has a great reputation for academic excellence.

We have 36 students from that community and they are here with their teachers, Glen Osmond and Dwayne Heidt, as well as chairpersons, Brenda Andres and Loretta Sawatzky.

I would ask them to stand and let's give them a good welcome to Regina and to this House.

**Hon. Members:** Hear, hear!

**Hon. Mrs. Teichrob:** — Mr. Speaker, I'd like to take this opportunity to join the member opposite, the member from Rosthern, in welcoming the students here from Osler. I was the reeve of the municipality that . . . of Corman Park, that Osler is in, for a long time and have many good relationships with the people in the town of Osler and the Sask. Valley School Division, and know it to be a very great place in Saskatchewan to come from. And I want to wish the . . . I met the group on the stairs this morning on the way down to the House, and I just want to wish them again a very pleasant stay in Regina.

**Hon. Members:** Hear, hear!

**Mr. Heppner:** — Thank you, Mr. Speaker. On behalf of our caucus I would also like to welcome through you, the people from the Prince Albert Christian School. It's good to have you here as well, and hope this will be an informative time as you visit the House and Regina.

And I'd also forgotten that we had a number of Osler people behind me. Welcome as well.

**Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — Thank you very much, Mr. Speaker. I have a couple of groups that I'd like to introduce this morning, Mr. Speaker. First, seated behind the bar, Mr. Speaker, are three members of the Manitoba legislature who are here visiting with us this morning. And I will be meeting with them later this morning along with my colleague, the minister responsible for

Northern Affairs.

So I would like to introduce at this time, Mr. Speaker, Mr. Eric Robinson, the MLA (Member of the Legislative Assembly) for Rupertsland and is currently the critic of Northern Affairs. The member, Mr. Oscar Lathlin, who is the MLA from The Pas and is the critic of Northern Affairs as well, in the NDP (New Democratic Party) caucus. As well as, Mr. Gerard Jennissen, who is the MLA for Flin Flon and the critic for Highways and Transportation.

And I would ask the members of the Assembly to join with me in welcoming our members from Manitoba this morning to our legislature.

**Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — As well, Mr. Speaker, this morning it gives me great pleasure to introduce to you and to members of the Assembly, seated in your gallery, a number of individuals and persons who are involved, through their leadership roles with groups or organizations, who have made a very significant contribution, in the development of legislation, to the people of Saskatchewan.

Because I have a number of individuals whom I wish to introduce, I would ask that when I do that that they rise, and then the House may wish to acknowledge them at the conclusion of my introduction of all of my guests.

Mr. Speaker, from the STEP (selective traffic enforcement program) committee members . . . and STEP is the coordinating body who has been actively involved in the enforcement dealing with vehicle implementation, seat belt use, child restraint use and suspended drivers, and their main enforcement issue has been drinking and driving. And I would like to introduce to you the members of the STEP committee.

And I'll begin by introducing first Constable Randy Armitage from the Moose Jaw Police Service; Sergeant Cliff Burnett and Corporal Murray Klatt from the RCMP (Royal Canadian Mounted Police) Regina F Division, Bag Service 2500; Constable Bob Simard and Constable Landis Chaulk, Regina city police; Sergeant Dave Longueil and Constable Steve Kaye, Saskatoon Police Service; John Meed, executive director, transport compliance branch, Highways and Transportation; Mr. Tom Savage, director, Saskatchewan Police Commission Services; Mr. Mitch Crumley, manager, law enforcement services; Mr. Bill Todd, supervisor, traffic safety promotions, SGI (Saskatchewan Government Insurance).

I would like to also introduce Mr. Jason Dubois, who is the past president of Students Against Drinking and Driving; Mr. Mike Fedyk, the provincial co-ordinator of SADD (Students Against Drinking and Driving); members of the Sheldon Williams Collegiate and the University of Regina SADD chapter are also in attendance; and Maureen Murray, manager of public-government affairs, CAA (Canadian Automobile Association); Bruno Klassen, president of the Saskatchewan Driver Education Association; Mr. Warren Smith, who is general manager, Saskatchewan Trucking Association and the Saskatchewan Professional Driver Safety Council.

At this time I would like to ask all members of the Assembly to join with me in welcoming this distinguished group of individuals who've assisted in the promotion of some important legislation in this province. Thank you very much, Mr. Speaker.

**Hon. Members:** Hear, hear!

## STATEMENTS BY MEMBERS

### Women of Distinction Awards

**Ms. Draude:** — Thank you, Mr. Speaker. Last night the YWCA celebrated the leadership efforts of women of southern Saskatchewan with the annual Women of Distinction Awards. I would like to recognize some of the winners from that ceremony. Sharon Wheatley captured the science and technology category for her efforts as a science teacher at Robert Usher Collegiate; Verna Alford won the business, labour and professions category. She is the president of Alford's floor and interiors.

Pam Barber and Mavis Palmer were both honoured with the community and humanitarian service awards. Both of these women are extremely active in a variety of community organizations. Gerry Pepler won the contribution to a rural community award for her extensive volunteer work in the Yorkton area.

Mary Bluehardt was honoured in the health and wellness category for her physical activity studies at the University of Regina. Roshni Dasgupta was named the Young Woman of Distinction. Pat Steltek was awarded the sports and recreation class for her time and effort spent in a number of different sports organizations.

And finally, Jacqueline Shumiatcher won the arts and culture category for her intensive involvement in Regina's arts community during the past 40 years.

I think it's extremely important that the YWCA celebrates the accomplishments and efforts of these women and all the nominees. I ask the members of this Assembly to join me in extending their congratulations.

**Some Hon. Members:** Hear, hear!

**Ms. Hamilton:** — Mr. Speaker, as is mentioned by the previous speaker, last night nine outstanding women received awards at the 14th annual Regina YWCA Women of Distinction Awards banquet. Our member from Cut Knife-Lloydminster was able to represent government at this event. So I'd like to now congratulate, on behalf of all the members of the Assembly, those women who were nominated and those who were recipients of the awards.

In doing so, I don't think it will be an overlap of the many accomplishments of the women who have in many ways added so much to the life of their communities. The arts and culture award went to Jacqueline Shumiatcher for 40 years of outstanding contribution to the visual, literary, and performing arts. Verna Alford, president of Alford's floors and interiors

received the award for business, labour, and professions.

Both Pam Barber and Mavis Palmer received awards for community or humanitarian service. Pam Barber has been active in a number of community organizations, while Mavis Palmer is a strong voice for immigrant rights in our community.

Gerri Pepler of Yorkton is an active volunteer, media personality, and organizer. She received the contribution to a rural community award.

Health and wellness award went to Dr. Mary Bluehardt, a professor of physical activity studies at the University of Regina.

Roshni Dasgupta, a graduate of Campbell Collegiate, received the young woman of distinction award. She is in her final year of medicine at the University of Toronto.

There are two new awards this year. And Sharon Wheatley, a former high school teacher of mine, a chemistry teacher now at Robert Usher . . .

**The Speaker:** — Order, order. The member's time has expired.

**Some Hon. Members:** Hear, hear!

#### Oklahoma City Tragedy

**Mr. Gantfoer:** — Thank you, Mr. Speaker. Today I rise in remembrance of one of North America's greatest tragedies. One year ago today a massive explosion rocked Oklahoma. It shredded the federal building in downtown Oklahoma and many lives in the process.

This terrorist act claimed the lives of 168 people, including dozens of innocent children who were only guilty of attending a day care in that building that dreadful morning one year ago. It was the most devastating attack ever carried out on North American soil. Anyone watching television reports on that attack cannot forget the shocking pictures of people being carried out of the rubble.

Terrorism of any type cannot be tolerated and will be swiftly condemned. Today in Oklahoma, people are lighting candles at the site of this tragedy in memory of these victims. I ask all members to join in remembrance of these innocent victims of terrorism.

**Some Hon. Members:** Hear, hear!

#### Lakeland Citizen of the Year

**Mr. Langford:** — Mr. Speaker, today I would like to recognize an outstanding achievement of a constituent of mine.

Edward Walker of Christopher Lake has been chosen the Lakeland Citizen of the Year. Edward, who is a retiree, spent some 37 years with the Department of Natural Resources.

He has led a forestry club for youngsters, volunteered as a Scout leader, and led both hunter safety and first aid courses; other activities Edward has been involved in, including being a

member of the Royal Canadian Legion since 1978 and serving as secretary-treasurer for about 17 years. He is a member of St. Christopher's Anglican Church and participates with the local seniors' curling club.

Edward feels it is important for people to stand up for the things they are concerned about in the community. He remains very active in the area of working as a commissionaire at the Victoria Union Hospital.

He will receive the honour of Lakeland Citizen of the Year at a potluck supper on Saturday. I extend my congratulations to him and his family and ask the Assembly to show its appreciation in the usual manner. Thank you.

**Some Hon. Members:** Hear, hear!

#### Flood Volunteers Appreciation

**Mr. Bjornerud:** — Mr. Speaker, I would like to extend my appreciation to all volunteers across Saskatchewan who have been spending countless hours battling this spring's flood waters. Once again mother nature has played some nasty tricks on several areas across southern Saskatchewan, but it is heart-warming to see the amount of compassion Saskatchewan people have extended in lending a helping hand.

The communities of Moose Jaw, Eastend, Pense, Regina, Crooked Lake, Kronau, Richardson, are just some who have nervously watched the onslaught of the heavy spring run-off. But as soon as anyone was in trouble or homes were threatened, people pitched in, filling sandbags and helping building temporary dikes.

These past few weeks have seen a remarkable show of Saskatchewan spirit and I would ask the other members of this Assembly to join me in extending appreciation for their efforts.

**Some Hon. Members:** Hear, hear!

#### Crown Life Job Creation

**Mr. Thomson:** — Thank you, Mr. Speaker. I rise today to recognize an announcement made yesterday that is definitely good news for Regina. It's good news for Saskatchewan; maybe bad news for the member for Thunder Creek.

The announcement comes from Crown Life, and as the member for Thunder Creek would say, they're at it again. Although this time they're creating jobs—once again creating jobs in our city — as they're moving 18 new technical, administrative, and supervisory jobs to our community over the next six months.

As you know, Crown Life is in its 96th year of operation. It is ranked in the top 5 per cent of North American life insurance companies and it is a very positive and progressive employer in our community.

Mr. Speaker, I want to congratulate the management of Crown Life for their commitment to Regina and their ongoing support of our business efforts. Thank you.

**Some Hon. Members:** Hear, hear!

### Melville SARCAN Anniversary

**Mr. Osika:** — Thank you, Mr. Speaker. I want to bring to the attention of the House today a more pleasant but a very important anniversary celebration that's taking place in Melville later today.

Mr. Speaker, it was eight years ago that the SARCAN program was established in the city of Melville. They are marking the anniversary with a celebration later this afternoon which I have the honour of attending.

Mr. Speaker, I think everyone in this House knows the value of the SARCAN recycling program throughout Saskatchewan. On the one hand SARCAN serves the public very well in terms of environmental concerns by recycling empty cans that would otherwise end up in our already overburdened landfill sites. And equally as important, SARCAN gives meaningful work to those in our society who might not otherwise be employed.

Melville SARCAN depot, which recently recycled its eight millionth container, is operated by Rail City Industries, which has a long-standing history in Melville, giving mentally and physically challenged citizens a place to contribute greatly to their community.

Mr. Speaker, wherever SARCAN depots are set up, communities benefit. There are other communities in this province, and I encourage the government to give all the assistance it can in setting up these depots wherever they are needed and wanted. It can only serve to enhance our province.

Thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

### Regina IODE

**Ms. Murray:** — Thank you, Mr. Speaker. I want to pay brief but heartfelt tribute to a national organization and its Regina chapter that deserves recognition for its long service to Canada. I recently represented the government at the 82nd annual meeting of the Regina chapter of the Imperial Order of the Daughters of the Empire — the IODE.

The national organization was founded in 1900, at a time perhaps when its name more accurately reflected the make-up of Canada than it does today. But, Mr. Speaker, if the origins of their name have been overtaken by natural political evolution, the objectives and works of the IODE are still worthy and laudable.

Quite simply, the members of this organization love their country and are working to make it better, as they have done from their inception. They promote education by providing scholarships and supporting special programs, they provide grants to the arts and to local hospitals and institutions, and they assist in the study of our history by preserving tangible reminders of our past.

Many of us as MLAs know their work in promoting citizenship

by their welcoming presence at citizenship court. In other words, the IODE is a significant part of our nation's past, with a valuable role to play in its future.

Thank you, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

### ORAL QUESTIONS

#### Funding for Providence Place

**Mr. Aldridge:** — Thank you, Mr. Speaker. Mr. Speaker, last night it was confirmed by the Moose Jaw/Thunder Creek Health District that they do not have enough health care dollars to fund the geriatric unit at Providence Place in Moose Jaw.

Mr. Speaker, the Department of Health promised funding for this unit, and that was funding over and above the usual funding for the district. Many volunteers spent a great deal of time and energy raising money for this facility based on the promise of this government.

Will the associate minister of Health commit today to finally making good on his department's promise for separate funding for the geriatric unit for Providence Place?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Calvert:** — Mr. Speaker, on behalf of the Minister of Health, let me make it perfectly clear to the member from Thunder Creek who raises the issue today that health care funding in Saskatchewan — if he doesn't know, he should know — has significantly changed in the way districts are funded.

Health is now funded on a needs-based funding formula that is based on the needs of a district and based on having health care funding fairly allocated to that district according to its individual needs.

Mr. Speaker, that member will also know that it has been made very clear since 1994 in correspondence from ministers of Health to both the Moose Jaw/Thunder Creek Health Board and to the Providence Place board that the funding for the geriatric assessment unit, as for all other programs in the district, would come through the needs-based funding formula. There is no mystery about that.

**Some Hon. Members:** Hear, hear!

**Mr. Aldridge:** — Thank you, Mr. Speaker. What the associate minister has failed to recognize is that what also has changed in this province is the meaning of a promise on the part of this government.

But, Mr. Speaker, last week the people of this province got a good taste of what the Health department is in fact doing. This department is taking money away from rural areas and small centres and gives it to larger ones. These cuts force other cuts, which give the department even more reason to reduce funding.

Mr. Speaker, the people of Moose Jaw built Providence Place expecting separate funding for the geriatric unit. The minister broke that promise and told the district that they must fund the geriatric unit out of the needs-based funding grant. Will the associate minister admit that this needs-based funding formula is destroying rural health care and that this issue serves as just another example?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Calvert:** — Well, Mr. Speaker, I can tell that member and tell all members that Saskatchewan is pioneering the fairest funding formula for the distribution of health care dollars anywhere in Canada, anywhere in North America.

I can tell that member, Mr. Speaker, that individuals and delegations are coming from across the world to learn of this system of funding health care because, Mr. System, it is fair and it provides to the needs as best as we are able.

Now, Mr. Speaker, we would be further able to provide to the need of health care in our province if of course their friend . . .

**The Speaker:** — Order. The Speaker's having a difficult time hearing the minister make his remarks and I will ask all members of the House to allow the minister to make his remarks in such a way that the Speaker and other members of the Assembly are able to hear him.

**Hon. Mr. Calvert:** — Mr. Speaker, the members opposite would know that the funding of health care across Saskatchewan would be an easier task if their federal Liberal counterparts had not pulled out over \$50 million this budget year alone. And, Mr. Speaker, if I may say, all we've heard from this caucus — this Liberal caucus — is to sing the hallelujah chorus for that federal government.

We had a vote in this House, Mr. Speaker, calling on that federal government to be responsible to the health care needs of the people of Saskatchewan. Now, Mr. Speaker, I've seen members duck a vote. I've never seen a caucus duck a vote until that day they all walked out and wouldn't support that motion.

**Some Hon. Members:** Hear, hear!

**The Speaker:** — Order. Now I want to bring to the attention of the minister, that it is . . . order. Order. Order. Order. I will ask — I will ask members on both sides of the House to come to order.

Now the minister knows that it is inappropriate to make reference to the presence or absence and it is not allowed to do indirectly what you are not allowed to do directly. Order. I will ask the member to come to order. I remind the . . . I will ask the minister to withdraw that unparliamentary remark and then I'll go to the next question.

**Hon. Mr. Calvert:** — Mr. Speaker, I certainly withdraw that unparliamentary remark.

#### No-fault Insurance

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, yesterday I raised in this House one example to demonstrate how faulty the no-fault insurance scheme of this government truly is.

Another accident victim, Teresa Zulner of Saskatoon, stated recently on CBC (Canadian Broadcasting Corporation) radio that, and I quote:

If my accident had been 21 days earlier, I could have sued the driver for speeding through a red light. I also would have been responsible for my own recovery and could have used the money to pay for therapy as I needed it . . . but the bottom line for an accident victim is once you submit to the authority of SGI, you aren't supposed to just get better, you're supposed to get better according to their budget and their time-line.

Given the problems with this legislation, what commitment is the minister going to make in this House today to address these obvious problems?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — Thank you very much, Mr. Speaker. And appreciate the question from my colleague from Canora-Pelly.

First of all in my response yesterday, Mr. Speaker, to the House, I'd indicated to you and all members that the conversion of the SGI no-fault program was, by and large, to assist with the rehabilitation services that we can provide to people across this province. And clearly, when you take a look at the kinds of programming that we have in Saskatchewan for people who are injured in car crashes, the new program far exceeds anything that we have . . . that we've had in this province in the past, and certainly compares favourably to above that with any other province that we have across the country.

And, Mr. Speaker, as the member talks about the kinds of benefits that are provided for rehabilitation services, as I said yesterday, under the old program, under the old tort program, we provided up to a maximum of \$10,000 for rehabilitative services. Today, Mr. Speaker, we provide in excess of . . . up to \$500,000 for medical services and benefits to individuals.

Now if the member opposite believes that we should be resorting back to the old tort system and not providing that kind of medical services, he should be telling that to the people . . .

**The Speaker:** — Next question.

**Mr. Krawetz:** — Mr. Speaker, the cases involving Jan Markwart and Teresa Zulner are more than simply statistics. They are people — people whose lives have been dramatically changed because of accidents which occurred through no fault of their own. Yet, as Ms. Zulner states, and again I quote:

If you're not over your injury in six months, then they label you chronic . . . then the pressure is on . . . adjusters badger their clients into feeling bad about getting the therapy and rehab they need. They say things like "maybe you're not taking responsibility for your pain" or "maybe this is all

psychological”.

Mr. Speaker, these people did nothing wrong, yet they are being treated as if they have. Will the minister indicate when Jan Markwart and Teresa Zulner, who've suffered multiple injuries through no fault of their own, can expect a full review of the no-fault insurance legislation?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Serby:** — Well thank you very much, Mr. Speaker. In response to the member's question, I want to indicate to the member again that it is not the practice of this Assembly to have members respond to individual cases, as is the question that's being asked of me by the member from Canora-Pelly.

But I want to assure the member from Canora-Pelly, and the folks whom which he's talking with, that we understand the kinds of tragedies that families incur when they're involved in these kinds of car crashes. And where there is tragic loss, we understand that, Mr. Speaker. And it is my sense and my opinion and my understanding that the people who work within the SGI system are very compassionate, are staff that are very understanding, meet with the individuals on a regular basis.

And, Mr. Speaker, I know that under the new program, we have the kinds of benefits that I've already talked about in terms of rehabilitation, in terms of income replacement, in terms of death benefits and permanent injury. Mr. Speaker, we have, as I've indicated, some of the best programing for rehabilitative services in Canada. And currently we're involved in that with the World Health Organization in putting together some of the best . . .

**The Speaker:** — Next question. Next question.

### Flood Conditions

**Mr. Osika:** — Thank you, Mr. Speaker. We've heard the commendations for those people that have assisted those victims of the floods this spring. I raise one question about having been kept apprised of the flooding situation around Regina and immediate areas. Other parts of our province have gone somewhat unnoticed.

Mr. Speaker, I've received many phone calls from my constituents telling me of the devastating effects flood conditions have taken on homes and businesses around Crooked Lake; places like Melville Beach, Cedar Cove, Sunset Beach, and Indian Point.

Mr. Speaker, these people have told me that they received little warning from Sask Water until the water was literally moving in by the foot. My question to the minister responsible for Sask Water is whether the government is considering reviewing its notification procedures for those people who are in danger of flooding that has wiped out homes and businesses in my constituency.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Lautermilch:** — Thank you very much, Mr. Speaker.

I'm pleased today to answer the question from the Leader of the Opposition. As he indicated earlier this week, the experience that I personally had might manifest itself in the pain much lower than the incision that my surgeon inflicted upon me a few days ago.

I want to say that the people from Sask Water, the corporation, has been working very closely over the past weeks and months with communities, municipal governments, towns, in terms of informing them of the conditions that they may experience. And I want to commend the communities who have bonded together, worked to help their neighbours in terms of dealing with some of these issues.

I want to say that there are some circumstances that Sask Water can't predict. They can't predict when an ice jam will back up water. Those are the kinds of things that mother nature in her, or father nature in his, wisdom cause to happen. But I want to commend the folks from Sask Water for the kind of input that they have had in terms of informing communities and the people of this province what they may in fact expect.

**Some Hon. Members:** Hear, hear!

**Mr. Osika:** — Thank you, Mr. Speaker. I know it is comforting, and again I commend those people, where you can draw on from a population of some 170,000 to come out to adjacent areas. In that particular area I referred to, they do not have that luxury.

Mr. Speaker, last year when flooding was taking place in north-eastern Saskatchewan, this government found money for disaster relief. Of course, Mr. Speaker, we were heading into an election campaign last year. This year we're not. My question to the minister is whether or not victims of severe flooding can expect anything in terms of disaster relief, or do they have to wait until the next election cycle?

**Some Hon. Members:** Hear, hear!

**Hon. Mrs. Teichrob:** — Mr. Speaker, I'm pleased to have the opportunity to answer that question, Mr. Speaker. We all, as always, are available to provide assistance to communities in an emergency. Then after the emergency has abated and insurance adjusters have done their work and the full extent of the damage — insured and uninsured — can be determined, that is the point at which we decide whether there will be compensation or not. And I would like to address one further point, Mr. Speaker. In *Hansard* of April 15, I said in this House:

Sask Water . . . (has) . . . I . . . (had an) advisory . . . that is dated April 12 which warns of potential flooding in Crooked Lake and Round Lake five to six days hence in order to give municipalities and communities time to respond.

So in this House, Mr. Speaker, the advisory was read six days ahead of the event.

**Some Hon. Members:** Hear, hear!

### Political Function Advertising

**Mr. D'Autremont:** — Thank you, Mr. Speaker. I'd like to take a minute to just quickly review the SPMC (Saskatchewan Property Management Corporation) minister's story about his faxing violation.

First we were led to believe that his office, a provincial MLA's office, had to notify Saskatchewan's five federal NDP MPs that their federal leader was going to be in Saskatchewan. And then the story gets even better, Mr. Speaker. Then one of those NDP MPs, who is secretly a Conservative, turned around and leaked that fax to me. That's what we're supposed to believe.

Mr. Minister, will you table . . .

**The Speaker:** — Order. Order. Now I'm having difficulty hearing the question being put by the hon. member for Cannington. I'll ask all members to cooperate. Order. Order. I will ask the members of the government caucus to allow the hon. member for Cannington to put his question.

**Mr. D'Autremont:** — Mr. Speaker, that's what we're supposed to believe, that one of their MPs faxed us the information. Mr. Minister, will you table your telephone records to support this ridiculous story or will you admit that this fax was sent out to more people than just the five MPs?

**Hon. Mr. Serby:** — Thank you very much, Mr. Speaker. I'm sure that there is not one NDP member for the federal ridings that has any interest in being a Conservative. And if he did, I'm sure he would keep that the best well-kept secret. And I concur, Mr. Speaker.

I want to say to you, Mr. Speaker . . .

**The Speaker:** — Order. Now I'm going to have to ask the members of the opposition to allow . . . I'm having difficulty hearing the answer being put by the minister, and I'm going to ask the members of opposition to . . . (inaudible interjection) . . . Order. And it would be helpful if the members of the government benches would remain quiet as well — all members of the government benches.

**Hon. Mr. Serby:** — Thank you very much, Mr. Speaker. I was going to add that yesterday I'd indicated that the fax was in fact sent from my office, and a fax in fact did go to the five federal NDP ridings in Saskatchewan. And I don't know what happened with those faxes when they arrived in their offices and can't make any comment as to that.

But I am in the process of getting the billing from SaskTel, who are responsible to send us that billing, to provide for the House in the immediate future — I don't have that yet because the billings haven't yet arrived — but when those billings arrive, I will bring that to the House and I will table it for the member opposite for his viewing to see how much the cost of billing those five . . . or sending those five faxes to those five federal NDP offices in the province.

**Some Hon. Members:** Hear, hear!

### Firearms Regulations

**Mr. D'Autremont:** — Thank you, Mr. Speaker. My question is to the Minister of Justice. Mr. Minister, Saskatchewan's responsible firearm owners have been informed that you and your department have now received a copy of the regulations for Bill C-68, the new federal firearm laws.

Would you table those regulations today, Mr. Minister, so that the opposition and interested firearms owners and organizations can have a look at them, so that we can evaluate just how bad these new regulations will be in relationship to the firearm laws?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Nilson:** — Mr. Speaker, I'd like to thank the member of the third party for this question.

I would confirm that we have received a copy from the federal Department of Justice of the draft regulations. They're not final regulations. They arrived in our office approximately a week ago, a little more than a week ago. They are given to us on the basis that we would not share them with other groups until such time as we received the approval of the federal government.

We are actively pressing them to allow us to consult widely with the various groups in Saskatchewan. We've been able to release and deliver a detailed summary of all of these regulations to the organization that the member opposite referred to, as well as many other members in the community.

**Some Hon. Members:** Hear, hear!

**Mr. D'Autremont:** — Thank you, Mr. Speaker. Well since you're sharing the regulations or a summary of them with other organizations, will you also share them with members of this Assembly?

And, Mr. Minister, SARFO (Saskatchewan Association of Responsible Firearm Owners) has also informed us that yesterday and today, meetings are taking place between the Regina city police, Canada Customs, RCMP, your chief provincial firearms officer, and the U.S.(United States) Bureau of Alcohol, Tobacco, and Firearms.

Can you tell us what exactly is the purpose of these meetings? Is it to discuss the new firearms regulations? What role is your chief provincial firearms officer and your department playing in these meetings? And why are the new regulations being discussed if they haven't yet been officially released?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Nilson:** — Yes, Mr. Speaker, I'd like to thank the member for the further question. I didn't stand up earlier to introduce our chief firearms officer, but Mr. Mitch Crumley is sitting up in the top row.

**The Speaker:** — Order, order. Now I'm going to have to call the minister to order. It is improper to involve guests in the Assembly in the debate in the House, and I'll ask him to simply proceed with his response.



**Hon. Mr. Nilson:** — Yes, but practically, basically the meetings that have been going on over the last couple of days have been to look at questions relating to the transport of firearms from Saskatchewan into the United States. There has been no discussion whatsoever of the new legislation — it's been dealing with the previous legislation — because we are not in a position to discuss that legislation.

I would also like to make it clear that if people wish to hear a more detailed report on what is happening with our government, I will be speaking to 500 to 1,000 owners of guns this evening in Vibank and I invite you all to come.

**Some Hon. Members:** Hear, hear!

### Right-to-work Legislation

**Mr. Goohsen:** — Thank you, Mr. Speaker. My question today, Mr. Speaker, is to the Minister of Labour. Mr. Minister, the SaskTel strike continues to drag on, and there is no end in sight. Now this is causing considerable financial hardship to the striking workers, some of whom do not even support the strike to begin with.

Mr. Minister, we have spoken to some of the workers who would just like to return to work, and they would just as soon be able to get back to their jobs and do what is the reasonable thing to do. But they fear retributions from the unions if they do that.

Right after question period, I will be introducing the right-to-work legislation, legislation that would protect the striking workers who want to lay down their picket signs and go back to work. But we see this as a matter of individual rights, the individual's right to choose whether or not to work.

Mr. Minister, we would ask you if you would support this legislation today?

**Hon. Mr. Anguish:** — Well I thank the hon. member for his question. No, I won't support right-to-work legislation. Right-to-work legislation doesn't work. I think the member should know that. He's playing a bit of a political game pretending to support working people when every progressive piece of legislation that holds up the rights of working people in Saskatchewan, that party opposes.

Even in the province of Alberta, which the Conservatives quite often use as a shining example of a better place to be, they've studied right-to-work legislation and turned it down. They see no advantage of having right-to-work legislation. I say, get on with the business of joining with the good, positive things in the province and supporting that instead of bringing in regressive legislation into this House.

**Some Hon. Members:** Hear, hear!

**Mr. Goohsen:** — Well thank you, Mr. Speaker. My question is now to the Premier. Mr. Premier, last Tuesday we debated a motion on the right to work, a motion that was defeated by both the NDP and the Liberals in this House.

Mr. Premier, we weren't too surprised at the NDP and the Liberals were against the right-to-work legislation and the motion that we made. However, I was a little shocked at some of the inflammatory rhetoric coming from the NDP members. The member for Regina Coronation Park called employers who support right-to-work legislation, abusive Luddites — and that's a quote — and while the member from Saskatoon Southeast suggested that right-to-work legislation in the US somehow led to Oklahoma City bombings, and Waco, and the Unabomber.

Now, Mr. Premier, do you support the right to work, or do you support the radical position taken by those members in your own caucus?

**Hon. Mr. Anguish:** — I can be very clear with the member opposite, Mr. Speaker, that the government position is not one of supporting right-to-work legislation. I don't know a member of this caucus or a member of the government who would support right-to-work legislation.

As I pointed out earlier, if you look at the examples in the United States of America where they have right-to-work legislation, it doesn't work very well. There's all kinds of indicators that's is not a functional piece of legislation.

I again repeat that in the province of Alberta, that they hold up as a shining example from time to time, they've studied right-to-work legislation and turned down the concept. Right-to-work legislation does not work. I want to be very clear to the members opposite; this government does not support right-to-work legislation.

**Some Hon. Members:** Hear, hear!

### Child Prostitution

**Ms. Julé:** — Thank you, Mr. Speaker. Mr. Minister, my question today involves a sensitive topic that many would like to sweep under the rug simply hoping that it will go away. Unfortunately, that is not and will not be the case.

Mr. Speaker, the problem of child prostitution in Saskatoon and Regina streets can no longer be ignored. Mr. Speaker, in Saskatoon alone there are at least 50 prostitutes between the ages of 12 and 15 working the streets. And it is reported that there are at least 100 juvenile prostitutes in the city of Regina.

Juvenile prostitution in Saskatoon makes up one-quarter of that city's sex trade. This is 10 per cent higher than other cities across western Canada. It is distressing, to say the least, to see societal moral decay of this magnitude in our province.

My question to the Minister of Social Services is this: how many young teens have to turn to the streets in our cities before this NDP government will take action to help our young people at risk?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Nilson:** — Mr. Speaker, I thank the member for this

question. We truly realize that there are some problems with child prostitution and prostitution in general in our cities and that they're very serious and that we need to do some things about this.

We are working together with the city police in Saskatoon and in Regina. We're also working together with the Department of Social Services and various community groups in the things that we need to do to prevent and reduce this problem.

One of the examples is the COTS program, Children Off The Streets, in Regina. We are working together with the Department of Social Services and attempting to deal with this based on the suggestions that we get from the people who are in the community who are directly affected by that. And that is the way that we intend to work on this.

We ask that any suggestions and concerns that the members opposite might have that would assist in this problem for all of Saskatchewan, that they would make those.

**Some Hon. Members:** Hear, hear!

## INTRODUCTION OF BILLS

### Bill No. 75 — An Act respecting the Right to Work (RTW) in the Province of Saskatchewan

**Mr. Goohsen:** — Thank you, Mr. Speaker. I rise today to move first reading of a Bill respecting the Right to Work in the Province of Saskatchewan.

Motion agreed to, the Bill read a first time and ordered to be read a second time at the next sitting.

## ORDERS OF THE DAY

## WRITTEN QUESTIONS

**The Speaker:** — Order. Question 73 is converted to motions for returns (debatable).

**Hon. Mr. Shillington:** — Table the answer to question no. 74.

**The Speaker:** — The answer to question 74 is tabled.

## GOVERNMENT ORDERS

## SECOND READINGS

### Bill No. 17 — An Act to amend certain Acts respecting Highways and Vehicles

**Hon. Mr. Serby:** — Thank you very much, Mr. Speaker. It gives me great pleasure to give second reading to The Highways and Vehicles Statute Amendment Act, 1996.

Mr. Speaker, before I present to you and other members of the House the details of this legislation, I feel it is important to lay the foundation for how we arrived at the proposed measures that are before the House and the people of Saskatchewan today.

The automobile was a wondrous invention that revolutionized travel in the early 1900s with the introduction of the first Model T. At that time, the importance of this invention — its effect on our society, both positive and negative . . . proved positive and negative — have come to light in many, many different ways.

Had our forefathers had the ability to recognize the negatives in terms of the effect alcohol consumption would have on a person's ability to operate a motor vehicle, I suppose that things would be much different today. However, Mr. Speaker, time allows us to learn and experience, allows us to adapt to ever-changing needs of our society. From the advent of the automobile, through the '50s and now into the '90s, time and intervention has resulted in improvements and new technologies. However, unfortunately, time has also brought us some growing problems. The problem is drinking and driving.

Mr. Speaker, it has been said that in the '80s, it was a watershed decade for programs, policies and laws related to this serious problem. New laws were passed, community groups were formed, awareness campaigns were launched, and law enforcement was strengthened to deal with this problem. Although it increased awareness of the achieved . . . but it did not achieve some of the successes of decreasing the problem of drinking and driving, and it is an ongoing and unacceptable health and safety issue that required more attention and certainly more action.

The recognition of these facts resulted in the formation of a new committee in the early '90s, the Saskatchewan Interagency Committee on Impaired Driving, where it was struck to develop a plan to reduce the problems associated with the incidence of drinking and driving. The committee included representatives from SGI (Saskatchewan Government Insurance), Saskatchewan Alcohol and Drug Addictions Council, Saskatchewan Health, Education, Highways and Transportation, Justice, and Saskatchewan Liquor and Gaming Authority.

They took a coordinated approach, Mr. Speaker, to researching and recommending alternatives aimed at dealing effectively with this issue. The result, Mr. Speaker, was a detailed report outlining a wide range of drinking and driving programs and policies that could eventually further reverse this terrible trend and its effect on our society.

However, members of this House felt that while the committee did an exceptional job researching and consulting on what to do about this issue and making recommendation, further consultation and study was required on a wide range of safe driving initiatives. So in the spring of 1994, it was agreed that a committee consisting of representatives from all political parties be formed to consult with the people of Saskatchewan on the recommendations contained in the report of the Interagency Committee on Impaired Driving as well as other safety driving issues.

The Select Committee on Driving Safety held 35 public and high school hearings throughout the province. The committee heard from 214 witnesses and received 104 written briefs and more than 6,800 completed questionnaires on the topic of impaired driving. The committee travelled to 15 different cities

and towns and visited 19 schools to gain input prior to tabling its report in the legislature last spring. Mr. Speaker, this is a testament of the consultation process that this government has undertaken on many issues and a commendation to the people of Saskatchewan for their extensive participation on this very important issue.

Through this committee, it is the government's belief that we have now reached a consensus with members of the House and respective government departments, special interest groups — particularly youth — and the people of Saskatchewan on the issue of drinking and driving. Therefore, Mr. Speaker, I believe the proposed measure before the House will begin to resolve the very serious problems of drinking and driving.

As I have indicated, Mr. Speaker, this is a serious problem in our province. Unfortunately Saskatchewan has a distinction of having one of the worst records in Canada for drinking and driving. Although the number of deaths due to alcohol-related vehicle collision has dropped slightly in the past couple of years, Saskatchewan's incidence of drinking and driving is still nearly twice that of the national average.

(1100)

Impaired driving is the leading criminal cause of death in Saskatchewan. From 1988 to '93, there were 447 deaths due to alcohol-related crashes. As well, more than 1,000 people are injured annually due to impaired driving. The number of drinking and driving charges laid in Saskatchewan is 35 per cent higher than in Alberta and 57 per cent higher than in Manitoba and 88 per cent higher than that of all of Canada.

There are many other statistics that support the need to get tougher with those who ignore the seriousness of this problem. Getting tougher with people who choose to drink alcohol and drive is exactly what Saskatchewan people have asked members of this House to do and told the committee that travelled around the province.

I am pleased to say that the Bill before us today is one of the most comprehensive road safety packages in Canada. Specifically, the new legislation deals with drinking drivers, new drivers, and disqualified drivers.

First the drinking driver — the select committee's recommendations were as follows. We decrease the blood alcohol content for roadside suspensions from .06 to .04; immediate 24-hour licence suspension for all who exceed the blood alcohol content of .04; education and addictions screening provisions for drivers who exceed a .04 of blood alcohol count; and increase statutory licensing suspensions and mandatory screening and rehabilitation as a condition of licensing reinstatement; and immediate vehicle impoundment for people who drive while their licences have been suspended.

In terms of the drinking driver, Mr. Speaker, the proposed legislation increases the statutory licensing suspension. For the first offence, for six months to one year; for the second offence, from one year to three years; and for the third offence, from three years to five years. And while the fourth offence remains at five years, there will be no opportunity for early reinstatement of a driver's licence.

Aside from the provinces of Alberta and Manitoba, where there are five-year statutory licensing suspensions after the second offence, Saskatchewan will have some of the toughest drinking and driving laws in the country if this legislation is passed.

Getting tough is only part of the solution. As the people of Saskatchewan, as you, well know, for their spirit of helping those in their communities, the legislation also provides ways of assisting the problem of the drinker.

This is not to say that the legislation allows the problem drinker to avoid more swift and severe punishment; however, it does provide opportunities to deal with the problem by dealing with the drinking driver's addiction to alcohol.

Therefore the Bill will allow for the establishment of mandatory addictions screening and assessment, where appropriate, before licence reinstatement.

Another important aspect of this legislation, Mr. Speaker, is that of the provision of vehicle impoundment. Driving while disqualified is a very other serious problem in Saskatchewan.

Therefore those who choose to drive while disqualified will have their vehicles they are driving impounded for 30 days for the first offence. If they are caught a second time in two years, the vehicle they are driving will be impounded for 60 days.

We believe this measure is necessary, Mr. Speaker, because a maximum of 75 per cent of drinking and driving offenders continue to drive while in fact they are suspended.

However, to avoid punishing a vehicle owner who did not know the driver of their vehicle was suspended, there will be an appeal mechanism. Again, Mr. Speaker, our proposed vehicle impoundment measures are very similar to other jurisdictions such as that of Alberta and that of Manitoba.

In addition, the legislation also includes probationary measures for all new drivers. Statistics show that new, particularly young, drivers are over-represented in vehicle crashes and convictions in Saskatchewan. The proposed measure will help new drivers gain the knowledge and experience needed to meet the challenges of driving.

Under the program there will be a two-year probationary period for all new drivers with a maximum six-month learning period before they receive their licence. If passed, this new drivers' program will take effect in the fall of 1996. New drivers will also be required to enrol in driver education programs effective August of 1997.

Ultimately, Mr. Speaker, the goals of this proposed legislation are fourfold. Firstly, they're to reduce the alcohol-related traffic deaths by 20 per cent within the next five years. Secondly, to reduce insurance, health, and other economic costs by 7 to \$10 million annually. And number three, to reduce new driver involvement in crashes and driver convictions. And fourthly, to reduce claim costs by up to 3 million annually through the probationary driver program.

Mr. Speaker, these recommendations are due in large part to the

feedback received from interest groups and the public as a result of the consultation process undertaken by all political parties represented in this legislature. And this proposed legislation also demonstrates the kind of accomplishments and consensus that can be reached when people work together.

I want to take this opportunity, Mr. Speaker, to thank the members of this House who were involved in the select committee for their input and guidance in developing these proposed legislative amendments.

My thanks to the hon. member from Cannington. My thanks, Mr. Speaker, to the hon. member from Cypress Hills, to the hon. member from Meadow Lake, the hon. member from Saskatoon Meewasin, and the hon. member from Moose Jaw — Mr. Speaker — who chaired this committee so eloquently.

And I want to publicly thank the former members of this legislature who participated: Mr. Reg Knezacek, Mr. Armand Roy, and Ms. Anita Bergman.

It shows the public that we can work together in the spirit of cooperation that results in positive programs and services for all people in Saskatchewan. Some may argue, Mr. Speaker, that the proposed legislation doesn't go far enough in addressing the problems of drinking and driving. However, we believe that the proposed legislation sends a strong message to those who drink and drive, that society will no longer tolerate that type of behaviour.

The proposed legislation before the House will ensure that punishment for impaired driving is swift, that it's certain, and severe. But help is there for those who may want to have the addiction . . . who have the addiction problem and need that assistance as well.

In conclusion, the proposed Highway and Vehicle Statutes Amendment Act will provide tougher driving . . . drinking and driving countermeasures, and a program for new drivers that will increase safety on Saskatchewan roads, will reduce injuries and death due to drinking and driving.

Thank you very much, Mr. Speaker. It's my pleasure to introduce this Bill this afternoon. I move second reading the Act respecting The Highway and Vehicle Statutes Amendment Act, 1996.

**Some Hon. Members:** Hear, hear!

**Mr. Sonntag:** — Thank you very much, Mr. Speaker. It is with a great deal of pleasure that I'm able to join in the debate on the second reading of The Highway and Vehicle Statutes Amendment Act, 1996.

I will not take very long, but I really do want to say a few things regarding the development of this Bill and somewhat from a personal perspective, I suppose. Before I forget, Mr. Speaker, I want to say how much I enjoyed getting to know other colleagues of mine in this legislature from both sides of the House just a little bit better. And dare I say, as we spent those long days together, I think a bit of camaraderie was even built in those long hours on the bus. And I surely want to take this

opportunity to commend all the members of the select committee for their dedication to the task.

I would be remiss if I did not acknowledge Mr. Dave Abbey, our researcher. Dave must have wearied of us at times, but it never showed as he always seemed only too willing to search out any bit of information that we wanted, and somehow record generally what the witnesses and committee members were trying to say. It was certainly no small task and he did a very admirable job I think, Mr. Speaker.

And of course also to the *Hansard* staff, Donelda Klein and Teena Embury. You were a lot of fun and always had the recording equipment set up for us on time and under some fairly trying conditions. To Meta Woods and to Gregory Putz, from the Clerk's office, as usual you did a great job, and certainly thanks must be extended to you also. You put in long hours, along with everyone else, and always, it seemed, with a cheery attitude. So thank you very much to you.

But to you, Mr. Speaker, I believe most of the credit must go. I know how much this has been a part of you, and how much a part of your life it has been, and how important it is to you. You were involved in these activities years prior to the creation of this committee. As Chair of this committee, with a very mixed troop of individuals I might say, you provided objective guidance that was required, I believe — a bit too paternalistic at times, perhaps, but nonetheless we're here today and that's all that really matters.

When I was first asked to be a member of the all-party Select Committee on Driving Safety and to be a part of the public hearings on this legislation, I must admit that I had some relatively naïve, preconceived notions about drinking and driving. One was always hearing on the news and reading in the papers about drinking-related car accidents, but it never, ever happened to me. And when it's someone else, it's so easy to simply not pay any attention to it.

Slowly I began to grasp just how disproportionately high our rate of alcohol-related car accidents and deaths were compared to almost anywhere else in North America in fact, Mr. Speaker. I remember going through the training and information sessions with the SGI representatives, the Saskatchewan Alcohol and Drug Addictions Council, Saskatchewan Health, the Department of Education, Highways and Transportation, Justice, and the Saskatchewan Liquor and Gaming Authority — there may have been more, but at this time I couldn't remember any of the others — and often the information seemed just far too much to absorb.

Then began the long road trip. As the minister said, we travelled to 16 different communities, visited 19 schools, heard from 214 witnesses, received 104 written briefs, and had more than 6,800 questionnaires turned into us. We were not very long into the process, Mr. Speaker, when I began to realize who and what this was really all about.

We started to hear from many SADD chapters across the province. In many, many ways it was the youth, I believe and in my opinion, who showed a great deal of leadership. And one of the real leaders was their then president, Jason Dubois, and for

you, Jason, I will always have the greatest respect.

I think as a young person, you have maturity and wisdom far beyond your years.

Sometimes when we travel to communities, we would not know for sure who was going to show up, but more often than not it was Jason and the local SADD chapter who was at the door to greet us. You deserve a great deal of credit, Jason.

As I said earlier, Mr. Speaker, I was just a bit naïve about this drinking and driving issue, thinking that many of the proponents of stricter laws were not “living in the real world.” I thought they were idealistic and unrealistic. Then we began to hear the presentations from witnesses, often so emotional that it would tear your heart out.

Many were still raw with the pain of having just lost a son or a daughter or a father to a drinking-related accident. And always, it seemed, the innocent ones were the ones maimed and killed. I have to admit that often at the end of the day I was simply emotionally worn out from listening to so many horrific and terrible stories.

The pendulum for me began to swing the other way. I wanted to make sure that anyone who was the cause of any alcohol-related traffic accident never drove again. I wanted revenge for all of the hurt that they had inflicted on innocent people.

And then one day, Mr. Speaker, and I will never forget it, a young woman, perhaps in her late 30's or early 40's, made her way slowly to the microphone. She needed a cane for assistance in walking and I couldn't help but notice as she seated herself, she was missing several fingers and had scarring on other parts of her body. She had some difficulty in speaking, but very slowly and very concisely she told us her story.

I don't remember the specifics, but I think what I'm about to recount would fairly accurately duplicate what she said. She had been standing at a bus stop waiting for a bus when suddenly and with no warning a speeding car drove straight at her. She didn't remember being hit and she didn't remember the six or seven months that she was in a coma, but she did remember the terrific physical pain that ensued and she did remember the numerous subsequent operations and how her life changed.

The vehicle was driven by a highly intoxicated individual who had no licence. You see, Mr. Speaker, it had been taken away apparently numerous times before that for similar violations.

After listening to her story, I know there were many of us who shed tears with others in the room that day.

There was a period of silence and then our questioning began. I don't know who asked, and it doesn't really matter, but it was the obvious question. So what would you like to see happen?

(1115)

I do not believe any one of us could have been more wrong in anticipating what her response might be. If anyone had the right

to be filled with hate and vengefulness, surely it was this person, Mr. Speaker.

This will not be a quote but rather a rough accounting of what she said. And with a quiet power in her voice, this is roughly what she said:

I came here today because I wanted to make some difference. For me to suggest that this individual be thrown into jail for the rest of his life for what he did to me would be too easy, and would it really make any difference? In my opinion, the person needs help. He was an alcoholic who still has no recollection of what he did to me. I want to see legislation that will take a person like this and give him or her counselling and, above all, give them treatment so they will never again be involved in something like this.

If what I've said here today helps to bring about that kind of change, then as difficult as this has been, it's all been worth it.

We all sat there, Mr. Speaker, as you will remember, I think, in stunned silence for a few moments. Others on the committee may not remember this incident as I do, but it was for me one of those moments in one's life that you never forget.

And thus a key part of this legislation, along with the stricter penalties, was I think the progressive portion of this Bill: the aspect dealing with rehabilitation. The legislation proposes that if you are involved in an alcohol-related accident, you must be assessed. If it is determined that the problem was that you drank too much and then still chose to drive, you will be required to participate in a driving-without-impairment course before you will be able to get your licence back.

If however it is determined that you have an addictions problem, before you can get your licence back, then you must be treated. And then when it is determined that adequate treatment has taken place and the assessor is convinced that you can separate the acts of drinking and driving, only then can you apply to have your licence reinstated.

To me this is the key part of the whole legislation. The impoundment of vehicles aspect and the probationary licences are also very important, but I think the minister has adequately spoken to those points already.

So to all the families who have felt the pain of losing someone close to them or, perhaps even worse, to those who have been innocently left as paraplegics or quadriplegics, I hope this legislation makes some difference.

To have played a small part in developing this legislation and to have heard the testimonies of the witnesses is something I shall never, ever forget. To all the witnesses, you are the real heroes. “Thank you” is not nearly enough. You have bared your hearts, and you have bared your souls, and you did make a difference. Thank you very much, Mr. Speaker.

**Some Hon. Members:** Hear, hear!

**Ms. Draude:** — Thank you, Mr. Speaker. The highway and

vehicle statutes Act has a potential to cause a great deal of controversy in Saskatchewan. Although some of the changes are straightforward, others have implications that will seriously affect Saskatchewan people. The proposed amendments to this Act are not simply a change in wording. They question the behaviours of Saskatchewan people. And we, as elected representatives, must decide if these mandatory changes will better protect society or if they are just a public relations campaign.

Mr. Speaker, laws are designed to provide a sense of order and to protect society. Therefore when we create laws or amend existing laws, we must delve into the long-term consequences. We cannot change the Act just for the sake of seeing the new words in print or to make members of a political party happy. There must be practical, solid reasons behind our decisions. Laws are ineffective if they can be changed on a whim.

Before Bill 17 is passed, we must ask some very serious questions. Are these changes going to benefit society? Will these changes take away individuals' rights? Where is the right balance for the people of Saskatchewan?

Some of the changes to this Bill seem very clear and very reasonable. I don't imagine the people will object to certain amendments and we're certainly not going to fight them. For example, this Bill changes the speed requirements when passing construction crews. Current legislation requires drivers to slow down to 60 kilometres an hour only when passing workers or flagmen.

This Bill suggests that the lower speed limit should apply when passing highway equipment as well. This concern seems to be in the best interests of driver safety as well as the safety of the equipment. People and equipment can be very unpredictable and it's not always clear if people are around a construction site — workers could be hidden by equipment. If a worker steps out from behind a truck, a car would have a better chance of stopping if it was going 60 kilometres an hour instead of 100.

Studies have shown that lower speeds may help prevent accidents, and there is no reason this scenario should be any different. Although many people slow down out of common sense, legislating a lower speed limit may help prevent impatient drivers from making foolish choices, choices that could harm not only themselves but other people as well.

Mr. Speaker, another section of this Act should improve road safety, deals with headlights. The Act tightens up the restrictions. It's now clear that you must have your headlights on from half an hour after sunset until half an hour before sunrise. Although most new vehicles have lights that turn on automatically, not everyone has a new vehicle. Also they show up from the front only, so if you're following a car without lights on, it can be almost invisible until you're right up behind it. And again, with bad weather and our poor highway conditions, this is potentially dangerous.

I can assure you, Mr. Speaker, after spending an average of 20 hours a week on the highways and passing thousands of cars, it's a lot easier to see cars with lights on, especially in bad weather.

This section of the Act also states that you must turn on headlights when poor visibility exists. Of course this seems like another common sense rule, but it's basically housekeeping and we definitely won't fight it.

There's some of the changes to this Act that aren't particularly controversial. Other changes have triggered some questions that need to be answered.

For example, we have some concerns about the section that gives police officers permission to disconnect their headlights. There have been accidents involving vehicles that turn their lights off at night. Although we understand the underlying reasons for this amendment, we must not forget to look at the safety factor for our police officers as well as other drivers.

Mr. Speaker, as I understand it, this section also essentially repeats the rights of our police officers. They can disobey the rules of the road at their discretion, which is usually in the interest of public safety. The police officers in our province are highly trained and we certainly hope they won't abuse this right.

Another amendment to this Bill will allow school buses to stop right on the highway when letting our children off the bus. As the Act now stands, buses, like all other vehicles, must pull over to the far right of the highway. Any change that could put our children in danger warrants further investigation.

We are also curious about a new section in this Bill — the section that deals with traffic lights and locations other than intersections. As we interpret it, the section outlines certain cases where a light will contain a green arrow as well as a red light. The law would make it clear that drivers can turn only in the direction shown by the arrow. We don't necessarily disagree with this, but we are certainly asking for clarifications with respect to the situation.

Mr. Speaker, the proposed changes to section 8 are worth a close look. The key section gives a police officer the power to seize a vehicle and either impound it or immobilize it if he or she thinks an unauthorized driver has driven it on the highway. In unusual cases, if immediate seizure would cause undue hardship or jeopardize safety, the officer can issue a notice of seizure and direction. This, in a nutshell, lets the driver or owner drop it at a designated place within a short time period.

According to Bill 17, a police officer would have to serve a copy of the notice to the unauthorized driver, the owner, the garage keeper, and the administrator of the program. Under this same section, the garage keeper can put a lien for all unpaid amounts from the seizure, the immobilization, and the impoundment. The regulations would apparently set the amounts, but we question the minister on the amounts he has in mind.

We certainly hope this is not a back door to further taxation. We will not let the Minister of Highways, or any other minister for that matter, take advantage of Saskatchewan people by abusing the power of his or her office. I won't go into great detail about section 8 because it is something we'll need to discuss in the

Committee of the Whole.

At that time, we will bring up several other concerns we have about the proposed rules. We'll also be asking questions to help clarify the rules surrounding new drivers. Changes to The Vehicle Administration Act outlines new rules for taking breath samples and suspending licences of new drivers. We have some concerns that there is no clear definition of a new driver.

As I mentioned earlier, creating confusing legislation is counter-productive. If we allow such an amendment to go through, we must ensure that it's clear and that it provides definite parameters for the legal system.

We must also discuss one of the most controversial changes to the law — the change that could punish people who do not deserve to be punished — the change that lowers the threshold for blood alcohol content from .06 to .04. Currently if you have a reading over .06, your licence is suspended for 24 hours. Mr. Speaker, with this Bill, the members opposite want to lower the level to .04.

Mr. Speaker, we all want to stop drunk drivers. We know that their selfish actions can cause unbearable pain and suffering for innocent people. We hear the anxiety from organizations like Mothers Against Drunk Driving and Students Against Drunk Driving, and we know their concerns are very valid, and we agree that changes must be made.

Getting tougher on repeat offenders is absolutely mandatory, and we're happy to see this addressed in the Bill. Our courts must provide a real deterrent for these criminals, or the problem will continue to plague our society. We believe longer licence suspensions for impaired drivers will help prevent the problem, because repeat offenders do deserve harsher punishment, and for the sake of society, maybe this will act as a deterrent. Mr. Speaker, anything we can do to protect society from criminal activity is a step forward, and I believe most of our constituents will strongly agree.

When it comes to changing the 24-hour suspension rule however, the answer is not quite so cut and dried. We've talked to people in our communities who agree that zero tolerance for alcohol is the only answer, and we have talked to people who just as strongly believe that changing the suspension rule won't necessarily get to the root of the problem.

If we look at the legal ramifications, the Criminal Code of Canada states that anyone over .08 is guilty of a criminal offence. We must assume that .08 is not a number they pulled out of the air. I'm sure the federal courts have extensive studies and research to back this decision. In this case, some people argue that driving at half the limit should probably not be considered impaired driving.

But the other side of the issue is the emotional side. This is the side that sees countless lives destroyed each year by drunk drivers. And as responsible citizens of this province, how can we possibly come out against the safety of our fellow citizens? Mr. Speaker, we need to delve more extensively into this aspect of the Bill before we can take it any further.

Mr. Speaker, because of these reasons I've just outlined, among others, we believe this issue needs a long, serious discussion before it is allowed to pass into legislation. Therefore, I ask that we adjourn debate.

Debate adjourned.

**Bill No. 74 — An Act to amend  
The Government Organization Act and  
to make consequential amendments to other Acts**

**Hon. Mr. Nilson:** — Mr. Speaker, I rise today to move second reading of The Government Organization Amendment Act, 1996. The amendments we are proposing today do two things. First, they give cabinet ministers the authority to enter into agreements with governments outside Canada; and secondly, allow ministers to make grants or enter into agreements with a dollar value up to \$50,000 on their own authority.

When the new Department of Economic Development Act was passed in 1993, it allowed the Minister of Economic Development to enter into agreements with governments outside of Canada. Since that time, circumstances have arisen in other portfolios — Agriculture, for example — where such authority would be beneficial.

(1130)

With this change we are also proposing the following requirement: that notice be given to the Minister of Intergovernmental Affairs when an intergovernmental or international agreement is being contemplated. This complements the minister's coordinating role respecting intergovernmental matters. It will ensure the minister has an opportunity to provide advice and assistance to the department involved in negotiating the agreement.

The second amendment being proposed in the Bill, Mr. Speaker, respects the dollar limit ministers can use for grants and agreements without the approval of the Lieutenant Governor in Council. Today's amendment will increase that limit to \$50,000 from the current \$10,000. The current level has not changed since the late 1970s. After almost 20 years it is appropriate to adjust it to meet the changing needs of today's society. By enabling ministers to authorize grants and agreements up to \$50,000, individuals and groups who rely on government funding will have access to the funds on a more timely basis.

The spending of funds will still be subject to scrutiny by the legislature as part of the budget approval process. All disbursements will be fully disclosed in the *Public Accounts*.

The purpose of all but two of the consequential amendments is to raise the dollar limit from \$10,000 to \$50,000, above which a minister requires Lieutenant Governor in Council approval to make a grant or enter into an agreement.

Amendments to The Department of Energy and Mines Act and The Department of Economic Development Act, 1993 add a requirement to provide notice of intergovernmental and international agreements to the Minister of Intergovernmental

Affairs.

Mr. Speaker, I move second reading of An Act to amend The Government Organization Act and to make consequential amendments to other Acts.

**Some Hon. Members:** Hear, hear!

**Mr. Gantfoer:** — Thank you, Mr. Speaker. I would like to take this opportunity today to briefly discuss the amendments to The Government Organization Act that were tabled in this House for the first time yesterday.

It is my understanding that this Bill for the most part deals with the entering into intergovernmental and inter-organizational agreements by the minister on behalf of the Government of Saskatchewan with other governments within or outside of Canada, or with persons, agencies, organizations, associations, enterprises, institutions, or bodies within or outside of Saskatchewan.

As I understand it, these agreements are for any purpose related to the exercise of the minister's powers and responsibilities. We will assume for the time being that any exercise of the minister's powers and responsibilities will undoubtedly be in the best interests of the citizens of this province.

Further amendments that are proposed through this Bill increase the expenditure level that the minister is allowed to make before consulting with and gaining approval from the Lieutenant Governor in Council. Since the original Act is close to 10 years old, increased levels of expenditure are necessary to keep on track with today's economic realities.

Further to this, consequential amendments to a number of other somewhat related Acts have been proposed through this Bill. The proposed changes to these Acts also deal with intergovernmental and inter-organizational agreements and with the expenditure levels allowed to the minister without prior approval.

Due to the short amount of time that has passed between the first two readings of this Bill, we would like to take some time to consult with stakeholders and to perhaps gain some legal insight into the possible consequences of the changes proposed through this Bill. It is for this reason that I would like to request that debate on this Bill be adjourned. Thank you, Mr. Speaker.

**The Speaker:** — In the interest of clarity for proceedings of the House, I'll ask if the hon. member will move that debate be now adjourned.

**Mr. Gantfoer:** — Thank you, Mr. Speaker. For the reasons outlined, I will now move that debate be adjourned.

Debate adjourned.

**Bill No. 63 — An Act respecting the  
Saskatchewan Pension Annuity Fund**

**Hon. Ms. MacKinnon:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to move second reading of The

Saskatchewan Pension Annuity Fund Act. This Act, Mr. Speaker, was created to segregate and consolidate the provisions for underwriting annuities for pension plans into one Act.

The public employees superannuation plan annuity fund was created on March 31, 1986. The fund provides annuities for members of the public employees superannuation plan. The annuity fund is governed by The Superannuation Act. The intent of the Saskatchewan pension annuity fund is to continue to provide annuities for members of the public employees pension plan who choose an annuity as their preferred method for receiving retirement income.

In addition, the annuity fund can provide annuities for members of any other designated pension plans. As in the past, the annuities will be underwritten by the Government of Saskatchewan General Revenue Fund. The Saskatchewan pension annuity fund will be audited annually and will be subject to The Tabling of Documents Act.

The Saskatchewan pension annuity fund may consist of one or more funds. Each of the funds may have unique investment policies. The separate funds can be used for different investment purposes or for the payment of annuities on behalf of a designated pension plan. This means that specialty funds can be created to allow the fund to provide and pay annuities on behalf of other pension plans. The segregation of funds will ensure that one fund is not subsidizing another.

Annuities underwritten by the Saskatchewan pension annuity fund will provide for the splitting of an annuity upon the marriage breakdown of a pensioner. The Public Employees Pension Board will administer and be the trustee of the fund.

Unless otherwise provided, the fund will be subject to the terms and provisions of this Act alone. The assets of the fund will be invested in accordance with The Pension Benefits Act, 1992, and the Income Tax Act of Canada. Mr. Speaker, I move second reading of The Saskatchewan Pension Annuity Fund Act.

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, at this time we are pleased to deal with Bill No. 63, The Saskatchewan Pension Annuity Fund Act.

It is our understanding that this new Act consolidates the provisions for underwriting annuities for pension plans under one Act. If correct, the fund will provide annuities for members of the public employees superannuation plan.

Presently, this superannuation plan has a budget of approximately \$13 million. We are not clear as to the motivation for this Act, nor what its benefits would be, therefore we feel it would be wise to consult interest groups to draw from their knowledge on this matter.

Therefore, Mr. Minister, I move that debate on this Bill be now adjourned.

Debate adjourned.

**Bill No. 64 — An Act respecting**



### Pensions for Public Employees

**Hon. Ms. MacKinnon:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to move second reading of The Public Employees Pension Plan Act. Mr. Speaker, the public employees superannuation plan was created in 1977 and has since operated under The Superannuation Act, along with seven other pension plans.

Revenue Canada has advised that for the purposes of the Income Tax Act, it is necessary to create an Act that strictly applies to the operations of the public employees superannuation plan. With the creation of this Act, the legislative policies governing the plan will be consolidated into one document. This will enhance timely and correct interpretations of the plan by the plan administrator and others referencing the Act.

It is timely to introduce changes to the plan with the implementation of this Act. First of all, Mr. Speaker, it is desirable to change the name of the pension plan to the public employees pension plan. The term “superannuation” is inconsistent with the benefit available to members at the time they retire. Members of this money-purchase plan have the option to purchase the pension benefit that best meets their needs. The benefit can be purchased at the time of retirement or it can be deferred to a date that is no later than that allowed under the Income Tax Act of Canada.

This Bill provides for the vesting of a member in the pension plan after one year of pensionable service. This means that members who terminate employment after one year of pensionable service will be entitled to use the employee and employer contributions, plus accrued investment returns, for their future pension purposes. Members who terminate with less than one year pensionable service will receive a refund of their contributions plus accrued investment returns. The current vesting provision is based upon age and service.

This Bill, Mr. Speaker, provides for the establishment of specialty funds. This means that the Public Employees Superannuation Plan Supervisory Board can create separate funds to be invested in a manner different from the current balanced fund. With the creation of specialty funds, the plan can offer investment choice to its members or offer funds with a different asset mix that may be more suitable to the needs of specific groups of members. An example is a pre-retirement fund which would be invested in short-term investments, thereby protecting the equity of members who plan to retire in the near future.

With the implementation of this Bill, members who take a leave of absence will have the option to contribute to the plan for a period of leave up to the maximum permitted under the Income Tax Act of Canada. This will be most appreciated by parents returning from maternity or parenting leave on reduced hours of work.

The portability of a member’s pension asset is enhanced in this Bill. Members who, prior to becoming a member of this plan, made contributions pursuant to a pension plan registered under the Income Tax Act of Canada, may elect to transfer monies

from that plan to this pension plan. In addition, members may transfer monies from their registered retirement savings plan to this pension plan as a voluntary contribution or for the purpose of paying contributions for a period of leave of absence.

The Bill allows the plan administrator to take action on employers who are tardy in remitting contributions to the plan on behalf of members. This tardiness has a negative impact on the retirement savings of plan members to whom those contributions pertain. In addition, Mr. Speaker, the Bill will allow for the division of a member’s account upon marital breakdown up to a maximum of 50 per cent of the member’s account balance.

Mr. Speaker, the primary purpose of the public employees superannuation plan is to provide lifetime retirement benefits to its members. The intention of this Act is to align the pension plan with The Pension Benefits Act, 1992.

The public employees superannuation plan has approximately 26,000 active and non-active members, the majority of whom live in Saskatchewan. The changes created with the introduction of this Bill will enhance the pension plan and will meet the ever-changing needs of plan members.

Mr. Speaker, I move second reading of The Public Employees Pension Plan Act.

**Mr. Gantefer:** — Thank you, Mr. Speaker. We have before us an Act that proposes to replace those sections of The Superannuation Act that pertains to the public employees superannuation plan. Presently, the superannuation plan encompasses a wide range of provisions related to the pensions of public employees. It is our understanding that this Bill was drawn in response to a request from Revenue Canada that this plan be established under its own statute.

As we understand the Act, an employee will be vested after one year of service, rather than after one year, and at age 25. Also, there are a number of . . . variety of investment funds established for members of this plan. Employees will have the opportunity to contribute during a leave of absence or to forgo this choice. There will also be improvements to transference of the funds in and out of the plan upon termination of employment.

At this time, we would like to consult stakeholders and get their position on each of these changes. Therefore, Mr. Speaker, we respectfully move that debate on Bill 64 be adjourned.

Debate adjourned.

(1145)

### **Bill No. 65 — An Act to amend The Superannuation (Supplementary Provisions) Act**

**Hon. Ms. MacKinnon:** — Thank you, Mr. Speaker. Mr. Speaker, I rise today to move second reading of The Superannuation Amendment Act, 1996.

Mr. Speaker, it is necessary to amend The Superannuation Act to repeal those sections that pertain to the public employees

pension plan, which has a Bill before this legislature for the creation of its own Act.

With this amendment, The Superannuation Act will only pertain to seven defined benefit pension plans as follows: the Anti-Tuberculosis League superannuation plan; the Liquor Board superannuation plan; the Power Corporation superannuation plan; the public service superannuation plan; the Saskatchewan Telecommunications superannuation plan; the Saskatchewan Transportation Company employees superannuation plan; and the Workers' Compensation Board superannuation plan.

Although most of these pension plans have their own pension legislation, The Superannuation Act addresses those issues common to these pension plans. These plans have been closed to new members since 1977.

It is necessary to address the issue of marital breakdown. At present, the only time a member's pension asset can be split is when a benefit becomes payable. To meet the growing needs of its members, the pension plans need to split a member's pension asset prior to the time that a member becomes eligible for an allowance. The split will be based upon the commuted value of the pension asset.

In addition, it is prudent, on behalf of the pension plans, to provide a surviving spouse benefit where a marital breakdown occurs after retirement and the member dies. The changes recommended are consistent with The Pension Benefits Act of 1992.

Mr. Speaker, members are eager to continue their contributions to their pension plan while in receipt of disability benefits, to protect their future pension. Although members have been able to contribute to the plan while in receipt of benefits, it is desirable to create a section within the Act to clarify this issue. In doing so, the section will also require that employers who are required to match the contributions of members continue to do so while a member is in receipt of disability benefits and continuing to make contributions to their pension plan.

It is also desirable to amend the plan to provide consistency in the surviving spouse benefits payable upon the death of a member. Under the normal form of pension benefit, a spouse is currently entitled to a higher lifetime death benefit if the member dies prior to age 65. Surviving spouses should be entitled to benefits on an equal basis.

As a final point, it is prudent to amend the legislation to clarify the maximum benefit that can be paid on behalf of dependent children upon the death of the member. Although the current provision is correct, it is difficult to readily interpret the provision.

The amendments proposed in this Bill, Mr. Speaker, focus on protecting a member's pension asset at the time when the pension asset is a critical issue in the minds of a pension member and/or the member's spouse.

Mr. Speaker, I move second reading of The Superannuation Amendment Act, 1996.

**Mr. Krawetz:** — Thank you, Mr. Speaker. Mr. Speaker, although this amendment may seem like a simple, unimportant amendment, the consequences are significant to everyone involved in marital disputes.

This amendment to the Act accommodates splitting of pension assets upon a marriage breakdown, pursuant to The Matrimonial Property Act. The amendment also clarifies what will happen to a pension asset after a marriage breaks down following retirement.

Under the existing legislation a pension asset can only be split when the benefits become available. Under this amendment, these benefits may be divided based upon the commuted value of the benefit accrued from the date of marriage and ending on the date of order or agreement pertaining to the marriage breakdown. The amount of the division of the commuted value entitled to by the spouse will be transferred to a prescribed RRSP (registered retirement savings plan) that is subject to The Pension Benefits Act, 1992.

This amendment will also repeal sections pertaining to The Public Employees Pension Plan Act, which is before us as its own Act, referred to as Bill No. 64. Since the implications of this Bill are far-reaching, it is our wish to consult with the vested groups and receive their wise counsel. Therefore, Mr. Speaker, I move that debate on this Bill be adjourned.

Debate adjourned.

## COMMITTEE OF THE WHOLE

### Bill No. 12 — An Act to amend The Enforcement of Maintenance Orders Act and to enact consequential amendments

#### Clause 1

**The Chair:** — I would ask the minister to introduce his officials, please.

**Hon. Mr. Nilson:** — Yes, I'm pleased to introduce Susan Amrud, from the public law and policy branch, and Mr. Lionel McNabb, who is the director of the maintenance enforcement office.

Clause 1 agreed to.

#### Clause 2

**Mr. Osika:** — Thank you, Mr. Chairman. I welcome the official with the Minister of Justice to assist us. What I would like to do by your leave, Mr. Deputy Speaker, and if it's okay with the Minister of Justice on this, I would like to proceed directly to 31.9(1).

Mr. Chairman, I have spoken to this Bill previously with the concerns. There are some other questions that will be presented by the hon. member from Humboldt.

What I would like to express my concerns about is what I spoke

to concerning the impact and the effects of some of the amendments to this Bill, particularly as it relates to the revocation of driver's licences. And in that respect, what I would like to do . . . And I apologize for not having given the minister in advance a copy of our proposed amendment. Perhaps you have an opportunity to just review it.

Basically clause 5 of the printed Bill, and the motion to amend is to:

Amend clause 5 of the printed Bill by adding immediately after clause 31.9(1)(b) as being enacted therein the following new clause:

“(c) a person's ability to earn an income would be impaired by the suspension.”

And that is the amendment that we would propose to that particular clause, Mr. Chairman.

**The Chair:** — I would recommend to the Leader of the Opposition that that amendment is to clause 5, and we would move it when we get to clause 5. The amendment is to clause 5 of the Bill?

**Mr. Osika:** — Yes, it is.

**The Chair:** — Well we will go to clause 5, and when we get to clause 5, then we will move the amendment if you are going to do that.

We are on clause 2 of the Bill now. If there's no amendments to clause 2 or no questions to clause 2 . . .

**Mr. Krawetz:** — Thank you, Mr. Chairman. Mr. Chairman, as I understand it though, when we are proposing an amendment to clause 5, whether that amendment is successful or unsuccessful will depend upon how we'll deal with clauses 2, 3 and 4. Therefore, that is why we're looking at an amendment to clause 5, and then we'll proceed from that point of view.

**The Chair:** — I bring it to the attention of the committee that that . . . to the opposition that that should have been done in clause no. 1. If the minister is agreeable and with consent, we will go with leave back to clause 1, where your general should have took place.

Now if that's agreeable with the minister . . . Agreeable?

**Hon. Mr. Nilson:** — Yes, that's okay.

**The Chair:** — Okay. With leave, we will go back to clause 1 and propose the amendment there.

**Mr. Osika:** — I thank you, Mr. Chairman, and I sincerely thank the minister for allowing us to do that, and I apologize for the oversight.

If I may reiterate, as I have previously, the concerns and the impact that some of the proposed amendments to this Act, to this Bill, what impact it will have on those who are unfortunately caught up in these kinds of situations and

primarily the effects on the children that are involved in these types of matters.

Therefore I once again, move:

That we amend clause 5 of the printed Bill by adding immediately following clause 31.9(1)(b) as being enacted therein the following new clause as:

“(c) a person's ability to earn an income would be impaired by the suspension.”

This, Mr. Chair, relates to an order for suspension of a person's driver's licence and that person having to rely on continuing to make either full or at least even partial payments within the context of a maintenance order.

(1200)

**The Chair:** — I understand that the amendment has been distributed to the minister and that he has a response to make to it.

**Hon. Mr. Nilson:** — Yes. I'm not certain that the amendment is in order right at this time, but our position would be that we would be opposed to this amendment. It basically defeats the whole purpose of the provisions that we're introducing, which is to provide some lever for the director of maintenance enforcement to have the person pay the maintenance that's not paid.

There are protections already, including application to the court for changing the order — going to the director of maintenance enforcement to make arrangements to pay. And practically, this may be one of the issues that could be dealt with by the director. But if this provision was included in the legislation, it would make it quite difficult for the suspension of driver's licence to be used as an effective tool.

**Mr. Osika:** — Thank you, Mr. Minister. I guess again — and I want to reiterate — our concerns are that if in fact it is decided then, perhaps the discretion of the courts is perhaps somewhat limited in this regard, that if a person who is a courier driver or a transport driver who cannot make the full payment amounts of maintenance but is making some and becomes into arrears because it builds up from month to month . . . If you're asked to pay a thousand dollars a month and you can only pay 600 because of your employment and inability to achieve that, then the other \$400 gets built up and built up. But at least there's some effort.

By taking that individual's driver's licence, it now totally disallows the opportunity to maintain any kind of employment which requires that ability to drive to earn some income to catch up or at least pay something.

And I agree wholeheartedly. We want desperately as well to see that people who are responsible for taking care — particularly of the children — have a responsibility, and let's go after them.

There are a couple of things on this driver's licence issue as well: the reciprocal agreements between provinces. And I'm not

sure that that's actually addressed, which would be effective. So you pull somebody's licence, and they go to Alberta, and they get a driver's licence in Alberta. I mean, is that sufficient?

This way it may still encourage someone to continue, but that seems just a little drastic. And we do support the need to actively enforce these maintenance orders, however with some consideration that those that are trying and may be able to continue trying if they have the means to do it. And a driver's licence is pretty important in this day and age. Thank you.

**Hon. Mr. Nilson:** — I think your question in a sense reflects that you don't totally understand how the whole system works because practically the initial order has to be made by a judge based on the facts at the date that the judge makes the order. If there's a change in circumstance subsequent to that time, for example another expenditure that is required — maybe a person is sick for a while and can't work or any of those kinds of things — it's possible to go back to the court to get the order buried. That's the most common way that you would deal with the problem you described.

But in addition to that, the director of maintenance enforcement and all of the people within the maintenance enforcement office are very willing to work with people to set up payment schedules that would allow them to meet the orders and help, I guess, give them suggestions about how they would go and get their order buried so that they wouldn't be in the problem.

The other thing is the use of this driver's licence suspension is a last-resort measure. The person has had, you know, at least, well two notices that this is going to happen, and it's very much used in some very specific circumstances where all other methods of collecting money have failed. And practically, if a person has a job and is receiving income, they wouldn't use this remedy. They would use a continuing garnishee of wages as the method of obtaining the money.

**Mr. Osika:** — Thank you, Mr. Minister. Just one more question then relating back to the movement out of the province, the reciprocal agreements. Can you touch on that while we're talking about this driver's licence issue?

**Hon. Mr. Nilson:** — I think that's actually a matter for SGI, and I think it's quite difficult to get a driver's licence in another province unless you've moved to that province and reside there. So it would be a situation like that because you're not . . . I think that the rules are clear that if you live in Saskatchewan, you can't have an Alberta driver's licence unless you do it in some way where you're not telling the truth to the registration officials.

**Ms. Julé:** — Thank you, Mr. Chairman. Mr. Minister, I'd also like to welcome your officials today, and I'm very pleased to have them here.

I would just like to refer them to page 3 of the amendment, section 31.2 (b), okay. There's a statement there: "in the opinion of the director, all reasonable steps have been taken to enforce the maintenance order."

Could you provide for us possible examples of what might

constitute "reasonable steps" to enforce the order on the part of the director?

**Hon. Mr. Nilson:** — Yes, I could give you a number of examples. In the normal course, you would try to do the thing that is the easiest for the director to get the money. And often if they know there's a bank account, you go and attach the bank account, get the money paid out there. If a person is employed, you would use an attachment of the wages and usually in the form of a continuing garnishee so that every pay cheque a certain amount would be paid into the director of maintenance enforcement. If a person had assets, a car, you know, some other kinds of larger assets that are available, those things could be seized and sold to pay for this.

I think practically what we're saying here is that the taking away of the driver's licence is still is the last resort except in those situations where you have . . . it may be that that's the only thing that they have of value that you can grab, and that's why we're introducing this amendment.

**Ms. Julé:** — Thank you, Mr. Minister. I would like to refer you to section 31.4(a)(i). I understand from this part of the clause that a respondent may be making pension plan contributions but is not making maintenance order payments. In this case the pension cannot be attached, it says.

Now are there situations where that director could deem it appropriate to attach the pension plan contributions so that maintenance orders are to be fulfilled?

**Hon. Mr. Nilson:** — I think the answer to your question . . . I mean, it's a good idea. But what happens is that when a person is making contributions to a pension plan that are required, that means that they have a flow of income. And so what we would do is attach the income that a person . . . Say a person is making \$2,000 a month, and \$200 is required to go into a pension plan. This provision is set up so that we can't go and take the pension plan of somebody who is employed and making payments into the plan. And so the idea is that we would have a chance at the other \$1,800, if I can put it that way.

The whole idea here is that if a person is paying into a plan, then they are employed and are receiving income, and we can have a continuing garnishee of those wages. And then I think the reverse side of it is when a person has stopped paying into a plan and moved to another province, which is quite a common situation.

They may still have money tied up in a pension plan, but they've moved to Nevada and are avoiding all responsibility for their family here in Saskatchewan. This would give us the power to go and take that sum of money that's held in the pension plan because they're no longer in Saskatchewan, working here and contributing to the plan. We didn't want to give the power to take somebody's pension plan while they're working and contributing to it. And that's the effect of this.

**Ms. Julé:** — Thank you, Mr. Minister. In section 31.5, the respondent may go to court to fight the enforcement of a maintenance order by attaching a pension plan. My question is, who pays the legal fees that will result from court action?

**Hon. Mr. Nilson:** — In this situation, the parent who is not paying the support would pay their legal fees, and the government would pay the legal fees for the maintenance enforcement officer.

**Ms. Julé:** — I'm just asking for clarification. You're saying . . . could you please repeat that just for me again. I'm sorry, I didn't hear you.

**Hon. Mr. Nilson:** — The deadbeat parent pays their own legal fees if they can.

**Ms. Draude:** — Thank you, Mr. Chairman. Is there any legislation that can allow somebody that has earned money in Alberta, that has a pension plan there, to attach so we can get Saskatchewan legislation to attach to that pension?

**Hon. Mr. Nilson:** — We can't use Saskatchewan legislation to attach that. And my understanding is that Alberta does not have similar legislation at this time to attach Alberta pension plans. Now what we do know is that each province, as they develop and refine their maintenance enforcement procedures, shares the information on what they do with other provinces. And I would not be surprised if Alberta doesn't ask us how well we're doing with this new legislation and then make changes there as well. But at the present time, we couldn't go to Alberta and get a pension plan.

**Ms. Draude:** — Is there any plans in place to see if we can make a reciprocal agreement amongst provinces so that we can work together with everyone?

(1215)

**Hon. Mr. Nilson:** — If the person that you're talking about is working in Alberta, then Alberta's maintenance enforcement procedures would be followed and they'd use whatever remedies they have. But I think your broader question is, how well do provinces across Canada cooperate on this issue? And I think that we'd have to say that they cooperate very well and that we do share information on the various types of procedures that work better and so that practically, for example, the procedures on the driver's licence suspensions . . .

We know from other provinces like Manitoba, where they've used this, that it's increased a lot of payments right around the time the new law is to come into effect and that many people show up at the maintenance enforcement office with cheques, making sure that their driver's licence aren't suspended.

But I guess what I would say is that there's a basic level right across the country of maintenance enforcement, and some provinces have enhanced their maintenance enforcement, and we're, I think, leading the pack on some things.

**Ms. Julé:** — Thank you, Mr. Minister. This is such a very interesting topic because I have had constituents that have been in this situation and that were trying to have maintenance orders enforced. In one case, the woman that came to me had mentioned that the non-custodial parent, we will say, had gone to Alberta, and in fact they were having some difficulty finding that person.

So with this amendment that you're putting in here, it's going to make it easier to revoke driver's licences. So for clarification, is there enough cooperation from Alberta that that driver's licence can be revoked there or even tracked down so that person tracked down through their driver's licence, etc. so that in fact there is a much quicker effect on maintenance orders for the person in Saskatchewan?

**Hon. Mr. Nilson:** — If it's a Saskatchewan person, for example, that goes to Alberta and works on a temporary basis or a seasonal basis and still drives on a Saskatchewan driver's licence, then we can suspend that Saskatchewan driver's licence and then have the effect that we want.

If it's somebody who moves to Alberta after their driver's licence has been suspended here, there is a notification procedure between provinces so that Alberta will not issue a new driver's licence to that person so that they can escape the fact that they've lost their licence here.

**Ms. Julé:** — Thank you, I'm really very happy to hear that. I would just like to ask how a director would come to make a decision to either attach a pension entitlement or make the decision to revoke a driver's licence? I suppose you would, you know, if he or she would do what seemed most reasonable as you've mentioned before. But is there any sort of direction for the director to do one or the other first?

**Hon. Mr. Nilson:** — I think practically, based on my own sort of personal experience as a lawyer in this field for, well I guess, close to 20 years and then also knowing from my new role how the office works, that when a problem presents itself, the experience of the director and the staff in the office can identify fairly quickly where the quickest way to get some money from this person. And practically, that's how the decision is made on which procedure to use first.

Now, for example, if it was a truck driver who was a sort of an interprovincial truck driver with a home base in Saskatchewan who decided to live in their truck to avoid paying their support payments, that that might be a candidate, and they had no other assets other than their truck and cash that they got paid with from their . . . whatever deals they made, well we might move right through all of the other normal procedures of enforcement right to the suspension of the driver's licence to make sure that there was some pressure on that fellow to pay his bill.

**Ms. Julé:** — Thank you, Minister. Mr. Minister, does the non-custodial parent who is responsible for maintenance, do they have any say at all into whether or not their pension may be drawn from or whether their driver's licence would be revoked? Do they have any say, or is that strictly up to the minister responsible?

**Hon. Mr. Nilson:** — No, they would have notice of this procedure. This is a fairly drastic procedure, and so they would get notice, and they could come and make representations. How it would normally work would be that if, for some reason, they didn't know that their, usually, wife and children needed some money. . . You know, that's often how they present themselves: oh, I didn't know I wasn't paying . . . you know, that kind of a

response.

But if that was the case and they would get notice that their pension was going to be attached, usually what happens is that they very quickly come into the office and make some arrangements. And if they don't have all the money right there, they would maybe give postdated cheques over two or three months and get everything cleared up.

But the whole idea is to have another sort of remedy that is useful in some tricky cases.

**Ms. Julé:** — Thank you, Mr. Minister. Manitoba's legislation with regards to the revocation of driver's licence has proposed amendments that would also allow for the refusal to renew vehicle registrations or permits. This is stated in section two seventy-three point one. Was this a consideration of this government, to, you know, also refuse to renew vehicle registrations or permits.

**Hon. Mr. Nilson:** — We have not done that in this legislation. There are a couple of factors; one is that the computer system with SGI does not make it that easy to do that. But we have similar remedies which I think work as well, which is we go and seize the vehicle and the plates and basically deal with it that way.

**Ms. Julé:** — Thank you, Mr. Minister. I would . . . there's also a question of visitation rights and I want to present some concerns that have been brought to us. One of their questions is, does the custodial parent, through this Act, have to abide, or made to abide, by court orders with respect to visitation once pensions are attached or a driver's licence is revoked?

I mean, it seems as though this is a measure being taken to ensure that monies are there for children. On the same hand, there has been some question about whether visitation rights have been honoured by the custodial parent. So we're wondering whether or not there's anything in place to ensure that visitation rights are respected.

**Hon. Mr. Nilson:** — I think the answer to your question is that as far as it relates to maintenance enforcement issues, that's in the Act that we're discussing now. The answers about the enforceability of access orders of various kinds, that's all under The Children's Law Act and those orders are orders of the court in the same way that orders requiring payment of maintenance are and they can be enforced using all of the remedies in The Children's Law Act — and there are substantial remedies.

Now we acknowledge that there are . . . I mean, that requires applications to the court and there are, I suppose, difficulties endorsing some of those orders as well; but it's in The Children's Law Act and not in the Act we're discussing now.

**Ms. Julé:** — Thank you, Mr. Minister. I guess that answers my next question. I would like to read it to you anyway because it is on behalf of people in our province that have a concern about fairness in this way.

What kind of safety net is in place for non-custodial parents who are paying maintenance and do not get the opportunity to

see their children on a regular basis? Because there is just a lot of complaints about this, and the feeling that they haven't got very much to help them out.

**Hon. Mr. Nilson:** — That issue that you raised has been a concern within the Department of Justice for a number of years, and over the last two years now, we have a whole area of the family law division, which includes provision of services to help people understand what their rights are and help them with some of the access issues. That includes facilities for providing supervised access. It includes some counselling and things like that. So it is a concern that we're attempting to address, and we've actually done some things over the last two or three years.

**Ms. Draude:** — Thank you, Mr. Deputy Chairman. I just have a question on the same line, and I understand it's not part of this Act, but I'm just asking it. When you're considering these changes or amendments or for visitation rights, is there consideration being thought of for grandparents as well?

**Hon. Mr. Nilson:** — They're already included in the legislation. So if you have some problems as a grandparent, you can just go and see your lawyer.

**Ms. Julé:** — Thank you, Mr. Deputy Chair. Mr. Minister, I want to give you a little bit of a scenario here. Let us assume for a moment that most non-custodial parents who have their licences revoked or their pensions attached will likely appeal to the courts for a reversal of this decision. What will the estimated additional case-load on the provincial courts be with the implementation of this Bill? Have you been able to make any kind of an assessment there?

**Hon. Mr. Nilson:** — My assessment would be that it wouldn't be a substantial load on the courts with this, basically because of the reasonableness of the other steps that are taken. This is a last-resort measure and that we would not end up with very many cases that are being argued that would require lots of court time.

**Ms. Julé:** — Thank you, Mr. Minister. Is there any estimated costs to taxpayers or any . . . assuming, I guess, that taxpayers will have additional costs to them for the additional court costs that might arise out of the Bill. I mean if there's not that many court cases that you're assuming will come out of this, I guess that the cost won't be very much. But what is the estimated cost to taxpayers, if any, out of this Bill?

**Hon. Mr. Nilson:** — My information is that there's no incremental cost. We would use the existing staff lawyers that we have to handle this matter. So we're not anticipating that it's going to increase costs in the Department of Justice at all.

**Ms. Julé:** — Thank you, Mr. Minister. Just one more question. If in fact the non-custodial parents . . . parent rather, is out of the province and there is some need to track that person down and so on. That implies to me that there would be some extra costs. And I think that implies to other people that there would be some extra costs on behalf of the government because, in fact you know, we are enforcing these maintenance orders through our legislation. And so I believe that it would be our responsibility to pay for anything to follow up finding a person

or, in fact, any procedures that might follow with the garnishee of wages that persons are making in another province.

So I'm assuming there should be, and probably will be, some extra court costs . . . or not court costs, but extra costs associated, and I'm just wondering if there has been any estimation of those kind of things, those kind of costs?

**Hon. Mr. Nilson:** — I think if you understand how the system works, we only have jurisdiction to go after those people who are in the province of Saskatchewan. And so that practically if a person is in another province, then . . . and a request is made to enforce a maintenance order, we then forward it to Edmonton or Winnipeg or Vancouver or Victoria. And then it's enforced in that province where the person who is not paying resides. And that's how the system works. So we would not end up paying that cost.

Now one of the things we do end up having to do, is try to explain why a system in another province isn't quite as efficient or as quick as the systems that we have developed. That's . . . but the way it is, is we can only pass laws in Saskatchewan that affect people that are here as it relates to this.

**Ms. Julé:** — Mr. Minister, I certainly don't know the law inside out, I can assure you. That's why I appreciate your contributions here to enlighten us. It seems then that another province would be responsible for a good number of costs associated. Is this sort of a good neighbour policy that we're going to have, hopefully, throughout the country and hoping that everybody will comply? Or at this point, when there isn't an integrated system that's totally efficient yet as far as tracking down people and so on, and the cost associated with that, have you noticed any kind of frustration on the part of other provinces to have to pay the costs of your requests?

(1230)

**Hon. Mr. Nilson:** — I think it is a truly reciprocal thing. But I think one aspect we haven't talked about, which you may have heard about but don't remember, is that we can use the federal government's assistance in obtaining refunds of income tax that's overpaid. And what that does do is allows us to find people wherever they work in Canada and obtain the payment if they are working.

The other side of it is, is that if we're trying to trace somebody and find out where they are located, if we don't know where they are and they're not in Saskatchewan, SGI is able to help with some of that as well. But the basic point is that we would then pass it on to the other province and the enforcement would take place, paid for by that province.

**Ms. Julé:** — Thank you. I have no more questions in this regard.

**Mr. Toth:** — Thank you, Mr. Deputy Chairman. Mr. Minister, we were talking about drivers' licences just a few moments ago regarding looking at suspended drivers' licences for people who refuse to maintain the maintenance payments. And I noticed . . . I think you made the comment about, Manitoba has this. In fact I think maybe a number of other provinces as well have this

suspension.

I believe Manitoba has also made their . . . or implemented some tougher maintenance enforcement measures that seem to be working fairly well. In addition to suspending or refusing drivers' licences, Manitoba added vehicle registration as well. Is that true? Did your office take a look at vehicle registration regarding the maintenance orders?

**Hon. Mr. Nilson:** — This is the same question I just answered about 10 minutes ago. But basically what we've done in Saskatchewan is we haven't gone that whole, next step for two reasons: one, that SGI's system is not totally . . . we're not totally able to do it through the way their computer system works. But we also find that by seizing the licence plates and the vehicles themselves that we have a more effective method of getting payment.

**Mr. Toth:** — Thank you, Mr. Minister. I didn't quite hear that response earlier on, about that specific issue.

Another question. There's a measure that isn't devastating, however seems to be effective in Manitoba, regarding reporting delinquent payers to the credit bureau. Now for some, this measure may be no big deal, but as you mentioned earlier, Mr. Minister, there are professionals that, for whatever reason, take any measures to avoid making maintenance payments to their spouse and children. While they don't seem to care much about supporting their families and living up to their obligations, such individuals don't want their credit rating hurt.

Do we report delinquent parents to the credit bureau, and if we don't, why not?

**Hon. Mr. Nilson:** — We don't do that yet. We are looking at it. We need to change some of the regulations under the freedom of information legislation to allow us to do the reporting. But we are actively pursuing that.

And this is once again an example of where we are observing how something works well in another province; and then if it works well there, then we will introduce it here. So that is one that we are actively pursuing.

**Mr. Toth:** — Thank you, Mr. Minister. Mr. Minister, as well, you were talking with other members regarding pension plans and the fact of being able to dip into pension plans if a person doesn't maintain their orders or make their payments.

And I'm not sure if the question was asked, whether a person starts putting money aside under another individual's name — let's say a girlfriend or another friend — where they're taking it out of their income and putting money into a pension plan or whatever that may be under somebody else's name so it makes it impossible for your department to follow up and see whether or not this individual has the funds available to pay their maintenance orders.

And are there other measures whereby you follow up on individuals? If their income is at a certain level and yet they don't have . . . they're saying that . . . playing that they're a fact but they just don't have the access to those funds, but they're

hiding it in another form.

What does your department do to make sure that you're following up on every avenue to maintain or enforce the fact that a person just doesn't try and get around the specific guidelines that are already there or that will be there under this new piece of legislation?

**Hon. Mr. Nilson:** — Well that's a very good question, because basically the reason that we're doing the pension attachment and the driver's licence together is that self-employed people do have that power to put money into a pension plan for somebody else, a spouse usually, and we can't get at it directly. But often it does relate to self-employed truck drivers or other people who need their driver's licences, so we are then using the driver's licence suspension as a way to get around that problem.

**Mr. Toth:** — Mr. Minister, do we have a registry of TD1 forms submitted for all employees to provide information to local payers . . . to locate payers and their place of employment? If not, why not? Again, I believe Manitoba does.

**Hon. Mr. Nilson:** — I think the answer to your question is we already have that power in our Act, under section 11, to request the information from the employer. Manitoba has just done it in a different way. They don't have the power under the legislation so they cooperate with the federal government income tax, Revenue Canada, people.

**Mr. Toth:** — Mr. Minister, I believe, just in a response to one of my questions earlier, you mentioned that you have been looking at other jurisdictions. And I take it you've been following up fairly closely with the Manitoba example, to follow as the different principles that they have involved and implemented through their enforcement legislation. How closely are we following Manitoba's examples and maintenance orders in this legislation?

And I think you just indicated earlier, there are some areas that we're not totally right on with what Manitoba's doing but we're studying them to see whether they will fit; and other areas you say we've already gone beyond that and we have the access and we are following up probably in a . . . it may be a little different format but we are there.

And I'm just wondering, with the specific legislation we have before us, how close are we now to what Manitoba is doing? And is Manitoba what we would consider the prime example for taking the leading role in maintenance enforcement orders?

**Hon. Mr. Nilson:** — I think we can say that we've learned a number of things from Manitoba. I'm certain that they've also learned some things from us, like the previous example that I gave you where we actually have in our legislation the power to get that information from employers, which they don't have. So they look at some of the things we do.

The other jurisdictions that have dealt with, the drivers' licences are Nova Scotia and Alberta, so we've been looking fairly carefully at what they do as well. And I think I can say that there's a very good sharing of information, especially in light of the fact that . . . of the questions I was asked previously about

the cooperation and the sharing of the cost where a parent who is not paying, moves to British Columbia, well then it's the British Columbia expense to track the person down and get them to pay and then forward the money to the parent and children here in Saskatchewan.

So I guess the answer to your question is, Manitoba has done many good things. We've done many good things, and we are sharing information all the time and that I don't think we can say that any one jurisdiction is way out ahead of anybody else because we've all been working together on it.

**Mr. Toth:** — Mr. Minister, you talk about sharing information. Does the maintenance office in this office presently share information with Revenue Canada and other federal databanks to help locate payers and their place of employment?

**Hon. Mr. Nilson:** — At the present time, once a year we can get that information. And if you were really carefully looking at the enforcement of maintenance orders, you would notice that in May and June are the bumper months for payments because of so many income tax refunds that are garnisheed. We are working with the federal government and looking at expansion of that sharing of information to assist us in more payments so that we would maybe do it with . . . well other types of payments that come to individuals in Saskatchewan.

**Mr. Toth:** — Once this piece of legislation is enforced and brought into being, how much additional money do you anticipate that will be collected through the implementation of this Bill, or maybe I could even ask, in the area of percentages? As far as the defaults, what do you expect to happen regarding default of payments as a result of the implementation of Bill 12?

**Hon. Mr. Nilson:** — That's quite a difficult question to answer, but because of the refinements we've been making each year, we've been sort of increasing 10 or 15 per cent each year. What we do know from the experience in the other provinces is, is that we will have a big surge in payment just before this driver's licence provision comes in.

**Mr. Toth:** — And maybe, Mr. Minister, just for my information — I'm not sure if the question's been asked — what percentage of default do we have in this province as far as payment of maintenance orders?

**Hon. Mr. Nilson:** — At the present time it's 75 per cent that we collect; 25 per cent that we don't collect. And that's been a very dramatic improvement since we've concentrated in this area and expanded the resources for the maintenance enforcement program.

**Mr. Toth:** — I believe you said earlier these changes would affect approximately 1,000 people. Are you referring basically to 1,000 payers? I take it that's what you're referring to.

**Hon. Mr. Nilson:** — That's correct — 1,000 payers.

**Mr. Toth:** — Mr. Minister, another thing that was brought to my attention — I believe it was on the national news the other



evening. And I'm not exactly sure what all the details are, whether it comes out of one of the other provinces. But there was something on the news regarding grandparents being . . . or provinces or areas looking at garnisheeing grandparents' wages to maintain maintenance orders. I'm not sure if you're aware of it. It kind of caught my attention because I . . .

And I think they interviewed a couple of grandparents who ended up in this situation, and in many cases . . . It just so happened the two couples that they happened to be talking to were not set with a large, if you will, retirement fund and all of a sudden they find themselves having to pay for some maintenance.

And I was just wondering if you're aware of this, Mr. Minister, and whether or not this is an avenue that you might be pursuing down the road. It just caught my attention. I was just wondering whether you'd heard of it, or what your views are of it.

It seems to me it's the parents we need to be looking at and when we start looking at grandparents we're really . . . especially when you get older people who are on very low, fixed incomes to all of a sudden be asked to maintain . . . for maintenance for their grandchildren, it's going to create a problem.

So I'm not sure where we're at, but I just bring it to your attention.

**Hon. Mr. Nilson:** — I'm not sure of the specific situation you're talking about. I think it's possible it's two different situations. One may be a situation where in Social Services department where there are expenses within a family, that they would do something. We're not thinking about that.

Another possibility is that there are some discussions, I think, in the United States, about whether children should be paying for their parents, rather than have the social assistance program pay for their parents. There are some very specific pieces of legislation in the United States that deal with the Medicaid program and transfers of money from parents to children so that they can qualify on the Medicaid program and have their hospital care paid for. And I think there may be some discussions around that in the United States. And if it was a U.S. report, that may have been what you heard.

**Ms. Julé:** — Thank you, Mr. Deputy Chair, I do have one more question. If the non-custodial parent is in a situation where, in fact, he has outstanding debts in many places and there is an order to garnishee that person's wages already from businesses or whatever it may be or from Revenue Canada, my question is, is there a determination of which garnishee will come first? Will it be for the benefit of the children here of the non-custodial person or will the right be given to garnishee to the federal government or to other businesses first? Like I want to know where the priorities are here, and if we have done anything in this province to ensure that children come first?

(1245)

**Hon. Mr. Nilson:** — I think I can answer by saying children do come first. The only possible sort of claim that's on an equal

basis to maintenance orders is the federal government for Revenue Canada, but most often where it's a question of whether the children get the money or Revenue Canada gets the money, I'm informed that Revenue Canada actually backs out and lets the money go to the children. So that's a good policy that they have, and practically the law for many, many years has been that child support and spousal support payments take priority over all other creditors.

**Ms. Julé:** — Thank you, Mr. Minister. Thank you, that's all the questions, I think.

Clause 1 agreed to.

Clauses 2 to 4 inclusive agreed to.

### Clause 5

**Mr. McPherson:** — Thank you, Mr. Deputy Chair. At the end of my brief remarks, because this has been touched on quite a bit today, I'll be moving an amendment to clause 5, 31.9(1); (c) is where I'll have the amendment.

But just a few things, Mr. Minister, on what the intent is, I guess, of your department. Is it to penalize the dead-beat parent, or is it really for collection? Because this is where I think a lot of people are viewing this as more of a penalty than it is of a fair form of collection.

**Hon. Mr. Nilson:** — I think it's very simply a method of collection. And the reason I say that is it's the last-resort measure to gain the attention of some people who seem to have ignored court orders, notices, attempts at garnisheeing bank accounts, many things. They ignore all of those, and finally as a last resort you take their driver's licence and suddenly communication seems to work.

So I think practically that this is not any kind of a penalty for this person. It's more just to get them to live up to their responsibility and go and make arrangements to make the payments that they should. And if there's some problem with their own employment because they don't have a driver's licence, then they can make arrangements with the director of maintenance enforcement, or they can go back to the court and get an adjustment made in the method of payment. They can go back to the court and have an adjustment made in the original order to deal with the problem.

**Mr. McPherson:** — Thank you, Mr. Minister. But I'm not sure that your intent here — we're talking collection — that we're going to be having a lot of luck. Now as my colleagues have raised before earlier today, people that are living out of province . . . and I'm just wondering how . . . You know, you talked about provinces cooperating very well. So if in fact you're going to be suspending a driver's licence, what then happens to those people, if they're a dead-beat parent, just to move out of the province? I mean, there's nothing that you can do to do any more collections, so really you're only penalizing those that wish to stay here, right?

**Hon. Mr. Nilson:** — No, that's not correct because if we take that driver's licence away here, then that suspension is

registered with SGI, and that information is transferred to Alberta or BC (British Columbia) or anywhere else, and they can't go and apply for another driver's licence in that jurisdiction. They cannot apply for another driver's licence because they have a suspended licence in Saskatchewan.

And if you . . . you know, when you look at your application form for your new licence, it always asks that question: have you had your licence suspended in any other jurisdiction. And the only way you could get a licence somewhere else is if you didn't tell the truth on that question.

**Mr. McPherson:** — All right, Mr. Minister, but if in fact they know they're going to be running into this sort of a problem, if they move to Alberta and get the licence first then they're out of your reach, right?

**Hon. Mr. Nilson:** — Well, they would have to use a different name. Also Alberta has some legislation to deal with the suspension of driver's licence. Alberta has legislation that can allow them to suspend drivers' licences as well, and so . . . and Manitoba does. So I'm not sure.

You'd have to go perhaps to South America or some place like that where there would be little checking back to Saskatchewan. But in the normal course within Canada, it would be quite difficult to get another licence when your licence has been suspended here, unless you changed your name and all your identification and started over in a somewhat fraudulent manner.

**Mr. McPherson:** — Mr. Deputy Chair, Mr. Minister, but the point I'm making, if you know that you're somewhat down on your luck, really the route that you're going to go . . . Mr. Deputy Chair, it is so hard to hear in the House today. I don't know why, but if you could just keep your members quiet.

**The Chair:** — Order. Order. Order. Order. Order. Order. I just remind members that we have minutes left in this session. The Chair, as well as some other members, are having some difficulty hearing all the discussion in this important matter. I ask for the cooperation of all members as we deal with this Bill.

**Mr. McPherson:** — Thank you, Mr. Deputy Chair. See, the concern is then that if people are in a somewhat desperate situation with their income, they're not going to wait until their licence is suspended here; they're going to move to Alberta, get the licence, and that's out of your reach then. It would have to be suspended here first, I take it.

And I'm also wondering what then would happen with truckers. Don't they have some interprovincial licences? If it's not the licence, then in fact it's the plates. You were talking about taking vehicles and licence away. So I'm just wondering how that would work with interprovincial stuff?

**Hon. Mr. Nilson:** — Well I think the answer to the first part of your question is that if a person anticipated that they were going to lose their licence and then moved to Alberta to avoid payment of support here, they could do that. They could move to Alberta, but we would then forward the information to the maintenance enforcement office in Alberta, and they would use

whatever remedies they have with ultimately using the suspension of a driver's licence there to collect the maintenance payments. So that's . . . you know you wouldn't really be able to escape by going to Alberta or to Manitoba.

The second part of your question about the interprovincial licence, when a trucker gets an interprovincial licence, they have to have a home province before they get the interprovincial licence. And if their licence was suspended in their home province, then they don't have the interprovincial licence anymore either.

**Mr. McPherson:** — Mr. Deputy Chair, Mr. Minister, I don't think you're going to convince enough people in the province that this part of the Bill has been well thought out. And it still is going to be viewed more as a penalty as something that's very much an effective tool, so at this time I would move an amendment:

Amend clause 5 of the printed Bill by adding immediately after clause 31.9(1)(b) as being enacted therein the following new clause:

“(c) a person's ability to earn an income would be impaired by the suspension.”

I so move.

The division bells rang from 12:56 p.m. until 12:57 p.m.

Amendment negated on the following recorded division.

#### Yeas — 7

Aldridge	Draude	McPherson
Bjornerud	Julé	Krawetz
Gantfoer		

#### Nays — 20

Van Mulligen	Lingenfelter	Shillington
Johnson	Whitmore	Goulet
Kowalsky	Renaud	Calvert
Pringle	Scott	Teichrob
Nilson	Stanger	Murray
Wall	Kasperski	Ward
Sonntag	Thomson	

**The Chair:** — Why is the Deputy Premier on his feet?

**Hon. Mr. Lingenfelter:** — Thank you, Mr. Chairperson. To introduce guests, by leave.

Leave granted.

#### INTRODUCTION OF GUESTS

**Hon. Mr. Lingenfelter:** — Mr. Chairman, seated in the Speaker's gallery, I would like to introduce a special person who is with us today, Kusyairi Bostani; if you would stand and be recognized. Kusyairi is with the gas distribution company of Sarawak from Malaysia. And with our guest is Russ Pratt, who

is one of our vice-presidents of SaskEnergy.

The reason that Mr. Bostani is in Saskatchewan is because a contract that SaskEnergy did in Malaysia some months ago resulted in a training program of which Mr. Bostani is in charge. And he is with us here today looking at some of the work being done by SaskEnergy here in the province of Saskatchewan.

So I'm sure that all members will want to wish Mr. Bostani a pleasant visit in Saskatchewan and a safe return home, and know that there is a close connection between your country of Malaysia and the province of Saskatchewan.

**Hon. Members:** Hear, hear!

### COMMITTEE OF THE WHOLE

#### Bill No. 12 (continued)

Clause 5 agreed to.

Clauses 6 to 14 inclusive agreed to.

The committee agreed to report the Bill.

### THIRD READINGS

#### Bill No. 12 — An Act to amend The Enforcement of Maintenance Orders Act and to enact consequential amendments

**The Speaker:** — When shall the Bill be read the third time?

**Hon. Mr. Nilson:** — With leave, today.

Motion agreed to, the Bill read a third time and passed under its title.

The Assembly adjourned at 1:05 p.m.

