

**LEGISLATIVE ASSEMBLY OF SASKATCHEWAN**  
**Monday December 12, 1983**  
**EVENING SESSION**  
**COMMITTEE OF THE WHOLE**

**Bill No. 23 – An Act to amend The Vehicles Act, 1983**

**Clause 1**

**MR. CHAIRMAN:** — Would the minister introduce his officials?

**HON. MR. GARNER:** — Mr. Chairman, I have one more on the way yet, Mr. Carl Shiels from highway traffic board.

**MR. LUSNEY:** — Mr. Speaker, I have a couple of questions of the minister. I see in the amendment he's made a few changes, and most of them are changes that I would suppose should have been in the bill to begin with. And I would wonder why the changes were being made now and weren't included in the bill originally. Mr. Minister, as one of my colleagues had mentioned, this bill is nothing more than some additional work for the lawyers, and I'm sure my colleagues here would agree with me because they would probably do quite well if they were out in private practice right now.

One other point, Mr. Minister. Let's just deal with the total amendment you have here, and save time in going through section by section. I'll do it under item 1. The amendments that you started with, and we'll go to subsection 165(1). Why did you . . . This is just defining, putting "motor vehicle" after "highway" and I don't see much in that one.

One other thing there, and that's defining who can take blood, and that's one that I'm a little interested in, Mr. Minister. Did you consult with the people that you are saying will now be allowed to take blood, and that's a person "who is certified to take blood" after "1978" in clause (b). And that would be under (d) you have "a duly qualified combined laboratory and x-ray technician." Did you consult with x-ray technicians previous to putting this act together? Have you consulted with them now? And what was their opinion in regards to them having to take blood from individuals?

**HON. MR. GARNER:** — Mr. Chairman, to answer the member's questions. On the first question, yes, there were some mistakes. We're not perfect. I'm quite prepared to admit that. To your second question, on section 165, it was a drafting problem. We're in error there. On your third question, we did consult with hospital administrators, who are the bosses of and the supervisors of the laboratory technicians on this case.

**MR. LUSNEY:** — Well, Mr. Minister, you may have consulted, you say, with the administrators of the hospitals. What about the technicians and the people that are going to be involved in performing this service? Did you consult with them or their association, to see whether they are prepared to end up in court because of having take blood from someone without having really had any input into whether they're prepared to do it, or not prepared to do it? Are you saying that you are forcing them to do that now, that they will have to take blood from an individual that is in a hospital after an accident, or whatever — that they will be forced to take blood from them simply because you are saying now they have to do it, without their approval to do so?

**HON. MR. GARNER:** — Mr. Chairman, I will stand corrected on that other point. We did consult with the Saskatchewan Health-Care Association, Saskatchewan Registered Nurses Association, Saskatchewan association of laboratory technicians, Saskatchewan Justice, and also highway traffic board. All of these had input into this. Also, the department of Health, in consultation with the following groups, put out questions and answers about drinking and driving provisions of The Vehicles Act, prepared by Saskatchewan Hospital Services Plan, November, 1983. We did

consult with all of those groups.

**MR. LUSNEY:** — Out of your consultations, Mr. Minister, did lab technicians agree to be the people that would take blood from accident victims, or whoever may happen to be in a hospital, that was brought in there simply to try and verify whether they were under the influence of alcohol or not?

**HON. MR. GARNER:** — They agreed that normal hospital practices would be carried out.

**MR. LUSNEY:** — Normal hospital practices, I suppose in some cases maybe they do take blood from individuals, but in most cases I think this is imposing something on them for a different purpose than what they normally would be doing. And are you saying that they now agree to act under this act and take the risk of going to court and being sued by some individuals by taking blood when they are not doctors, but are merely X-ray technicians?

**HON. MR. GARNER:** — Okay, I'll try and explain it to the member opposite. Some registered nurses are qualified to take blood samples; some aren't. The laboratory technicians or the doctors, example being the small rural hospitals . . . (inaudible interjection) . . . That's it; that's right; that's it.

Well, Mr. Chairman, it's simply adding, in those facilities where a doctor . . . Mr. Chairman, it's simply adding laboratory technologist for the taking of blood. And just further for the member that was asking questions from his seat, the Saskatchewan Medical Association completely endorses the new program, endorses the new act, and are very prepared to work with the government in implementing this.

**MR. ENGEL:** — Thank you, Mr. Deputy Chairman. Question to the Minister of Health, Minister of Highways. Have you . . . (inaudible interjection) . . . that's right, my apologies to the Minister of Health. We are dealing with a problem there that relates to the lab technicians in particular. What kind of coverage does a lab tech have, as far as the court of law is concerned, if she takes a blood sample and the person she takes it from decides to sue her? What protection would she have? I'm aware of the protection you put in for doctors. What are you doing as far as the lab tech is concerned?

**HON. MR. GARNER:** — It's the same for anyone that is in the taking of the samples, section 168(13):

No action lies against any person as a result of the taking or analyzing of a sample of blood taken pursuant to this section except an action for damages arising from negligence in taking or analyzing the sample.

It's the same for all.

**MR. ENGEL:** — I don't think that's quite the same for a doctor as it would be for a lab tech. And the bill expressly talks about damages involved, and . . . Is the department . . . I'm all for prosecuting and setting up a flag in Saskatchewan that there shouldn't be people that are consuming alcohol driving vehicles, and I think with advertising . . . And I'm just in the process in reading a copy of a letter that was sent to the Premier. Schools and everybody, the teachers — everybody is concerned with the amount of people and the pressure that is being put on about your recent change to have liquor advertising. This is part of it, and now you're sloughing the responsibility onto the backs of lab techs, somebody that is working in a hospital, somebody that is asked to be called out in front of the hospital when she is on duty, and she is supposed to jab a needle in some guys' arm to get a sample of blood.

What protection . . . go through it step by step again. A copy drags somebody up in front of a hospital. What is going to be involved that this lab tech is going to be called out to take a blood

sample. Just go through the process of what is going to happen to the girls working in my constituency. I have small hospitals that have one or two lab techs, total. Now, when the lab tech in Rockglen or Lafleche or Assiniboia or Gravelbourg is called out to do a blood sample if a doctor's not there, what protection is she going to have?

**HON. MR. GARNER:** — Well, Mr. Deputy Chairman, I mean I'll try and explain it. We haven't taken anything away. Where it was registered nurses, it is now lab technicians have been included into this. I could read you section 13 again. That rule applies for everyone in the taking of a blood sample. I mean, if you can be a little more clear on what your question is I'd be very pleased to answer it for you.

**MR. KOSKIE:** — As you know, Mr. Minister, the law profession has, through its registration, errors and omission insurance. I take it the medical insurance has coverage in the event of any lawsuit or errors or negligence arising out of the actions of a doctor, which is covered pursuant to their association. I wonder whether you can advise me whether the others that you have included in the list — the lab technicians and so on — whether they as a profession, by the mere registration in their profession, have insurance against any actions that may result in respect to carrying out their particular duties under the act.

**HON. MR. GARNER:** — I'm instructed by my department officials, Mr. Chairman, that this issue was not raised in consultation with them and that they are taking care of it within their own organization.

**MR. KOSKIE:** — I don't quite understand what the minister is trying to say here. He says that this question was not raised with them but . . .

**HON. MR. GARNER:** — They never raised it.

**MR. KOSKIE:** — Well aren't you . . . I'll ask you the question, then. They never raised it. Are you not concerned that what you are doing here is imposing an obligation upon various groups to carry out the performance under The Vehicles Act that, in one instance, they have insurance coverage which will protect them, and other associations . . . You haven't even checked into determining whether or not they have coverage in the event of being sued.

**HON. MR. GARNER:** — Mr. Chairman, a lab tech, as I know them, they take blood samples every day and they could be sued every day. I'll read section 13 of the act for you again. Here's the difference. There is no difference. It's one law for everyone, whether it's a doctor, a nurse, or a lab tech. And I'll read it to you again, section 168(13):

No action lies against any person as a result of the taking or analyzing of a sample of blood taken pursuant to this section except an action for damages arising from the negligence in taking or analyzing the sample.

Now, that's for everyone.

**MR. KOSKIE:** — I want to ask the minister whether he can advise this House that a provision in The Vehicles Act will, in fact, circumvent a citizen's right to commence an action for assault where an individual, without the consent of the person, is in fact assaulted. And the definition of assault, if you look in the Criminal Code, is straightforward.

What I'm asking you is: can you in The Vehicles Act circumvent the rights of that the citizens have under the Criminal Code?

**HON. MR. GARNER:** — No, Mr. Chairman, we do not cover it there. We deal with the civil aspect here, not under the Criminal Code.

**MR. KOSKIE:** — Are you saying, then, that in every one that you have designated within here are open to charges under the Criminal Code?

**HON. MR. GARNER:** — Mr. Chairman, while the officials are looking up another answer, I'd just like to raise at this time, Mr. Chairman, that it seems that we have the opposition doing a flip-flop here now. The only thing that we're . . . (inaudible interjection) . . . Don't you tell me what to do. You just sit there and listen.

Mr. Chairman, what we seem to have here right now is an opposition doing a flip-flop. I remember being in this Assembly and they stood and voted for second reading and third reading of this bill. Now what I'm hearing — because we're simply adding lab technicians, to enable them to take a blood sample — now, Mr. Chairman, we're hearing the opposition doing a flip-flop. That's what we're hearing today. We're hearing them do a flip-flop. They're not in favour of taking the drinking driver off the road. They don't really care. They want to play politics with it. They aren't genuine in their concern about removing the drinking driver from the road in the province of Saskatchewan. That's what they're telling us here today.

Mr. Chairman, as I pointed out before, we have simply added lab technicians to this amendment in The Vehicles Act. That's all we've done — to allow doctors, qualified nurses or lab techs to take this blood sample on the demand of a law enforcement officer. That's all we're doing.

**MR. KOSKIE:** — We've heard this speech so often that it's becoming boring. But I want to indicate to the minister that he has been going around the province trying to indicate that he's taking substantial action to curb drinking and driving. What I want to ask the minister, whether or not he has got any other opinion other than the Minister of Justice, and including the law society, which indicates that the actions which you are taking, or proposing to take, are ultra vires vis-à-vis the Criminal Code.

And we raised these concerns before, because if you don't, in fact, have the power to put it into place, all that you're going to be doing is ending up with a lot of court cases. But more particularly, what you have said here today is that that section excludes people from civil liability. And what I'm asking you is: does it also exclude the potential under the Criminal Code?

**HON. MR. GARNER:** — Well, Mr. Chairman, as I pointed out previously, this book sent out to all of the health care professionals in the province of Saskatchewan, "Questions and Answers about Drinking and Driving Provisions of The Vehicles Act, 1983," prepared by Saskatchewan Hospital Services Plan, November, 1983. One section there — and I will send the members a copy — number 14:

Is there any legal protection for the individual who, by carrying out the request of the peace officer to obtain a blood sample, assaults the individual without consent? ((b) of that section.) The Criminal Code is administered in each province by its Minister of Justice. It is obvious that the Minister of Justice of Saskatchewan will not prosecute for assault anyone who takes blood in accordance with the provisions of The Vehicles Act.

Hopefully, that is the answer you wanted.

**MR. KOSKIE:** — Well, I would like to ask you whether, as an individual, under the Criminal Code whether I would, in fact, be able to commence an action of assault as against a doctor or one of the technicians or otherwise who, in fact, without my consent took a sample of blood. I know the Minister of Justice can, in fact, refuse to prosecute on behalf of the Crown. But I'm asking you whether a private individual can, in fact, proceed with a case of assault as against the removal of blood without consent.

**HON. MR. GARNER:** — Yes, and I'll read you another section of that booklet.

It is possible for a private citizen (even you) to lay a charge of assault before a Justice of the Peace. When such a charge is presented to a court of law, officials of the Minister of Justice have the authority to direct the court not to proceed with the charge. The Minister of Justice has stated that a private prosecution for assault will not proceed where a blood sample has been taken in accordance with the provisions of The Vehicles Act.

But, yes, you could lay that charge.

**MR. ENGEL:** — The Minister of Highways said that lab techs are taking hundreds of blood samples. Let me go through the process. I go to see my doctor. He needs a blood sample. The doctor sends me over to a lab tech. She takes a blood sample. She does hundreds of those.

That's quite a different process than a sergeant dragging a young teenager up to the door of the hospital, that's been watching a liquor ad and seen how beautiful it is to drink and be up with it. He drags this young 17- or 18-year-old up in front of the door of the hospital and says to this lab tech, "Come on out here and take a sample." The kid says, "No way. No way." And she takes it anyhow.

And he's trying to tell me that's the same circumstance as the lab technician taking a sample. Please explain that one one step further.

**HON. MR. GARNER:** — Well, Mr. Chairman, nothing fails to amaze me any more. Mr. Chairman, that young individual has the right to refuse. But let's just back it up so that you don't try and twist what is actually happening here in the province of Saskatchewan. I know where you're coming from now. You're opposed to this . . . (inaudible interjection) . . . That's fine. That's fine. You're the one that wants to scare people out there, use your scare tactics . . . (inaudible interjection) . . .

That's right. That's your democratic right. But there's not going to be any 17-year-old dragged up in front of the hospital, lab tech runs out, jabs him with the needle. That's NDP garbage and you know it. That's what that is. That's a scare tactic. That's how genuine, that's how serious the opposition in this Assembly are about removing the drinking drivers from the road. You want to see those coroner reports continue? You want to see those accident things?

I just hope, I just hope, by the grace of God, some drunk driver isn't involved with an accident within your family because, mister, then you're going to start thinking. We're concerned about it. I'm genuine about it. I'm not trying to play politics and play the media up there. You are . . . (inaudible interjection) . . .

You don't need to tell me to sit down. You want to get into the kitchen, fine and dandy; it's going to be warm. You're the one. You're the one that said they're going to drag a 17-year-old up in front of the hospital. You're the one that said they're going to run out, their lab technicians' going to run out and jab him with a needle. We're talking about a law enforcement officer taking an individual to a qualified medical facility, demanding a sample of blood be taken . . . (inaudible interjection) . . . That's correct. That individual can refuse it. Now, very hopefully that your mind can be changed in this Assembly here today and you can cut down on this scare tactics of the people.

**MR. ENGEL:** — Mr. Chairman, the Minister of Highways is treading on some pretty thin ice when he talks about who's leading young people to get drunk. You're telling me that you hoped, and I'm not sure what your words were . . . I'm not sure what your words were, but you were kind of hoping that it wasn't a member of my family. That's what you said, and you dragged this in here.

I have a copy of a letter here that was written to your Premier.

I have a copy of a letter here that was written to your Premier. I got a copy of the letter here sent to your Premier and copies sent to all the MLAs, signed by teachers and students, and the deputy leader has a copy too. Well, that adds to hundreds of copies of letters we got back, where concerned citizens all over Saskatchewan are saying you pushed the booze at them. You're the pusher. You're the one that's flashing these fancy ads, according to this letter.

No one can deny the tremendous impact commercial advertising has on children, and modern TV production techniques are utilized to sell a product. Our children are now being exposed to these techniques used to promote the sale, most especially, of a variety of brands of beer. The commercials are powerful and seductive, equating the consumption of beer with fun, glamour, and enjoyment. And the minister, the Deputy premier thinks it's a big joke. Well, I don't think it's a joke; I don't think it's a joke. And I think it's seductive, and it's seductive on your part because you are the ones that encourage TV advertising and allow it to happen in this province.

And you've got yourself a problem. You want to clamp down on alcoholics on the road; so do I. But let's get to the source of the problem; let's get to the source of the problem. Don't drag them up in front of our hospitals and tell a lab tech to jab needles in them . . . (inaudible interjection) . . . And you think it's a big joke. You think it's a big joke. Well, let me tell you it's going to be a heyday for the lawyer, it's going to be a heyday for the lawyers in this province, and I think you got yourself a pack of trouble here. You tried to sneak in the lab techs through the back door with an amendment, and I think that's not fair politics . . . (inaudible interjection) . . . The minister didn't hear the question, he said. Well then, Mr. Minister, you're very naïve. Then you're very naïve. You accused us of cheap politics in the name of the lives of young people on the road. You really did. And I wonder whose the question is. Who's going to . . . (inaudible) . . . Who's going to take the responsibility – those that are against liquor advertising or those that are promoting the sale of alcoholic beverage? Those that are making a buck off it and those that are paying off cheap political debts to the breweries and the advertising media to sell liquor – they're the ones that are responsible. And you, Mr. Minister, as a key member of the Crown that decided to promote liquor advertising, you're going to have to live with it.

Your bill is a farce. It makes mockery of it because it doesn't get at the root cause. That's my question.

**MR. KOSKIE:** — In view of the sanctimonious approach that he has put forward in this House as how he is opposing drinking-driving, why he can stand in the same cabinet that will promote the consumption of alcohol in the same breath.

**HON. MR. GARNER:** — Well, Mr. Chairman, now we have a question. And the member asks: how can I stand with a cabinet or with a government, the fine group of people like this, and go along with them? Proudly. Very proudly, Mr. Chairman.

Because I'll tell you the difference, Mr. Chairman, between the socialists and the Devine government. They want to control everything. I don't want to control individuals' social habits – their social lives. What they do in their own homes is entirely up to them. A driver's licence is a privilege; it's not a God-given right. That's the difference. That's the difference, Mr. Chairman.

And if individuals are going to abuse that driving privilege in the province of Saskatchewan by drinking and driving, yes, they're going to lose their licence. What they do with their own social lives at home is entirely up to them. I'm not going to tell them what to do.

That's why we're government of the province today, and they're going to be opposition till the end of time. It's very obvious – not controlling, not regulating freedom. It's a word that the members opposite can't understand, Mr. Chairman. but that's the difference between them and us.

**MR. KOSKIE:** — Well, frankly, I think that the greatest amount of freedom that you can develop among young people . . . the method of giving people more freedom is giving them more information of the evil of the consumption of alcohol. I would think that this is the way in which you could free a lot of people from the problems of alcohol is through education. And what you have done is reverse that position. What you have done is said to the booze sellers, “you’re free to sell, to advertise, to entice people to purchase. And I’ll tell you what we’ll do at the same time. We’ll go out and we’ll prosecute them.”

There is no consistency. There is a total hypocrisy, and you can’t deny it. You stand up in this legislature . . . I challenge you, to be able to indicate that there is no hypocrisy in the approach of this government imposing stiff penalties for drinking and driving, at the same time inducing people to sell. That is a basic hypocrisy, and you must live with it.

**HON. MR. GARNER:** — Well, Mr. Chairman, I have a letter here that maybe we should read into the record.

Mr. Allen Engel, MP, Assiniboia-Gravelbourg  
Legislative Buildings, Regina, Saskatchewan.

**AN HON. MEMBER:** — MP?

**HON. MR. GARNER:** — MP.

Dear Sir: I am prompted to write you regarding the letter you sent out to churches in connection with the beer and wine ads which are now being shown on Saskatchewan TV stations. I am shocked to think you would stoop so low as to . . .

**MR. CHAIRMAN:** — Order. the Bill before the committee is Bill No. 23, An Act to amend The Vehicles Act. I don’t think that liquor advertising enters into it. I would like the questioning to stay on the bill, and the answers.

**HON. MR. GARNER:** — Mr. Chairman, I am only simply responding to a question from a member in the opposition, trying to clarify it. That’s all I am trying to do. I didn’t bring the debate up, Mr. Chairman. I am just trying to respond, as a responsible member in this Assembly, to answer their questions.

**MR. LUSNEY:** — Mr. Minister, in a statement previous here, you stated that the individual, if he is brought to a hospital, has the right to refuse the taking of a blood sample. If that individual has the right to refuse the taking of a blood sample, then he has to be conscious. What happens in a case where he cannot refuse? Then, the blood sample is taken from him without his consent. Does that not violate the freedoms of that individual?

**HON. MR. GARNER:** — Well, Mr. Chairman, once again, I mean, yes, the blood sample can be taken, but we can talk about freedoms in this Assembly and we can talk about choices. I think we have to start talking about rights of individuals.

I am going to relate one little story, Mr. Chairman. It has directly to do with this bill. What about the rights, what about the freedom of that little six-year-old boy that was playing out in his front lawn in an urban centre in Saskatchewan?

I see the members opposite trying to make light of a very serious situation where fatality occurred. Where were the rights of that little six-year-old boy? Where were his rights when he was run over and struck down by a drunk, a drinking driver? Mr. Chairman, he didn’t have any rights.

What we're simply trying to do . . . as the government of this province, we're simply trying to remove the drinking driver from the road. Simply trying, Mr. Chairman, simply trying to save lives. The members opposite – it's quite obvious; it's quite obvious – are not in favour of this. That's their choice. That's their choice. I'm not trying to tell them what to do. I'm not forcing this bill upon them. But it's amazing, Mr. Chairman, that when we went to third reading of The Vehicles Act, we had everyone stand up and vote in favour of it. Now we bring an amendment in where we're simply adding lab technicians, giving them the right to take that blood sample. All of a sudden now, all of a sudden, the opposition is opposed to it.

Well, Mr. Chairman, let me just tell you I'll be calling for a standing vote on this, and we'll just see, we'll just see who's going to voting in favour of it and who's going to be opposing it. And, Mr. Chairman, I'll tell you right now, it wouldn't surprise me in the least bit to see the NDP do another flip-flop and vote in favour of it.

**MR. LUSNEY:** — Well, Mr. Minister, again you try to put across to the public your view of what you think somebody might be thinking, the same with some of the things you're trying to do in the bill. The opposition on this side of the House does not go around promoting people to drink or promoting the use of alcohol . . .

**MR. CHAIRMAN:** — Order, order. The bill before the committee is An Act to amend The Vehicles Act. It has nothing to do with liquor advertising.

**MR. LUSNEY:** — Mr. Minister, in a case where an individual that is brought into a hospital and has a blood sample taken by an X-ray technician, what protection does that X-ray technician have? What legal protection does he have from being sued by the individual from whom he takes blood?

**HON. MR. GARNER:** — Mr. Chairman, I'll read the two sections again. This time I'll read them a little slower. Section 13 of section 168 states:

No action lies against any person as a result of the taking or analyzing of a sample of blood taken pursuant to this section except an action for damages arising from negligence in taking or analyzing the sample.

Question 14(b) in the little pamphlet that was sent out to all the health care professionals in the province.

**AN HON. MEMBER:** — Who wrote that?

**HON. MR. GARNER:** — We'll tell you again: prepared by Saskatchewan Hospital Services Plan in consultation with the highway traffic board, Saskatchewan Justice, Saskatchewan health-Care Association, Saskatchewan Registered Nurses Association, Saskatchewan Society of Medical laboratory Technologists, Saskatchewan Medical Association.

(b) of number 14:

The Criminal Code is administered in each province by its Minister of Justice. It is obvious that the Minister of Justice of Saskatchewan will not prosecute for assault anyone who takes blood in accordance with the provisions of The Vehicles Act.

**MR. LUSNEY:** — Mr. Minister, we keep getting the same story again. It is true, apparently, from what you say that the Minister of Justice has the final decision as to who gets prosecuted and who doesn't. What happens in a case where the individual prosecutes the technician and the Minister of Justice then has to take sides, either on the individual's side or on the side of the technician? What you're saying, then, is the minister has made that decision that he will not prosecute anybody unless it is for negligence.



What the individual is going to have to do, then, is prove that the technician was negligent before the minister will even allow his case to get to court. That is making it a little difficult for the individual involved because if that individual was not consuming any alcohol, went into that hospital after an accident of any kind, there was a blood sample taken, and there was some negligence involved, before the thing can get to court that individual is going to have to have definite proof that there was negligence. Some of those rights of that individual are going to be taken away.

You're covering a broad base of individuals with your law, and yet some of those people don't have the protection that they should have.

**HON. MR. GARNER:** — Well, Mr. Chairman, once again we go back to the printed bill that all of the members have and is available to the public of Saskatchewan. Before I even read from this, I'd just like to say, Mr. Chairman, that I've got the greatest deal of confidence in the law enforcement officers of this province. I believe they're professionals. They have a job to do, and they will do that job. Now I will read another section of the act for them. It's section 168, sub (3).

Where a peace officer, on reasonable and probable grounds, believes that a person: (a) has consumed alcohol or drugs; (b) within the preceding two hours has driven, or had the care or control of a motor vehicle; and c) is incapable of providing a sample of his breath; the peace officer may, subject to subsection (4), by demand made to that person, require him to provide a sufficient sample of his blood that, in the opinion of the person taking the sample, is necessary to enable a proper analysis to be made to determine the proportion, if any, of alcohol, drugs, or alcohol and drugs in his blood, and to accompany the peace officer for the purpose of enabling the sample to be taken.

It's right there, in black and white, in the bill.

**MR. ENGEL:** — Mr. Minister, when you decided on this course of action, to get tougher with alcoholics that are propelling vehicles down the road — I'm not going to call it driving, because they really aren't in control of the vehicle — when you decided on this tough action, have you looked at other jurisdictions that have been clamping down on it, and have you looked at other bills? Where did you all go to see what they're doing about it?

**HON. MR. GARNER:** — Yes, Mr. Chairman, I have had consultation with the minister from B.C. We did take a look at that legislation, and did mirror it to a certain degree. Many other jurisdictions, at a meeting I just attended last week . . . Other jurisdictions are looking at it, example being Alberta, and even NDP Manitoba, Mr. Chairman. They're even looking at doing the same thing. But more importantly, Mr. Chairman, I think something that's very important for all members of this Assembly and the people of Canada to recognize, that in meeting with the federal minister, he has stated that he is looking at and hopefully going to introduce amendments to the Criminal Code. This will be great, but until that is done by the federal Liberal government, and I won't get into whose friends they are or anything else . . . I don't want to prolong the debate here tonight, Mr. Chairman. I don't want to raise an issue like that. What I'm simply stating is that other provinces . . . B.C. has done it; I believe it was September 1st, was it, they got proclamation on theirs? . . . October 1. I'm in error of one month.

Saskatchewan's proclamation took place on December 1. The federal government looks like now they might accept that responsibility and amend the Criminal Code. It's a problem that is not just to Saskatchewan; it's a problem across North America. I believe this government has taken very positive and firm action in trying to deal with this problem. As I stated earlier, we're not perfect. This bill wasn't perfect. We don't profess to do everything perfect. The only thing we're adding is lab technicians, to allow them for the taking of that blood sample along with a qualified registered nurse or a doctor. Now, that's all we're adding to it. I don't know what the

opposition is all excited about – trying to challenge it and everything else. I'm simply saying we did consult with other jurisdictions, other areas. Other provinces are following our lead, including Manitoba. They are going to go with it as well. It's a problem that is nation-wide and a problem, Mr. Chairman, I believe, that has to be dealt with in order to try and save some lives in our Canada.

**MR. ENGEL:** — This further comment or question . . . I wasn't expecting that long an answer. I just wanted you to say which jurisdictions you're talking about. Have you looked at any American states that have taken similar action and have passed legislation like that in the past couple of year?

**HON. MR. GARNER:** — Yes, I'm told, Mr. Chairman, that we did consult and get some input from some of the American states that are doing it as well. I think the point that has been brought up that it's something that started . . . And I think you have organizations like MADD (Mothers Against Drunk Drivers), PRIDE, many organizations like that, where someone has lost a loved one, and it's been brought to the focal point. And it should have been done before, but it's done now, and very hopefully it will work, Mr. Chairman.

**MR. ENGEL:** — Mr. Chairman, just one further comment, and I'm glad you mentioned that. You're standing up here like some people did in agriculture recently and pretended they invented agriculture since you are in power. American states have taken this action as long as three and four years ago and have passed a similar act as your Vehicles Act had. But I want the minister to know, and even if the Chairman thinks this isn't in relationship, 17 states today, 17 states are either in the process of or have in conjunction with this liquor ad, banned liquor advertising both on cable and on television. Now maybe the chairman thinks I'm not . . . (inaudible interjection) . . .

**MR. CHAIRMAN:** — Order. Liquor advertising isn't on this bill. It's an act to amend the Vehicles Act.

**MR. ENGEL:** — Mr. Chairman, the point I am making is: the act we have to deal with drunken driving is so closely related with the promotion of alcohol that it has to be in the same act. And there is one more amendment that this minister should have done, and steps that he should have taken, like has been done in this forerunners . . . (inaudible) . . .

**HON. MR. ANDREW:** — Mr. Chairman, the point I am making is: the act we have to deal with drunken driving is so closely related with the promotion of alcohol that it has to be in the same act. And there is one more amendment that this minister should have done, and steps that he should have taken, like has been done in his forerunners . . . (inaudible) . . .

**HON. MR. ANDREW:** — Mr. Chairman, I understood the hon. member was speaking to the Chair on a point of order, and I think that I understood the Chair to rule that the liquor advertising is not part of this particular legislation. I thought the Chair rules that some 15 or 20 minutes ago. I understood the Chairman raised the point again, and I understood the hon. member was speaking to the Chair. And if that was the case, I think he was using rather strong words.

**MR. LINGENFELTER:** — On the point of order, I think that you, in fact, have been observing the conversation and the flow of questions and answers, and I'm sure if the member had been out of order that you would have ruled that way, and that you don't really need other people instructing you how you should be ruling. And I would think that the member was well in order with the questions that he was asking – trying to find out the ministers' opinion on a very important bill – and I don't know why we would want to stifle that.

**MR. CHAIRMAN:** — The question before the Assembly is The Vehicles Act and it has nothing to do with liquor advertising . . . (inaudible interjection) . . . It has not. And that's the ruling I've made, and that's what I'll stick by.

**MR. ENGEL:** — Mr. Chairman, I'd like to challenge that, because the point I'm making is this bill is

copied. This bill is copied from an American bill, and the next step is to rule on advertising.

**HON. MR. ANDREW:** — The hon. member is challenging the Chair and making a pointed argument. I don't believe that the procedure of the House allows for that type of argument. If the hon. member wants to challenge the Chair, then the hon. member can challenge the Chair.

**MR. CHAIRMAN:** — I'll leave the Chair and report back to the Speaker. The ruling of the Chair has been challenged, so I will report back to the Speaker.

### **CHAIRMAN'S RULING** **Challenge to Chair**

**MR. MULLER:** — Mr. Speaker, during consideration of Bill 23 I rules that certain remarks were not relevant to the consideration of the bill. My ruling was challenged.

**MR. SPEAKER:** — Shall the ruling of the Chair be sustained? The Chair is sustained.

### **COMMITTEE OF THE WHOLE (continued)**

#### **Bill No. 23 – An Act to amend The Vehicles Act, 1983**

#### **Clause 1 (continued)**

**MR. LUSNEY:** — Mr. Minister, this bill was passed some time ago, yet it wasn't proclaimed till December 1. Was the reason for that delay, one, because the medical association had some concerns as to what their legal rights were and what protection they would have, or did they have other concerns relating to the same fact that same time of liquor promotion with the individual, or what was the concern about the delay?

**HON. MR. GARNER:** — Mr. Chairman, the individuals involved, the health care professionals of the province, just basically wanted an additional 30 days to work out the mechanics, the procedures, the paperwork, and everything else, before this section was proclaimed.

**MR. LUSNEY:** — Well, Mr. Minister, didn't you consult with the association prior to introducing the bill, and to passing it, and getting all of that paperwork and procedure approved before you went ahead with the bill?

**HON. MR. GARNER:** — Yes, we did. We did consult with most of the health care professionals in the province, Mr. Chairman.

Clause 1 agreed to.

Clauses 2 to 7 inclusive agreed to.

**HON. MR. GARNER:** — Mr. Chairman, before I move that the committee report the bill, I'd just like to thank my officials for coming in here tonight and helping all members of the Assembly to understand what we're trying to do in the province of Saskatchewan. Mr. Chairman, with that I move that the committee does report the bill.

The committee agreed to report the bill.

#### **Bill No. 18 – An Act to amend The Department of Revenue and Financial Services Act**

#### **Clause 1**

**MR. CHAIRMAN:** — Would the minister introduce his officials?

**HON. MR. ROUSSEAU:** — Yes, Mr. Chairman. To my left, Allan Palmer, the chairman and executive director; and to my right, Mr. Ken Wilk, senior pension and benefits analyst.

**HON. MR. BLAKENEY:** — Mr. Chairman, I was puzzled by this bill because, like the last one, the ink is hardly dry on it, and we're busy amending it. I'm not quite sure I could even find . . . The last one I couldn't find in the statutes because it hadn't been printed yet, it had been passed so recently. This one, I doubt whether I could find it in the statute either. So clearly, we're busy patching up a job that the minister did last time, some minister. Once again, it's musical chairs over there, and I don't quite know who has responsibility last time. It is a tough, tough contest. But what I am asking, Mr. Minister, is basically: why do you want to change the administration of the superannuation and other employee benefit plans? What evils are you trying to correct with these amendments?

**HON. MR. ROUSSEAU:** — Mr. Chairman, I guess what we're doing today is something that should have been done a long time ago, that all the time that they were running this they were doing it illegally. And what we are, in fact, doing is formalizing what already exists, for example, the funding of insurance programs. There had been no authorization for many of the programs, and it is basically — I wouldn't say basically, necessarily — I would say at the insistence of the provincial auditors that it be legalized and done properly.

**HON. MR. BLAKENEY:** — Mr. Chairman, and Mr. Minister, have you received legal opinion suggesting that the language of the last act you passed didn't allow the government to do something that you intended to do? I'll ask that question first. I'm asking whether or not you received a legal opinion indicating that the act you passed as 1983 (d) 22.02 didn't allow you to do some things that you wanted to do.

**HON. MR. ROUSSEAU:** — Yes, Mr. Chairman, that's correct, but so did the previous act. The fact is that we've never had the authority, and it's never been a legal act, and we're now correcting that situation.

**HON. MR. BLAKENEY:** — So what you're telling us is that you got some advice saying that the 1983 act which you passed needed to be changed.

**HON. MR. ROUSSEAU:** — The same advice that you got in respect to the act that was there before the 1983 act, and you didn't act on it. We're acting on it.

**HON. MR. BLAKENEY:** — Well, we won't pursue that. If the advice came to our government, it was on your desk when you passed this act, and you ignored it, and now you've decided that you're going to act on the advice you ignored . . . (inaudible interjection) . . . Well, whether we ignored it or not, I'm asking you whether you ignored it, and the answer is yes.

**AN HON. MEMBER:** — The rules are different now.

**HON. MR. BLAKENEY:** — No, same rules, same rules. He ignored it, and he freely admits he ignored it.

With respect to the auditor, did the auditor question something with respect to the administration of the plans, and if so, what did he question? There is something very odd because you're making it retroactive — portions of it — and you're not making it retroactive . . . If I read this right, portions of it are retroactive and the . . .

**AN HON. MEMBER:** — You know about retroactivity.

**HON. MR. BLAKENEY:** — Well, there are people here busy chatting away but I reckon they will

not be on their feet chatting.

Did the auditor suggest that something that was done was not legal and, therefore, suggested legislation which would be retroactive?

**HON. MR. ROUSSEAU:** — Mr. Chairman, I am advised that we did not have the legal authority to fund the insurance programs, and this act, in fact, gives us that authority now, legally.

**HON. MR. BLAKENEY:** — Mr. Minister, does any provision of the act have retroactive application?

**HON. MR. ROUSSEAU:** — Yes, Mr. Chairman, the section 31.1(1), which is a new provision.

**HON. MR. BLAKENEY:** — To what date is it retroactive?

**HON. MR. ROUSSEAU:** — Yes, it's retroactive to the establishment of the agency of 1982.

**HON. MR. BLAKENEY:** — If the activities were illegal prior to that time, why wouldn't the act be retroactive to the time of the first illegality? Why are you just choosing to make it retroactive to the time when the fund was set up in 1982? And isn't it the facts that that's the first time the illegality took place?

**HON. MR. ROUSSEAU:** — Well, prior to 1982 to the establishment of the act, the funding came from the appropriations act. The auditor felt that this was wrong, and the agency was established in 1982. He has indicated he's not prepared to accept the appropriations and wants it retroactive to that date of the agency establishment.

**HON. MR. BLAKENEY:** — Do we suspect it? The only illegality was the time you set up the agency and set it up wrong. And you're making it retroactive to that date. That's perfectly reasonable. Probably next year we'll pass an act curing the ills of this one. But that, we have come to expect from the minister.

I want to ask one other general question, Mr. Minister. And that general question is this, Mr. Minister: do you believe that anything in this act permits you to use pension funds paid in by employees to finance equity venture funds or any such investments out of pension funds of employees?

**HON. MR. ROUSSEAU:** — Mr. Chairman, the answer is no; the simple answer to the question is no. I want to go back to the previous statement made by the Leader of the Opposition where the appropriations referred to the appropriations act, where it was illegal. It was illegal then, as well. I pointed that out to you, and I don't want you to leave the impression that that particular transaction was legal; it wasn't. What we've indicated is that the Provincial Auditor has agreed to only go back to the new act and leave it at that, not to worry about what happened in the past, but to the establishment of the agency, which was 1982. So the illegality existed in both cases.

**HON. MR. BLAKENEY:** — Mr. Chairman, I flatly don't agree with the minister, and his views of what's illegal don't impress me very much . . . (inaudible interjection) . . . Not at all.

Mr. Chairman, and Mr. Minister, I return to this matter of various pension funds for the use of investment capital sourcing. Have you been corresponding with your colleagues on the question of using pension funds, these pension funds that are set up in this fund that we are talking about, for investment capital sourcing?

**HON. MR. ROUSSEAU:** — Mr. Chairman, I'm advised we are prevented from doing so by both the British Insurance Companies Act, and secondly, by the investment review board of the government.

**HON. MR. BLAKENEY:** — So are you then prepared to give employees whose funds you administer an assurance that you do not propose to use those funds to purchase equity investments recommended by the Government of Saskatchewan unless they are equity investments which are authorized according to the British . . . (inaudible) . . . etc., authorized for pension funds as the authorizations now exist?

**HON. MR. ROUSSEAU:** — No, Mr. Chairman, the closest we'll come is when we buy Saskatchewan bonds when they are deemed to be the best investment.

**HON. MR. BLAKENEY:** — Mr. Chairman, and Mr. Minister, let me be clear. I am raising no objection to the Government of Saskatchewan selling its bonds to the pension funds and doing whatever it wants with the bond proceeds — investing them in equities or the like — because then the risk is with the Government of Saskatchewan. But I am raising a question about what I think the minister knows: inquiries have been around about the use of the pension funds as a basis, as a source, of equity financing for private companies in Saskatchewan; and this is on the street. And the Minister of Finance will tell us if, that he has got a prominent investment house in Saskatchewan looking into that, and I don't think it's any secret. If it is, it's an ill-kept secret.

What I'm asking the minister is whether or not he is prepared to assure the people, the employees whose funds he administers, that he does not propose to invest those funds in equity investments, except equity investments which are now authorized for pension investment pursuant to the federal rules.

**HON. MR. ROUSSEAU:** — Well, Mr. Chairman, I would just repeat what I said earlier. We don't have that choice. We are prevented from doing so by the British Insurance Companies Act. We're prevented by the investment review board of the government. We're also, in addition to that, prevented from the public employees superannuation plan board itself. So there are three checkoffs. And frankly, I'm a little concerned or a little surprised at your concern on this issue. As you know of, in many, many, many years over the past, that the employees' pension fund in this province was never funded till recently, which was brought in by your government, admittedly. But there's still hundreds of millions of dollars of unfunded liability in those plans. And to be concerned today, the concern should have been expressed some 25 years ago. We wouldn't be faced with that situation now.

**HON. MR. BLAKENEY:** — I don't want to talk about history, except to make . . . (inaudible interjection) . . . well, except to make the simple fact that the Saskatchewan pension funds and workers' compensation are better funded than in any Tory government in Canada. And if you can find one where that isn't true, let me know. Just one — just one . . . (inaudible interjection) . . . That's right. But I'll come back to the bill, Mr. Chairman.

I want to ask the minister why he wishes to give himself new powers. Roughly, the powers that he gave himself when he brought this bill in last time — six months ago, or whenever it was — were to administer the pension funds. Now he wants powers to not only administer them but to operate them, and I don't understand that general distinction. He wants to bring in something else, which is to manage them, and he wants to bring in power to establish them. Now, what things are you contemplating which go beyond the term "administration" and are included in "manage," "operate," and, particularly, "establish"?

**HON. MR. ROUSSEAU:** — Mr. Chairman, it really provides just additional flexibility for the department to be able to act when necessary, for example, to encompass more of the plans that are in the province now. If we decided that we were going to bring some of the other plans in, or they agreed that we should have them under one umbrella, it would be that much simpler. It could be done with ministerial authority.

As I said earlier, it is just that much more flexible. A prime example, I am just advised of, is the liquor board and the workmen's compensation board plans which are being brought in. It makes

it much simpler to have that ministerial authority.

**HON. MR. BLAKENEY:** — Is the minister advising that it is proposing to roll the liquor board superannuation plan and the workers' compensation board superannuation plan into a common fund?

**HON. MR. ROUSSEAU:** — No, not at all. I think you misunderstood. Not separating the fund, they are . . . The funds are separate and they'll remain so, the administration of them.

**HON. MR. BLAKENEY:** — I'm rather surprised that that needs legislation, but I won't quibble with it. I'll come back to the question of what do you intend to establish. Why is the word "establish" throughout this bill? You can establish pension funds; you can establish benefit plans. What is it, as opposed to "manage" or "operate"? What do you intend to do under the authority you are seeking by way of establishing programs?

**HON. MR. ROUSSEAU:** — You were the first one, a few minutes ago, to criticize redoing the plan or amending the act again this year. If we didn't do that, every time we'd want to introduce something new into a plan we'd have to do the same thing we are doing now. So this will allow us that flexibility and that freedom. If we wanted to introduce a new plan — a health plan, or legal insurance, or other forms — it could be done without having to again amend the act.

**HON. MR. BLAKENEY:** — Mr. Chairman, and Mr. Minister, I note that you obviously are intending, at least, to take power to establish some new benefits, otherwise you wouldn't need it. Would you care to share with the House any plans you may have for establishing new pension or superannuation or other benefit plans?

**HON. MR. ROUSSEAU:** — Mr. Chairman, whenever we decide to do that, I'll be happy to share the information with the hon. member. At this point in time, I have no intentions of sharing something that we aren't doing as yet. It does — and I repeat again — it does give us that flexibility. If a crown corporation wanted to come in under that administration and establish one board, for example, under all the plans . . . There are many things that could happen and we'd like to move into improvements of the superannuation plans that we have, and perhaps — we think — this is the best way of doing it.

**HON. MR. BLAKENEY:** — I now ask about how you intend to make public major decisions with respect to changes in the superannuation plans or changes in the employee benefit plans. I note that the agency can make them and there is no requirement that these be in regulations, or some other public document. I note that they are not with the consent of the Lieutenant Governor in Council, not with the consent of any minister's orders, that would be published in the gazette, but with the consent of the treasury board and it's rather difficult to get copies of the minutes of the treasury board. Although I suspect they're public documents, we have never found it easy to get copies. I'm not pressing that point.

What I am saying is, why are you saying that these changes, which may be of great interest to a great number of employees, will be done by the agency in dark of night, approved by the treasury board in dark of night, no regulations by the minister which might be in the gazette, no regulations by the Lieutenant Governor in Council which might be in the gazette, let alone any legislation? You have given yourself power to make major changes in pension plans and benefit plans affecting perhaps 20,000 employees, and there is no obligation to make your changes known. Why have you taken that course of action?

**HON. MR. ROUSSEAU:** — Are you suggesting that when you had government that you operated treasury board in the dark of night, and that you didn't take those results over to cabinet? I'm surprised to hear you say that or even ask that question. If it goes to treasury board, it isn't going to operate in the dark of night, number one; and number two, it has to go to the cabinet from treasury board. It automatically goes to cabinet. So I'm surprised that you would

ask the question in the sense you did because you're inferring to me that somehow you operated in that manner, but that's not the way this government operates.

**HON. MR. BLAKENEY:** — I'm delighted to hear the minister comment that way, because I assume that there'll be no objections from the Minister of Finance if I ask him for copies of the treasury board minutes. But if the Minister of finance is going to assert that the treasury board minutes are confidential, as I suspect he will—as I suspect he will — then exactly what I said is true, that it will be dark of night that you and he together, that your agency and his board will get together; whether you take it to cabinet is up to yourself. We did; but even that is still dark of night so far as the 20,000 employees are concerned. I'd like the minister to advise us whether he is prepared, as a matter of routine, to share treasury board minutes and cabinet minutes with the 20,000 employees — and, of course, he's going to say no. I am asking how the employees are to find out what their rights are.

**HON. MR. ROUSSEAU:** — Well, I find this hard to believe — that you would even suggest that — because it suggests to me that that's how you operated treasury board when you were government; and frankly, that is not the way that this government operates treasury board. Whenever treasury board decides on a program or whatever, it goes to cabinet. It goes to cabinet. Isn't that what you did with the dental plan? Isn't that, in fact, exactly what you did with dental plan, or did you decide that at treasury board and forget about cabinet? I don't think so. It went to cabinet and that's what we do. It goes to cabinet. Cabinet makes that decision. It can be decided at treasury board but it isn't implemented until approved by cabinet. If you operated differently in your day, I don't see it operating that way today.

**HON. MR. BLAKENEY:** — I'm clearly not getting my point across. The question I ask you is this: do you have any mechanism in this act which requires you, and I underline the word "requires you," to advise the employees with respect to any of the changes which you are entitled by this act to make in their superannuation plans, in their employee benefit plans? Is there anything that requires you to advise them?

**HON. MR. ROUSSEAU:** — Well, number one, Mr. Chairman, the employees are advised prior to any implementation through the boards. They have representation on every board of every plan and that's when they first become aware of it, and furthermore, agree to it, prior to it going to treasury board or to cabinet. So they're well informed and, frankly, that's is not any different than it was under the old plan, or under the act.

**HON. MR. BLAKENEY:** — I am not going to argue with you as to whether or not changes are discussed with a board dealing with the dental plan. I'm not at all clear on whether or not here is a board that deals with, let us say, the dental plan for out-of-scope employees. I'm not at all sure of that. And with respect to many of the employees, while it may provide them with a "a representative," he tends to be a union representative, and for out-of-scope employees that is far from an effective line of communication. But what I am asking you this, and I will take a section here as an example. I look at section 5, which will change clause 31(1), and it says:

Subject to the approval of Treasury Board, the agency: may consolidate into one fund any two or more funds established pursuant to this section.

That's a nice, simple thing. And you're saying that that can be done — two funds can be rolled together. It has to be approved by treasury board; let's concede that, by the act. The agency has to make the decision; let's concede that. So the agency knows about it. The treasury board knows about it. Is there any legal requirement that anybody else knows anything about it — the employees or anybody else affected — and if so, where is it?

**HON. MR. ROUSSEAU:** — Mr. Chairman, going right back to his first comments. Unions, yes,



they are represented. But, as well, and the Leader of the Opposition knows this, management is also represented, which takes care of out-of-scope employees.

You're absolutely right about the dental plan. It doesn't have a board, but all pension plans do. All pension plans have a board. Yes, it goes to treasury board. Yes, it goes to the agency. Yes, you denied that. It also has to go to cabinet. It actually hasn't changed.

Now, one of the advantages that we're talking about is to allow all of these small funds that find it too difficult to find good investments that we can act on their behalf and better administer and better invest for those numerous, small pension funds. This way it gives them quite an advantage in being able to use those services to provide better investment vehicles and advice.

**HON. MR. BLAKENEY:** — Could the minister name two such pension funds?

**HON. MR. ROUSSEAU:** — Yes, I'll name two as the Hon. Leader of the Opposition asks: the Saskatchewan Transportation and the Anti-TB League funds.

**HON. MR. BLAKENEY:** — Take the Saskatchewan Anti-TB League fund. The question I asked the minister is: before this legislation is passed, is it not true that you would have to come to the legislature to roll in the anti-TB fund with any other fund? And after this act is passed, is it not true that you will be able to roll it in without the consent of the legislature, and without regulations, and without a minister's order, but only with the consent of the agency and the treasury board? Now I'm speaking purely legally. Is it not true that before, you would have had to come to the legislature; now it is something that can be done by the agency and the treasury board alone? And I speak of the legal situation.

**HON. MR. ROUSSEAU:** — They would have to be approved, Mr. Chairman, by, first of all, the individual plan, the board. For example, on the anti-TB league board, they would have to approve it. Then the public service superannuation board, as well as the treasury board, as well as cabinet.

**HON. MR. BLAKENEY:** — Mr. Chairman, the minister says the anti-TB board would have to approve it. I deny that there's any legal requirement for that. Would he point out the legal requirement?

**HON. MR. ROUSSEAU:** — Well, on the particular board you're referring to, the authority there has been already delegated to the public service superannuation board. So that's already happened. That's already in the authority of the public service superannuation board.

**HON. MR. BLAKENEY:** — So the minister is, in effect, saying that what I say is right — that there is no legal requirement that anybody but the agency and the treasury board know anything about this.

**HON. MR. ROUSSEAU:** — Mr. Chairman, I'm advised that it would, in fact, take an act of the legislature to repeal their act before we could do it. It's not in here, but it's in theirs. So if we wanted to accomplish what you're inferring or suggesting, the legislature then would have to pass an act to repeal their act.

**HON. MR. BLAKENEY:** — I won't belabour this, Mr. Chairman, except to say that I believe the act should contain a provision which says that the changes in the plans should be by minister's order, or by regulations approved by the Lieutenant Governor in Council, or some other public document, so that employees could find out what their rights are. And I make that point, and I will not pursue it further.

I want to deal with one other broad trend of this act. The act provides that, with the consent of the Lieutenant Governor in Council, the minister can enter into agreements respecting the

administration of all of these funds. And we're now talking about something which is going to be some hundreds of millions of dollars before long. And indeed, if you put power and telephones in there now, and the . . . I don't know what the sum would be now, but teachers and public service — the matching benefits, whatever we call it—there's a large sum of money, and rapidly growing. This act permits you to enter into an agreement to get, let's say Pemberton Houston Willoughby, to administer the entire fund. Is that true?

**HON. MR. ROUSSEAU:** — Mr. Chairman, as has always been in the past, that has not changed. That issue, that concern you're raising, has not changed. The individual boards have always had the authority to invest, or to delegate the investment responsibilities of each plan to whoever they wanted to. There's no change in that at all from what it was when . . . in the history.

**HON. MR. BLAKENEY:** — Mr. Chairman, and Mr. Minister, as I've said before, I don't think it's worthwhile to get into the minister's interpretations of what the past law was. And I'm asking you is . . . Incidentally, I don't believe that the public service superannuation board could have farmed out the administration of that act to Pemberton Houston Willoughby. I don't believe you for 30 seconds. But let's leave it at that. Never mind what was true in the past; do you concede the fact that under the act which you have before us, the bill that you have before us, you could turn over the administration of this, what must be pushing a half billion dollars, perhaps a good deal more than that, to Pemberton Houston Willoughby?

**HON. MR. ROUSSEAU:** — No, Mr. Chairman, that is incorrect. We cannot do that without the authority of each individual board. I want to point out to the Leader of the Opposition, as well, that another area where it hasn't changed is that all of these investments are now handled, and always have been handled, by the investment and financial services branch, with the exception of the three insurance plans. So we cannot do that with this act any more than you could before, unless so authorized, or unless the individual boards agree, or wanted it done that way.

**HON. MR. BLAKENEY:** — I would like to believe the minister. I read here that the Lieutenant Governor in Council may designate any superannuation plan to be operated by the agency, and then where the Lieutenant Governor has designated a plan:

the minister may enter into an agreement (and this is without the consent of the Lieutenant Governor) or purchase a policy (and I like that one) relating to the provision of or administration of the benefits program and may pay any costs . . .

It may well be that the minister is alleging that this deals only with benefits and not superannuation. I would like to know what stops anyone, once this is passed, from the minister entering into a contract to administer a benefits program.

**HON. MR. ROUSSEAU:** — Well, I guess there's several points here, Mr. Chairman. First of all, I want to point out to the Leader of the Opposition that this act does not override any of the acts already in existence by all of the agencies. All right? So they're there, and this cannot override what is already established under those acts. The new money purchase plan specifically gives the board the power to delegate the investment through the Department of Finance. Okay? Okay.

There are some examples where we have to deal with the private sector. And I think the Leader of the Opposition knows that full well, as well. For example, under group life, if we didn't deal with a private company, all of the benefits to the beneficiary would be taxable. So there's an instance where it has to be done that way.

And also, under the dental and disability plan, again as was done by your government, and for the same reason as done by ours — it's much cheaper to deal with a private company on those

two plans. And that's why you did it as well.

**HON. MR. BLAKENEY:** — One further question along this line, and then I will go back to section by section. With respect to your proposal to deal with private insurance companies and other private agencies with respect to employee benefit plans – and I am not raising an objection to that per se; I might raise an objection to individual contracts, but to the idea I'm not raising an objection to that per se – is it any part of your intention to enter into plans which force the employee to take his annuity from any contractor that you have selected?

**HON. MR. ROUSSEAU:** — Well, under the money purchase plan, Mr. Chairman, it's their choice – stay with us, or they can go the private sector, it's up to them, to the individual. Under the plans I referred to a minute ago, under the group life and the dental and disability, it's our funds. When I say our funds, I'm referring to the Crown, and it's dealt with on an administrative services only, for the private sector. The insurance company where we're dealing with is actually making the payments from our funds.

**HON. MR. BLAKENEY:** — Just to establish that one point before I close this line of questioning. With respect to annuity payments under the money-purchase superannuation plan, you do not see section 5 – well it's really clause 31(8) on the bottom of page 2 and up on the top of page 3 – you don't see that as giving you any authority to enter into any contract which would require the employee to take his annuity contract from any insurer who you might contract with.

**HON. MR. ROUSSEAU:** — No, it doesn't. As I am advised, it doesn't, again because this act does not override the other acts. So, as I indicated to the Leader of the Opposition earlier, this act provides the flexibility that we need, and it legalizes what hasn't been legal in the past.

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3 as amended agreed to.

Clauses 4 to 8 inclusive agreed to.

The committee agreed to report the bill as amended.

### **Bill No. 16 – An Act to amend The Saskatchewan Government Insurance Act, 1980**

#### **Clause 1**

**HON. MR. ROUSSEAU:** — Mr. Chairman, I'd like to introduce Mr. Larry Fogg, the vice-president of the AAIA, Mr. Bill Heidt, who is the treasurer of SGI, and Mr. Dan Kuss, who is the legislation advisor, corporate law department.

**MR. SHILLINGTON:** — We would seek some advice from you as to how you want to proceed. Do you want to deal with both bills at once, or do you want to deal with SGI, then go on to AAIA?

**HON. MR. ROUSSEAU:** — Mr. Chairman, I'm afraid at this point, because we have go clause by clause, we'll have to take each bill separately. So I don't think we have much choice.

Clause 1 agreed to.

Clause 2 agreed to.

**Clause 3**

**MR. SHILLINGTON:** — This bill . . . I cannot find my bill in here. But I do recall, Mr. Minister, this section or the next one relates to a change in the name of the chief executive officer. Am I wrong? From the general manager to president. No, I'm wrong. Sorry. Pass.

Clause 3 agreed to.

Clauses 4 to 6 inclusive agreed to.

The committee agreed to report the bill.

**Bill No. 17 – An Act to amend The Automobile Accident Insurance Act**

**Clause 1**

**MR. SHILLINGTON:** — Mr. Minister, you indicated, in answering questions from my colleague from Regina Elphinstone, that you had replied to the mayor of Regina when he had written you expressing concern over the imminent departure or SGI – imminent destruction of SGI is a more apt phrase.

Mr. Minister, do you have that letter and if so, would you share a copy of it with us?

**HON. MR. ROUSSEAU:** — Mr. Chairman, I will indicate to the hon. member that if he was to check his mail, he'd find he has it. It was mailed on November 28, addressed to His Worship, Mayor Larry Schneider, carbon copy to the Premier, the Regina MLAs, and the city clerk. So, November 28. If you haven't got it by now, there's something wrong with the mail distribution in your office. Mr. Chairman, I would be happy to provide him with a copy of this letter, and I would ask the hon. member tomorrow to come back and apologize for having asked it since he has it in his office. We're quite sure of that. And all members opposite have a copy of it. But I'd be happy to provide it.

**MR. SHILLINGTON:** — Mr. Minister, do you anticipate or have you given any consideration to having The Automobile Accident Insurance Act administered by any agency, line department, or crown corporation other than SGI?

**HON. MR. ROUSSEAU:** — No.

**MR. SHILLINGTON:** — Mr. Minister, do you anticipate or have you given any consideration to altering the scope of the activities of SGI so that they do not provide the same insurance . . . (inaudible interjection) . . . Pardon me? Do you anticipate any change in the scope of activities of SGI in terms of the kinds of coverage they provide?

**HON. MR. ROUSSEAU:** — Mr. Chairman, so that I am technically right – and I'm not giving you this answer to be facetious but only to be absolutely right – we're now talking about The Automobile Accident Insurance Act, not SGI.

Now, if you're talking about the act I'll respond to that, but SGI has nothing to do with this, or the functions of it has nothing to do with this particular bill.

**MR. SHILLINGTON:** — But, Mr. Minister, the dismantling of SGI has everything to do with this bill, because this bill would be a necessary first step before you could dismantle SGI as it now is and still maintain The Automobile Accident Insurance Act. So I ask you, Mr. Minister: is there any

intention to alter the scope of activities of SGI in terms of the risk it covers?

**HON. MR. ROUSSEAU:** — Well, Mr. Chairman, I am not going to indicate to the hon. member any changes that may happen within SGI over the years. There are changes happening – have happened already. We're changing some of the things at SGI.

For example, there's been some changes in the salvage division. There's been other minor changes. And the scope of the activities of SGI may, in fact, be adjusted from time to time. And if the question is leading up to the dismantling of SGI, of course, that's another story. And I've already indicated to the hon. member and all the members opposite, it's not the intention of the government to move in that direction at this time, or move in this direction, period.

**MR. SHILLINGTON:** — Mr. Minister, I was having the greatest difficulty hearing what you were saying. In fairness, part of it was the House Leaders conferring on what was probably a legitimate discussion.

Mr. Minister, I have your letter . . . (inaudible interjection) . . . that's a rarity, Mr. Minister, in this House, most of the discussions are not particularly authorized.

Mr. Minister, I have your letter, and quite frankly I find this less than convincing. I want to read your letter to you. I also want to say that I never got a copy of this. You may have sent . . . (inaudible interjection) . . . I see that. But none arrived at my office that I saw. As I say, in Tory times the administration collapses to the extent that not even the mail system will work. No wonder SGI isn't working.

Mr. Minister, I find your letter less than convincing, and I suspect it was fairly carefully drafted. Let me read it back to you. I'm reading the last sentence of the first paragraph:

In response to the alderman's concern, let me assure you that SGI has no intention of withdrawing from the automobile insurance fund, nor reducing the number of head office staff.

Mr. Minister, we have never suspected that. The Automobile Accident Insurance Act is going to be repealed. What we have suspected is that you will be getting out of the general insurance in other lines. And your letter . . . (inaudible) . . . Deny it indeed. Indeed, by a letter as carefully drafted as this one, my suspicions, Mr. Minister, are fuelled not allayed. I ask you again, Mr. Minister, what do you intend to do in lines of insurance other than the automobile insurance, which we never suggested you were getting out of?

**HON. MR. ROUSSEAU:** — Well, first of all, Mr. Chairman, I would like to respond to the member from Quill Lakes. He shouted across. I'd like him to know that he, as usual, easily gets lost. He is not in . . . this was sent to the Regina MLAs. Secondly . . .

**MR. CHAIRMAN:** — Order. I think the discussion has gone on so long that the minister can't remember the question. If the member who asked the question could . . .

**HON. MR. ROUSSEAU:** — Mr. Chairman, I can remember the question.

**MR. CHAIRMAN:** — In that case, Mr. Minister, proceed to answer.

**HON. MR. ROUSSEAU:** — Thank you very much, Mr. Chairman. I can well remember, especially when they are the kinds of questions that were being asked.

Secondly, I'd like to address the concern the member from Regina Centre has, but only learn how to read. First of all, it says "insurance field" not "fund." And what this letter responded to was the question and the issue that was raised. Why should I talk about something else? They were

talking about the automobile insurance field. That was the question. We've addressed that. When I reply to a letter, I like to address the contents of that letter. That's what we did. We addressed the contents of the letter that was written, and the concerns by the city council.

**MR. SHILLINGTON:** — Mr. Minister, I ask you to respond to the question raised, the issue raised at the Regina City Council . . . (inaudible interjection) . . . No, you didn't. No you didn't. The issue was whether or not you're going to sell SGI. It has never been suspected that SGI will vacate the automobile insurance fund. The suspicion is that you'll get rid of everything else and turn it over to a line insurance company. I ask you, Mr. Minister, to respond to that enquiry. What is the intention of SGI with respect to the general lines of insurance?

**HON. MR. ROUSSEAU:** — Well, I'm not surprised that the member from Regina Centre doesn't know what he's talking about. First of all, he can't find his mail and, secondly, I want to tell the hon. member that the issue that was raised or the question that was raised by city council — a member of city council — was whether or not SGI had any intention of withdrawing from the automobile insurance field. That's what we addressed. That's what we answered, the letter. Now, if you had a copy of the letter that was sent to me and a carbon copy to you with you tonight, and if you would have come prepared, you'd have it with you and you would have a copy that I sent which addressed the letter and the issue.

**MR. SHILLINGTON:** — Mr. Minister, your avoidance of the issue is fuelling our suspicions. The issue, Mr. Minister, is: are there any intentions by SGI to vacate the general lines of insurance and become little more than an administrator of the AAIA fund?

**HON. MR. ROUSSEAU:** — Well, Mr. Chairman, the simple answer is, it's a market question. As I indicated, it's a market question . . .

**AN HON. MEMBER:** — A market question?

**HON. MR. ROUSSEAU:** — Of course, it's a market question. There might be some lines that are nothing but losers, that we would rather not sell. That may happen; that could very well happen. There may be some that we want to add to it. Okay? And I think we've already done that. So it's a market question.

As a matter of fact, as I indicated the other night to the opposition members, I'll sell you an asset right now of SGI. It cost us \$600,000. It's the study you guys did on that life insurance. I'll sell it to you — I'll even charge you less than that for it. I'll sell it to you at a bargain. So, those things can happen. But I think what the hon. member really wants me to answer is: are we going to sell SGI? The answer is no. Are we going to dismantle it? The answer is no.

**MR. KOSKIE:** — Well, just in respect to your answer, Mr. Minister, it seems to me that the philosophical support that this party has been giving to SGI, and particularly in general insurance, obviously is very simple. If you want to increase the rates such that they are no longer competitive with the line companies, then of course you can indicate and achieve a very substantial loss. And all the information that I can gather is what you have been doing is elevating the rates for general insurance to such an extent that there is left no competition with the line insurance companies. Obviously, there are going to be a considerable amount of losses in many of the areas in the general insurance, and as a consequence, this will be your excuse in the end for wiping out many of the policies and coverages that we have at the present time being administered under the general insurance. And that's exactly the direction that you are going. The people of Saskatchewan are aware of it.

If you talk to the insurance agents, the information that you get is that the rates under SGI, under the general insurance, are not competitive with the line company rates, and as a consequence

the sales will be substantially down and this will be your method of destroying the basis of the general insurance.

**HON. MR. ROUSSEAU:** — Some of the comments made by the member from Quill Lakes indicate what little he knows about the free market. First thing, if he is suggesting that the higher we raise our rates, eliminates the competition, it's actually the opposite that will happen. We'll add more competition. As a matter of fact, if the members opposite would do a little research before they ask questions, they probably wouldn't bother asking the question because the exact opposite has happened this year: premiums written have increased over last year and over 1981. We are doing more business than what we were doing at that time . . . (inaudible interjection) . . . yes, we have discontinued some. I'll give you an example of a line that we have discontinued which was a real loser: the livestock mortality. But there are many, Mr. Chairman, that we've enhanced. I don't hear the member opposite referring to them. So, think about what you are asking before you ask the question. You may not want to ask it after you've given it some thought because our business is, in fact, on the increase. We've written more premiums this year than in the past.

**MR. KOSKIE:** — Can you indicate why you have adopted a policy, then, of not allowing SGI, for instance, to write direct policies, for example with the Sask Power? Previously, head office was, in fact, writing the policy directly for Sask Power. Now you have turned it over, excluded the right of SGI head office. In the specs you did, and Ducketts qualified for it, and Ducketts is owned by Reed and Stenhouse, a British company . . . So, what you have done is to transfer and to pass on over to your political friends a premium which was unnecessary to pay. That's a known fact, that you changed the specs in order to allow Ducketts to get the policy in respect to Sask Power. What you are doing is transferring it over, passing it over to Reed and Stenhouse, the British company.

**HON. MR. ROUSSEAU:** — Again, Mr. Chairman, I wish the members would really do their homework and their research before asking questions. Nothing could be further from the truth. That's absolutely false . . . (inaudible interjection) . . . I am telling you it is. There is nothing stopping Sask Power or potash or Sask Tel or anyone else from buying a policy from SGI directly. There is nothing that stops them from doing that. But let me tell you that by giving them their choice, by allowing them their choice of market buying, they were able to save considerable sums of money. SGI will, at the request of any crown corporation, write the policy directly.

**MR. SHILLINGTON:** — Mr. Minister, our suspicion is that by the time you are finished with your ministrations, by running SGI into the ground, you will have justified selling everything but the automobile insurance and that, in fact, is all SGI will be, is the administrator of the AAIA fund.

Mr. Minister, I ask you whether or not you have any present intentions. Have you entered into any discussions with anyone with respect to the sale of any of the general insurance lines?

**HON. MR. ROUSSEAU:** — Well, you know, I'm surprised you'd even open that door. You are suggesting that I'm going to run SGI into the ground. That's what I heard you say. And yet, and yet, and yet, I just finished indicating that we have written more premiums, dollar-wise, this year than we did before. We're on the increase. That's really running it into the ground. But you seem to forget . . . (inaudible interjection) . . . Ned . . . or, Mr. Member, I'm sorry for calling you by your first name. I say to the hon. member, listen very carefully, because it was your administration that cost the taxpayers of this province \$55 million of \$56 million in two years time. Your administration. That's number one. Now that's what I call running a corporation in to the ground. That's what I call running it into the ground.

It was also your administration, in two years time, that increased the rates by 55 per cent in the AAIA, and even with that you couldn't make any money with it. It was also your administration that paid no attention to the management of that corporation. You authorized them, instead,

to go venturing into all other areas that they had no business ticking their noses into, like the life insurance business. If you are concerned about running SGI into the ground, then why didn't you speak up when your previous minister – your minister – and your previous government and your previous management . . . Why didn't you speak up at the time, because that's where it was going – into the ground? Had that been a private company . . . I want to tell you something. Had that been a private company, they'd have declared bankruptcy. They'd have been into receivership. So don't ask silly questions without thinking about what you're asking.

**AN HON. MEMBER:** — Just answer the question.

**HON. MR. ROUSSEAU:** — I did. That's exactly what I did – I answered the question. And I tell you again. I've indicated to you before, in second reading; I've indicated to you in question period; we have no intentions of selling SGI. We have no intentions of selling the lines. We may get out of some, as I indicated we got out of the livestock mortality policy. It was costing money. We've adjusted other ways, in other areas, and we'll continue to do that, because we'll continue to operate it as a business, not as a political tool, as you did.

**MR. SHILLINGTON:** — Thank you, Mr. Minister, for your frank and honest admission that you will get out of SGI piece by piece, as you are able to justify it. Thank you, Mr. Minister, for that admission.

Clause 1 agreed to.

Clauses 2 to 6 inclusive agreed to.

The committee agreed to report the bill.

### **Bill No. 22 – An Act to provide for the Postponement of the Tabling of Certain Documents**

**MR. CHAIRMAN:** — Is the minister ready to proceed? The minister's ready to proceed with the house amendment as well?

**HON. MR. McLEOD:** — Mr. Chairman, no, we have no officials nor will any be required. We have agreement, as was indicated earlier today by the House Leader from the opposition. We have a house amendment which we will submit now on section 2 of the printed bill.

Clause 1 agreed to.

Clause 2 as amended agreed to.

Clause 3 agreed to.

The committee agreed to report the bill as amended.

### **THIRD READINGS**

### **Bill No. 21 – An Act to provide Financial Assistance to Encourage and Promote the Development and Expansion of the Agricultural Industry and to establish the Agricultural Credit Corporation of Saskatchewan**

**HON. MR. HEPWORTH:** — Mr. Speaker, I move that it be read a third time and passed under its title.

Motion agreed to and the bill ordered to be read a third time.



**Bill No. 5 – An Act to Provide for the Taxation of Minerals**

**HON. MR. SCHOENHALS:** — Mr. Speaker, I move that this bill now be read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 6 – An Act respecting the Consequential Amendments resulting from the enactment of The Mineral Taxation Act, 1983**

**HON. MR. SCHOENHALS:** — Mr. Speaker, I move that this bill now be read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 23 – An Act to amend The Vehicles Act, 1983**

**HON. MR. GARNER:** — Mr. Speaker, I move that this bill now be read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 18 – An Act to amend The Department of Revenue and Financial Services Act**

**HON. MR. ANDREW:** — Mr. Speaker, with leave of the Assembly, I move the amendments be now read a first and second time.

Motion agreed to.

**HON. MR. ANDREW:** — Mr. Speaker, I move that this bill now be read a third time and passed under its title, with amendments, and by leave.

Motion agreed to and bill read a third time.

**Bill No. 16 – An Act to amend The Saskatchewan Government Insurance Act, 1980**

**HON. MR. ANDREW:** — Mr. Speaker, I move that this bill now be read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 17 – An Act to amend The Automobile Accident Insurance Act**

**HON. MR. ANDREW:** — Mr. Speaker, I move that this bill now be read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 22 – An Act to provide for the Postponement of the Tabling of Certain Documents**

**HON. MR. McLEOD:** — Mr. Speaker, with leave I move that the amendment be read a first and second time.

Motion agreed to.

**HON. MR. McLEOD:** — Mr. Speaker, with leave I move that the bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time, on division.

## SECOND READINGS

### Bill No. 24 – An Act to repeal The Construction Industry Labour Relations Act

**HON. MR. McLAREN:** — Mr. Speaker, I'm pleased to rise on this occasion to present second reading for the repeal of The Construction Industry Labour Relations Act.

**MR. SPEAKER:** — Order, please. This bill hasn't been distributed for 24 hours and leave would be required. Does the member have leave? Proceed.

**HON. MR. McLAREN:** — Sorry, Mr. Speaker. In 1979, the government of the day, the members opposite, decided to introduce An Act respecting Labour Relations in the Construction Industry in Saskatchewan, and it is my understanding that it was their intention that this act should provide for a more structured, a more organized, and a more peaceful labour relations system in the construction industry. In proclaiming this act the government of the day made some major changes in the traditional labour relations system, which had relied extensively on the free enterprise and the free market forces of Saskatchewan to determine labour relations peace, and the establishment of collective agreements in our province. In the two subsequent rounds of collective bargaining which took place under the auspices of The Construction Industry Labour Relations Act, labour peace was not the hallmark of those collective bargaining engagements. In fact, Mr. Speaker, things went from bad, in the 1980 round, to worse, in the 1982 round of collective bargaining.

Mr. Speaker, our government, shortly after we had been voted into office by the people of Saskatchewan, discovered in the summer of 1982 that the collective bargaining legacy in the construction industry was about to become the worst record of labour strife and conflict in all of Canada. In 1982 the people of Saskatchewan were left with 416,245 worker-days lost due to strikes or lockouts in all sectors. And of that figure, 359,000 worker-days was due directly to the conflict in the construction industry, a conflict, Mr. Speaker, of which I would remind the House that the legislation introduced in 1979 was supposed to avoid or reduce.

In short, the promotion of labour peace, settled collective agreements, and work force stability were all lost as objects, and the act failed in the worst possible way. Over the past several months, we in the Department of Labour have held an extensive series of meetings with the individuals, the trade unions, the trade union organizations, employer groups, labour relations experts and others on the subject of labour relations of the construction industry. The overwhelming diagnosis, Mr. Speaker, is that the system put in place by the construction industry was not working as it should have been, and it had been given ample opportunity to apply the principles expressed in that legislation.

In these extensive discussions to which I have earlier referred, it became abundantly clear that the people of Saskatchewan deserve something better, that the contractors and unionized workers of Saskatchewan deserve something better. It became clear, Mr. Speaker, that the artificial prohibitions and restrictions hindered successful collective agreement settlements, and were inappropriate, and could not remain.

Support for the repeal of this legislation, Mr. Speaker, can be found in virtually every sector of the construction industry. I have found substantial support among contractors and among unions alike. It is because the people of Saskatchewan, the workers of Saskatchewan, and the contractors of Saskatchewan demand an opportunity to work in a stable labour relations climate

that I am proposing the repeal of The Construction Industry Labour Relations Act, and that we return to the operation of The Trade Union Act which, although it may have faults, and although it may yet be improved, would leave the parties to the labour relations scene in the construction industry in our province more likely to succeed in their search for labour peace and fair collective agreements for all.

Mr. Speaker, I am pleased with the support we have received from the Saskatchewan Construction Labour Relations Council and from the building trades in the province of Saskatchewan.

Mr. Speaker, I have spoken to many, many investors, both in the province of Saskatchewan and from outside the province, who had a fear of construction unrest in the province in 1984. Mr. Speaker, I am pleased to inform the members of this House that after the investors had received notices in regard to this government rescinding Bill 88, that the investors are confident that there will be construction stability in the province of Saskatchewan, and that the contractors and the trade unions will work harder now than ever before to come up with agreements that will, in fact, allow the construction industry in the province of Saskatchewan to prosper more now than they ever did before, and to provide the jobs that are so necessary today.

Mr. Speaker, I am, therefore, more than pleased to move that this bill now be read a second time.

**SOME HON. MEMBERS:** Hear, hear!

**MR. SHILLINGTON:** — Thank you very much, Mr. Speaker. I predict, Mr. Minister, that what you are doing will work even less well than what you are repealing. I will say at the beginning, and I'll say at the end, we will not be opposing the repeal of this legislation. I think the opportunity to have ever made this work has gone by the boards. I think now we've little option but to repeal it. But, Mr. Minister, that's not to say it might not have worked.

The difficulties which we faced before this legislation was in effect was that one trade would go on strike; other trades would honour the picket line. And strikes were caused when there was not, I think a general consensus among all the trade unions that a strike should be called. This, by introducing industry-wide bargaining, sought to replace that with a saner system, and frankly, it didn't work badly as long as the Department of Labour provided some leadership. Where this broke down is when the Department of labour became the handmaiden of the construction industry, and began to work with the construction industry to drive as hard a bargain as was conceivably possible. When the Department of Labour began to work in close concert with the construction industry, that, Mr. Minister, is when this piece of legislation began to break down. It broke down, Mr. Minister. Not when we were in office, but when you were in office. But I think now it has broken down to the point where it is not likely to work, and we will not be opposing its repeal.

But I say, Mr. Minister, you are treading into a difficult area, and you are going to have difficulties in the construction industry if the industry ever gets back on its feet. If we ever rid ourselves of this good, old-fashioned Tory prosperity that we're suffering through right now, if the construction industry ever gets back to anything like a normal rate of activity, then, Mr. Minister, I think you will find that what you're introducing will work even less well than what you have repealed.

**AN HON. MEMBER:** — Doom and gloom.

**MR. SHILLINGTON:** — No, I'm not. No, I'm not doom and gloom. I don't think that day will ever pass, because I don't think we're ever going to get rid of this (as I call it) good, old-fashioned Tory prosperity we've got now with 90 per cent of the membership of many trade unions unemployed – 90 per cent of their membership is unemployed. That's what Tory prosperity means when you're at the bottom of the heap, Mr. Minister. If that ever passes and we return to

a more buoyant economy, Mr. Minister, I predict that you are going to have difficulties the like of which you haven't imagined in the construction industry. However, that's a prediction for another day, Mr. Minister.

Partially through the lack of leadership of the Department of Labour, this legislation isn't working and I think now the time is past when it ever will.

Motion agreed to on the following recorded division, bill read a second time and, by leave of the Assembly, referred to a committee of the whole later this day.

**YEAS – 48**

Devine	Muller	McLeod
Andrew	Taylor	Rousseau
Katzman	McLaren	Garner
Smith (Swift Current)	Baker	Hepworth
Schoenhals	Duncan	Currie
Klein	Dutchak	Embury
Dirks	Maxwell	Young
Domotor	Folk	Muirhead
Petersen	Sveinson	Smith (Moose Jaw South)
Hopfner	Myers	Rybchuk
Caswell	Hampton	Gerich
Boutin	Schmidt	Tusa
Meagher	Glauser	Zazelenchuk
Weiman	Sutor	Morin
Blakeney	Engel	Lingenfelter
Koskie	Shillington	Yew

**NAYS – Nil**

**SECOND READINGS**

**Bill No. 26 – An Act to amend The Northern Municipalities Act**

**HON. MR. McLEOD:** — Mr. Speaker, by way of a very quick explanation for the need for this amendment, as members will recall The Northern Municipalities Act, which we passed in the last session, was proclaimed on, believe, the 1st of October, just past. One of the provisions of that bill provided for the Northern Municipal council, which was a municipally elected council in the North that will now be replaced by provisions of The Northern Municipalities Act, to be phased out over a six-month period, I believe, as of the 1st of April, 1983. Or '84, I'm sorry.

The necessity for this amendment is so that we won't have to go through the major expense, which it is in the northern part of this province, for an election of northern municipal councillors. I might add, and point out to the House, that people on the northern council and that council has asked for this amendment so that they don't go through the expense of that election, and, in fact, people could conceivably take office for a period of about a month and a half, and then it would be phased out. The Northern Municipal Council will no longer be in existence on the 1st of April.

So, I move second reading of this amendment, Mr. Speaker.

**MR. YEW:** — Thank you very much, Mr. Speaker. Mr. Minister, in the session we had prior to the presentation regarding local government, regarding The Northern Municipalities Act which was introduced here in the last session and passed in the last session, you talked about economic self-sufficiency in your letter regarding municipal local government in northern Saskatchewan. I wonder what the amendment, that's now before us . . . I wonder, Mr. Minister, if you may elaborate on what you meant exactly by economic self-sufficiency.

At the present time we have tremendously important issues in northern Saskatchewan relating to economic development. I bring this up, because when you talk about local government in any region of this province or in this country, when you talk about local government, you talk about an economic base to sustain that local government — to sustain its responsibility, its functions, its administration, and its job in terms of local government development. When you talk about local government, you talk about self-sufficiency for local government, and you talk about an economic self-sufficiency plan, Mr. Minister.

I wonder if, at this point in time, you may address that very important issue that is a constant, nagging issue in the minds of many local elected officials in northern Saskatchewan, what your intention is with respect to this proposal that you had last July of 1982. That is one issue, Mr. Minister. That is one issue. And just to substantiate the seriousness, Mr. Minister, we have in northern Saskatchewan, at this point in time, higher unemployment statistics. Just for an example, one community, namely La Ronge. In the past year, unemployment in that one community has increased by 43 per cent. And the majority of northern communities . . .

**MR. SPEAKER:** — Order, please. The bill that's before the House has nothing to do with employment or unemployment, and it's a very narrow bill with very narrow guidelines, and I would ask the member to address the bill that's before the House.

**MR. YEW:** — Thank you. My apologies, Mr. Speaker.

I want to address some of the related issues that are before us, Mr. Speaker, in my native tongue, with respect to the amendment before us. The amendment is an important one, and if I may be allowed the privilege and opportunity, I would continue on, Mr. Speaker.

(Mr. Yew addressed the Assembly in his native language, Cree.)

**MR. SPEAKER:** — Order, please. The member is using the names of individuals in the Assembly, and I would ask him to refer to members by their positions or by their constituency.

**MR. YEW:** — Thank you very much, Mr. Speaker.

(Mr. Yew continues in his native language, Cree.)

Getting back to that amendment, Mr. Minister, getting back to that amendment, I'll go back to my original question, Mr. Minister, and I'll sit down. I've addressed the issue before us in my native tongue, and the most pressing question that is in front of the local government officials, the various communities and band councils we have in northern Saskatchewan is related to jobs and the economy. Jobs and the economy. We talked about building an economic base for many of these northern communities. I wonder, Mr. Minister, if at this point in time you maybe able to state what your position is, what your government is prepared to do, what alternative plans you have, if you, in fact, have a solution. To date you have not offered any solution in terms of your dismantling of DNS, of the realignment of DNS, of your mainstreaming northern Saskatchewan with the rest of this province. You have totally ignored the North. You have proven yourself to be irresponsible, and you have shown

that your government is totally insensitive to the needs, to the crisis that we have in northern Saskatchewan.

**HON. MR. McLEOD:** — Mr. Speaker, the member raises issues that are certainly far removed from the particular sections of this very simple and straightforward amendment to this particular bill. Certainly those issues which he raises are a subject for some debate there's no question, at certain times, but they are certainly not under this bill at this time. And I have no intention of getting into that very long debate. But I would say, Mr. Speaker, that with that I would move second reading of Bill No. 26.

Motion agreed to, bill read a second time and, by leave of the Assembly, referred to a committee of the whole later this day.

### **Bill No. 27 – An Act to amend The Legislative Assembly and Executive Council Act**

**HON. MR. ANDREW:** — Mr. Speaker, I'll be rather brief on this, perhaps a bit by way of history. I think about three years ago, through an all-party agreement of this Assembly, a formula was put in place by which increments to the members of the Legislative Assembly and Executive Council was established. The rationale behind that formula was that each year we would be into a process of increases, a formula not unlike most other provinces. That formula was tied to the cost of living.

Last year, because of the particular increase in the cost of living, we brought in legislation that restricted MLAs' salaries, I think, to six, six and a half per cent, something like that. We froze the increments to all other offices: the offices of the Premier, the offices of the members of Executive Council, the Leader of the Opposition, Mr. Speaker, the whips, other committees, etc.

This year we are faced with the same type of conundrum, if you like, that if we are to simply leave the formula in place, the result would be that the members of the Legislative Assembly would receive a larger salary increase than would the members of most public sector unions that are dealing in the 5 per cent guideline range. This legislation, Mr. Speaker, is designed to delay that formula, once again, for the year 1984, to put a 5 per cent guideline on it. After '84, we would revert back to the formula. Hopefully, we can some day get back to that formula when a proper climate happens to find there.

I suppose that in the six years that I have been in the Assembly we have invariably found ourselves in the same type of situation — I suppose always will — and that is that the members of the Legislative Assembly have to, in fact, vote themselves what their, in fact, pay raise is going to be. I believe this bill and the 5 per cent increase is reasonable. I've always maintained, Mr. Speaker, both from this side of the House, and from the other side of the House, that many people . . . Obviously you're going to look at members of the Legislative Assembly and say they are probably paid too much money, that all politicians are paid too much money.

And I suppose that is part of the burden that you carry when you're into this particular business, and I don't think many people go into politics for the money that you're going to receive from it. We are always subject to that. I believe, and as I say I've always believed, quite frankly, that members of this Assembly and members of politics, quite frankly, across this country are not, in fact, paid too much. I know that doesn't make one all that popular, and it's a very difficult thing to sell out to the public, and perhaps with some justification, perhaps the way they look at this particular function. But it is the basis of our democratic system, Mr. Speaker. I believe a lot of people sacrifice a lot of other things, and I suggest that the salary increases for members of this Assembly, and this particular salary increase, is within the guidelines. I also believe that it is reasonable, and I would ask all members of this Assembly to support this bill on second motion.

Motion agreed to, bill read a second time and, by leave of the Assembly, referred to a committee of the whole later this day.

## INTRODUCTION OF BILLS

### Bill No. 28 – An Act to amend The Police Act

**HON. MR. McLEOD:** — Mr. Speaker, I would ask for leave of the Assembly to introduce first reading of An Act to amend The Police Act. Mr. Speaker, I move first reading of An Act to amend The Police Act, 1983.

Motion agreed to and, by leave of the Assembly, the bill ordered to be read a second time later this day.

## SECOND READINGS

### Bill No. 28 – An Act to amend The Police Act

**HON. MR. McLEOD:** — Mr. Speaker, I rise to move second reading of The Police Amendment Act, 1983. This bill arises as a consequence of the implementation of The Northern Municipalities Act. Prior to the proclamation of The Northern Municipalities Act, policing services were provided by the province in all of the northern Saskatchewan administration districts, except in the towns of La Ronge and Creighton. This was confirmed by the provisions of section 44 of The Police Act. However, now even towns under The Northern Municipalities Act are included within the northern Saskatchewan administration district, and section 44 of The Police Act is inconsistent.

The proposed new section 44 will clarify that the government is responsible for providing policing services in the northern Saskatchewan administration district, except in towns with a population of 500 or more. Thus, if a municipality wishes to receive town status under The Northern Municipalities Act, it must be willing to accept responsibility for providing policing services. This proposed new section 44 will also clarify that towns which now provide their own policing services will continue to do so, but if the population of these towns falls below 500, policing services will, at that time, be provided by the government.

So basically, Mr. Speaker, there really is no change provided in this from what was in place prior to the implementation of The Northern Municipalities Act. It relates to the towns of La Ronge and Creighton, for clarification of the opposition members, and all members of the House.

And, Mr. Speaker, with that I move second reading of an Act to amend The Police Act.

**MR. YEW:** — Mr. Speaker, I just simply want to raise a concern I have with respect to the amendment before us. The amendment clearly states that the municipalities of Creighton and La Ronge will not fall under this act in terms of the provision for policing services by the province. And my concern with respect to that is the fact that over the course of the past year and a half or so, economic activity in those two major centres have declined tremendously – economic activity in relation to employment has declined drastically. Therefore, I say to the minister that those communities generally have an insufficient economic base for them to provide this type of a service.

When you take into consideration the limited amount of revenue that they have as compared to what they had in former days, my conclusion is that, economically speaking, they're not as well off. They've been touched by the recession. They've been affected. Therefore, I wonder if your government has taken into account that those communities will definitely need some encouragement from the province – some support from your government in terms of making those services available to them.

**HON. MR. BLAKENEY:** — Mr. Speaker, I just want to make some very brief comments on this. I

am troubled by this bill because of its impact on The Northern Municipalities Act, which we just passed earlier. The act, as I understood it, contemplated that communities like (and I'll pick out two) Sandy Bay and La Loche might try to get town status at some time in the future, and they are now LCAs or local community authorities, unless we've changed that name, and that's, in essence, the status they now have.

What this bill says is that if they attain town status, they have to pay their own policing costs. Both of them would be over 500. Certainly, La Loche would. And I think we all know that policing costs in La Loche, for example, are no small item. This strikes me as being an almost impossible impediment to a place like La Loche ever becoming a town, unless we find sources of income for a town like La Loche which are not now visible.

I think the effect of this is to say that places like La Loche will not achieve town status for a very long time to come, unless a new basis of financing those communities is found. And that goes for a goodly number of others. As I got through the list I could think of practically none, with the possible exception of Buffalo narrows, which would have any tax base which would permit it to even look at town status. I, of course, in my remarks, am excluding La Ronge and Creighton because they . . . While my colleague, the member for Cumberland, is questioning your applying this rule to La Ronge and Creighton, you have the argument that that rule has applied to La Ronge and Creighton in the past, and that argument has a fair amount of substance.

What you are doing, I am suggestion, is deciding that a great number of other communities, the bulk of all of the other communities, will not be able to go up the ladder to town status unless new methods of financing are found. And I query, I query strongly, whether or not it would not have been wiser to keep the policing costs out until these communities could have got some more financial base, and could have at least aspired to town status without having to face what are going to be very heavy costs. I make that point. I've got a couple of other technical points which I'll raise in committee.

**HON. MR. McLEOD:** — Mr. Speaker, with reference first of all to the comments of the hon. member from Cumberland who raises the two particular towns, La Ronge and Creighton, I noted that the Leader of the Opposition recognized the argument that I will use, and that I have used in that case. That is, that both La Ronge and Creighton now provide their own police services and did prior to The Northern Municipalities Act. So if that's the case, and really that was the very intention of this bill, to make sure that remains the case, and, in fact, in the case of those two communities, La Ronge and Creighton, for the hon. member's edification, I believe, that, in fact, they are both recipients, now, of more money under the revenue-sharing formula provided for in The Northern Municipalities Act than they were as a community before. So they are not unhappy about this.

With regard to the points raised by the Leader of the Opposition, they are good points. There is no question about that in terms of the communities such as La Loche, and I'm the first to recognize, and I think all of my colleagues will recognize, certainly the Attorney General, to whom this act would fall, recognizes that a community like La Loche, with a large population, certainly policing costs would be just cumbersome and a tremendous burden on a community like that if they were to aspire to be a northern town under The Northern Municipalities Act.

I note that there are, as well, other communities in the southern part of Saskatchewan — I think of my own community that I come from, Meadow Lake; I believe Carlyle is another; I believe Kamsack is another — where there are special circumstances in terms of the formula for the provision of policing services. I don't know what those provisions would be, but I would say to the hon. member, and I will undertake to place on the record, that when it came to whether or not La Loche should become a town, certainly policing services and the provisions of those services and the expense that would have to be considered by the community and by the elected people there would have to be a major consideration that we would look at as well in allowing that. And I would undertake to make sure that that would happen under the Attorney



General's department.

Motion agreed to, bill read a second time and, by leave of the Assembly, referred to a committee of the whole later this day.

## COMMITTEE OF THE WHOLE

### Bill No. 24 – An Act to repeal The Construction Industry Labour Relations Act

#### Clause 1

**HON. MR. McLAREN:** — Mr. Chairman, it's my pleasure to introduce my staff, Mr. Peter Grady, deputy minister of labour, and Ron Hewitt, with the Department of Justice.

**MR. SHILLINGTON:** — Mr. Minister, when do you anticipate that this act will be proclaimed into law? What date is your target for having this act become effective?

**HON. MR. McLAREN:** — Mr. Chairman, it will be coming into force on the day of assent.

**MR. SHILLINGTON:** — Mr. Minister, have you received any representations from the construction industry or the trade unions with respect to the repeal of the provision – I think it's section 17 – which prohibits subsidiary companies as the mechanism for avoiding certifications? Have you had any representations from either the trade unions or the construction industry?

**HON. MR. McLAREN:** — Mr. Chairman, Mr. Member, we have had representations from both sides, actually, as far as section 17 is concerned. Unionized contractors had requested that we amend the act and remove section 17.

**MR. SHILLINGTON:** — I only have a very few questions here, Mr. Minister. Have any owners of construction companies or any individual trade unions expressed any reservation about what you're doing? I know that the council of trade unions is in support of what you're doing, as is the construction association – I don't know the formal name for it — Saskatchewan Construction Association. Have you had any expressions of concern from any individual trade unions or construction companies?

**HON. MR. McLAREN:** — Mr. Chairman, we have had about seven or eight months of discussion with both parties – the building trades and the unionized contractors – on the extension of the agreement, and the original request did come from the building trades themselves. And both sides have indicated that there's parts of the act that they are not happy with, and it was our decision, of course, to repeal the total bill and look at . . . Their desire was to have a new act – that we would spend the next few years looking at doing just that.

**MR. SHILLINGTON:** — Mr. Minister, I was going to ask you that. There is not now, of course, a contract in existence. I gather there is on the table a 066 offer from the trade unions and no acceptance of that offer.

You indicated you see a need for some alternative to this, and not simply rely upon the ordinary provisions of The Trade Union Act. Within what time frame do you see that taking place? And I would like the minister to be a little more expansive in describing what you see happening over the next, well, couple of years, as you put it.

**HON. MR. McLAREN:** — Mr. Chairman, it may be that we will not bring in any new act. It may be that the parties will be happy with the situation as it now exists without the bill. And we won't tie ourselves to any time frame of looking at it; that will be up to the two parties themselves.

**MR. SHILLINGTON:** — Do you have in mind any sort of formal mechanism, any sort of formal advisory committee set up to review or study this? I think of . . . And the . . . (inaudible) . . . committee was on a different subject. But do you have in mind any sort of formal committee or structure to consider this problem? I think I say, Mr. Minister, that I admit that this didn't work, although I think that it might have, with a little more leadership from the Department of Labour. But that's behind us now; it is not working now. I am equally apprehensive, Mr. Minister, that the provisions of a Trade Union Act aren't going to work, given the nature of this industry, and I wonder if you have anything in mind except waiting to see how bad the situation gets before you take some steps to find a better system.

**HON. MR. McLAREN:** — Well, Mr. Chairman, at this time maybe I have a little more faith in the two parties to carry out what they have been offering to do over the last few months. And without our help in this area over the last few months, we wouldn't be sitting here today repealing bill 88 as far as the Department of Labour is concerned.

The possibility of a committee could be set up, and we've discussed that already. But we have no intentions of doing that, unless here again, that the two sides requested, and that suggestion has been made, and we will certainly watch progress, and assist them if that's their desire to form a committee.

Clause 1 agreed to.

Clauses 2 to 6 inclusive agreed to.

The committee agreed to report the bill.

### **Bill No. 26 – An Act to amend The Northern Municipalities Act**

#### **Clause 1**

**MR. CHAIRMAN:** — Will the minister introduce his officials?

**HON. MR. McLAREN:** — Mr. Speaker, I have no officials with me tonight. I am confident we will be able to answer the questions.

**MR. YEW:** — I gathered as much that you mentioned that you wanted some continuity with the Northern Municipal Council in place until . . . provide for the Northern Municipal Council's gradual phase-out from the former act to the present. I wonder, Mr. Minister, if this is the case with the Northern Municipal Council, have you or have you not received . . . I thought you mentioned that you have received their endorsement to this transition that you spoke about. I wonder if you may elaborate on that.

**HON. MR. McLEOD:** — Yes, Mr. Chairman, as the member may well know, in fact, there is one member for sure from the district at Camsell Portage – I'm sure the member knows Mr. Tokar, who was a member of the NMC, who no longer lives in the area, and, in fact, there would be a need for a by-election. The Northern Municipal Council doesn't see the need to hold such a by-election when we're, in fact, in a transitional or phase-out period for the Northern Municipal Council's functions. That is the one case.

In the second case, and what makes this much more a need, is that, under the normal circumstances, had the Northern Municipal Council carried on, there would be a need for an election in, I believe, February to have that election, and to have people take office in about that time for a period of about a month and one-half prior to the Northern Municipalities Council going out of existence, which would take place on April 1 . . .

The provisions of The Northern Municipalities Act, as the member will recall, provide for the Northern Municipal Council to remain in effect for six months following proclamation of The Northern Municipalities Act which was October 1st. So that makes it April 1st that they would be going out of existence. And what the Northern Municipal Council has said to our people in the municipal services branch, there's no need to go through the expensive process and go through the process of those elections when it's in this phase-out period. And I concurred with that.

**MR. YEW:** — Mr. Chairman, I have two more questions and I'll let my colleague, the member for Elphinstone, raise a few of his concerns with regards to this bill.

Mr. Minister, I wonder . . . have you had any presentations via the Northern Municipal Council from the unorganized hamlets in northern Saskatchewan? My understanding is that not all communities will attain a higher status of local government. Some will have to remain as unorganized hamlets or unorganized northern settlements. Therefore, their role will basically be a local advisory council.

Have you received any submissions from a number of those communities via the Northern Municipal Council, as to what their aspirations are in terms of dealing with your government, with the municipal services branch in respect to programs that they have been traditionally involved in, like housing, the economic development branch via the local loans committees, local school board route, etc.?

**HON. MR. McLEOD:** — Yes, Mr. Chairman, the small and unorganized hamlets that the member refers to will be — and this is one of the reasons for the six-month phase-out period of time so that they could get themselves used to the provisions of the act which provide for those small communities to become what would be called northern settlements.

And those northern settlements will have an advisory type council as they now have under what the LAC's, I guess they are in some cases. But they're even smaller than that. I guess they're even smaller than what we now know as LAC's. So they will deal with the municipal advisory branch of the Department of Urban Affairs soon, but certainly the municipal advisory services branch of municipal affairs. And as the member knows, they're very, very small communities and there's no way that they could adopt village status or anything of that nature because they're far too small.

So, as far as your specific question about a specific submission from those communities through the Northern Municipal Council to me — not formally in that sort of route, but the northern municipal councillors have indicated to us that the communities are pleased with the situation as it will relate to them under The Northern Municipalities Act.

**MR. YEW:** — Thank you, Mr. Speaker. With the complete elimination on March 31st, 1984 of the Northern Municipal Council, how many communities do you see falling under the wing of the municipal services branch? How many communities? How many Local Advisory Councils, Mr. Minister?

**HON. MR. McLEOD:** — You know, Mr. Chairman, I'm not sure. I can't give you an exact number. I really don't know. I would say probably . . . I think it's best that I don't speculate about the number. I'm not exactly sure, because there is some question in some of those cases about some of them that would like to attain village status and so on, and there's some question about their population. So I won't speculate on that one.

**HON. MR. BLAKENEY:** — Mr. Deputy Speaker, Mr. Chairman, I've looked at this act and I just think of what we've done tonight. We did something on revenue and financial services act, 1983, and we did something on The Northern Municipalities Amendment Act, 1983, and then did a bit on the Vehicles Act, 1983. And I wondered whether we could rephrase this to be the "correcting the latest batch of errors act," mark one and mark two and mark three. Do you think

we can get six months in before we start amending this one again? We didn't with respect to the member for Regina South's effort. And certainly we didn't get six months in in The Vehicles Act. And this one was declared on, proclaimed on October 1, did you say? And we're busy amending it on . . . Well, we've got two and a bit in there.

I want to ask a serious question on 3, 4, 5, and 6. I have not checked those and I've not had our staff to check them. Can you give the House the assurance that 3, 4, 5, and 6 are housekeeping amendments and do not change the substance of the act?

**HON. MR. McLEOD:** — Yes, as for the member's second, and serious, question, I will give the House that assurance. And as it relates to the act, I remember, Mr. Chairman, that member, the Leader of the Opposition, at the time that we were going through The Northern Municipalities Act, saying that it was a very complicated act: and it was. We both agreed on it at that time. So we make no apology for the fact that we have a very slight amendment here to an act that was very complicated when it was passed, and we think it's serving northern Saskatchewan very well.

Clause 1 agreed to.

Clauses 2 to 8 inclusive agreed to.

The committee agreed to report the bill.

### **Bill No. 27 – An Act to amend the Legislative Assembly and Executive Council Act**

Clause 1 agreed to.

#### **Clause 2**

**HON. MR. BLAKENEY:** — I just want to add a very brief comment to what the minister said on second reading – that these are always difficult bits of legislation for us to deal with. But I want to confirm what he has said with respect to the payment of MLAs. I will not deal with the question of people who have additional duties, but with respect to MLAs, I do not think they are overpaid. And I think it's important that we ensure that people who do not have other means of financial independence can stand for the legislature. Those of us who have had the responsibility of attempting to get people to stand for the legislature, searching out candidates, have known how many people who have family responsibilities have said that they would like to think of serving their province in this area, but they felt that the financial sacrifice which would attach thereto to their family was too great for them to consider it.

They always indicated that they would consider it later and sometimes they did. But I think it's not a good thing when you cannot talk to, let us say, a school teacher who was, while a reasonably paid person, was not one of the highest paid people in our community and urge him to run for the legislature and he says, "Under the circumstances I am unable to do it. It would mean a substantial cut in my income and I don't think I can do that because of the impact on my family." Accordingly, I have always felt that — I speak particularly of — private MLAs ought to be paid a reasonable remuneration so that they could offer for public service and so that parties could ask them and apply some pressure on them, if possible, to stand for public office.

While it is particularly difficult for us, I think, because as the member for Kindersley, the Minister of Finance, has indicated, we're dealing with our own pay. I think that we ought to keep that in mind and we ought not to assume that people who are private MLAs ought to assume an extra burden of financial restraint, since that is the way to close this legislature to all who do not have some way to augment their income via farming or ownership of a small business or the like. That would be an unfortunate development and one which in the long run would not be in the best interests of this province or any other province.

Clause 2 agreed to.

Clause 3 agreed to.

The committee agreed to report the bill.

**Bill No. 28 – An Act to Amend the Police Act**

Clauses 1 to 3 inclusive agreed to.

The committee agreed to report the bill.

**THIRD READINGS**

**Bill No. 24 – An Act to repeal The Construction Industry Labour Relations Act**

**HON. MR. McLEOD:** — I move the said bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 26 – An Act to amend The Northern Municipalities Act**

**HON. MR. McLEOD:** — Mr. Speaker, I move the bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 27 – An Act to amend The Legislative Assembly and Executive Council Act**

**HON. MR. McLEOD:** — Mr. Speaker, I move the said bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**Bill No. 28 – An Act to amend The Police Act**

**HON. MR. McLEOD:** — Mr. Speaker, I move the said bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

**ROYAL ASSENT TO BILLS**

At 10:56 p.m. His Honour the Lieutenant Governor entered the Chamber, took his seat upon the throne, and gave Royal Assent to the following bills:

Bill No. 1 – An Act to establish the Women's Secretariat

Bill No. 2 – An Act respecting the Department of Science and Technology

Bill No. 3 – An Act respecting the Consequential Amendments resulting from the enactment of The Department of Science and Technology Act

Bill No. 4 – An Act to repeal The Science Council Act

Bill No. 11 – An Act to amend the Statute Law

Bill No. 12 – An Act to amend The Surrogate Court Act

Bill No. 7 – An Act to repeal The Transportation Act

Bill No. 8 – An Act to amend The Highways Act

Bill No. 9 – An Act respecting the Consequential Amendments resulting from certain changes in

the name and functions of the Department of Highways and Transportation

Bill No. 10 – An Act respecting the Department of Highways and Transportation

Bill No. 14 – An Act to amend The Saskatchewan Assessment Act

Bill No. 15 – An Act to amend The Local Improvements Act

Bill No. 13 – An Act respecting Planning and Development in Urban, Rural and Northern Municipalities

Bill No. 20 – An Act to amend The Potash Corporation of Saskatchewan Act

Bill No. 5 – An Act to Provide for the Taxation of Minerals

Bill No. 6 – An Act respecting the Consequential Amendments resulting from the enactment of The Mineral Taxation Act, 1983

Bill No. 16 – An Act to amend The Saskatchewan Government Insurance Act, 1980

Bill No. 17 – An Act to amend The Automobile Accident Insurance Act

Bill No. 18 – An Act to amend The Department of Revenue and Financial Services Act

Bill No. 21 – An Act to provide Financial Assistance to Encourage and Promote the Development and Expansion of the Agricultural Industry and to establish the Agricultural Credit Corporation of Saskatchewan

Bill No. 22 – An Act to provide for the Postponement of the Tabling of Certain Documents

Bill No. 23 – An Act to amend The Vehicles Act, 1983

Bill No. 24 – An Act to repeal The Construction Industry Labour Relations Act

Bill No. 26 – An Act to amend The Northern Municipalities Act

Bill No. 27 – An Act to amend The Legislative Assembly and Executive Council Act

Bill No. 28 – An Act to amend The Police Act

His Honour retired from the Chamber at 11:00 p.m.

## **MOTIONS**

### **House Adjournment**

**HON. MR. ANDREW:** — Mr. Speaker, by leave of the Legislative Assembly I move, seconded by my seat-mate, the member from Meadow Lake, that:

When this Assembly adjourns at the end of this sitting day, it shall stand adjourned to the date and time set by Mr. Speaker upon request of the government, and Mr. Speaker shall give each member seven days clear notice, if possible, by registered mail, of such date and times.

Motion agreed to.

**HON. MR. DEVINE:** — Mr. Speaker, before moving an adjournment motion, I would like to take this opportunity to express our appreciation and thanks to all the staff of the Assembly for working in 1983, for their efficient and prompt help and service to all the members of the legislature.

And I would like to take this opportunity to extend to members opposite and members on this side of the House and members of the media, a very Merry Christmas, and indeed, a prosperous 1984.

**HON. MEMBERS:** Hear, hear!

**HON. MR. BLAKENEY:** — Mr. Speaker, I would like to join with the Premier in expressions of appreciation to the staff, and I know that the Clerk will convey these best wishes to the members who are not here – the pages and other who are not here.

We have been well-served, as the Premier has suggested. We, I think with considerable magnanimity, include the press in our best wishes and I join with the Premier in extending to . . . I see the member for

Kindersley is weighing that proposition. I join with the Premier in extending our best wishes to everybody for the Christmas season and on into 1984, which we hope will be a fine year for Saskatchewan.

**HON. MEMBERS:** Hear, hear!

**HON. MR. ANDREW:** — Mr. Speaker, I move this House do now stand adjourned.

**MR. SPEAKER:** — Before I put the motion on that question, I'd like to also extend Christmas greetings to all of you, and wish you all the best for the coming year.

The Assembly adjourned at 11:03 p.m.