

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN  
August 13, 1987

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

**Mr. Muirhead:** — Mr. Speaker, it is with great pleasure to introduce to you, and to the members of the Assembly, some citizens from the town of Davidson. They are in here today over matters pertaining to the town, and I'd like to introduce you to them. They are sitting up in the Speaker's gallery: Mayor, Milan Puckett; councillor, Leon Al-Katib; administrator, Gary Edom; and a business man, Steve Gust. Would you stand. And I ask all members to welcome them to the legislature. Thank you very much, Mr. Speaker.

**Hon. Members:** — Hear, hear!

**Hon. Mr. Berntson:** — Mr. Speaker, I'd like to introduce, at least to all of the new members, and certainly the people in the viewing audience and the people in the gallery, our agent-general, Saskatchewan's agent-general in London.

He's behind the bar at the back here, Mr. Paul Rousseau, and he's back visiting us here in Saskatchewan for a few days. I would invite all members, and indeed all people who have an interest in those things that are going on in the U.K., to take the time to visit with him, and I would ask all members to join with me in saying "hi" to Paul.

**Hon. Members:** — Hear, hear!

**Mr. Romanow:** — Thank you very much, Mr. Speaker. I have the pleasure of introducing, in your gallery, sir, three young people from France who are spending the month of August in Canada, in Regina, with host families, as part of a series of visitations to the Assembly over the last little while.

These three young people are among the more than 40 who are in Saskatchewan this summer on a visit organized and sponsored by Nacel. They are Benoit Levesque, Jean Christophe Bertin, Antoine Sicot. Perhaps they could just simply stand to get acknowledged. Are they there? There they are. Good.

**Hon. Members:** — Hear, hear!

**Mr. Romanow:** — And they are accompanied by their chaperons, Jeanine Millane and Vincent Cossan. If they would also stand; there they are.

**Hon. Members:** — Hear, hear!

**Mr. Romanow:** — As well as several members of the host families.

So, Monsieur le président, à tous de nos amis de la langue française, je vous souhaite bienvenue à Régina.

How do you like that?

**Hon. Members:** — Hear, hear!

ORAL QUESTIONS

Aid in Meeting Drug Needs

**Ms. Atkinson:** — Yes, Mr. Speaker, last Thursday in the legislature, the Premier of this province promised a plan to help people facing catastrophic drug costs. The Premier, and I quote, told the House that:

... that will be announced, I would expect, in the next two or three days, or surely within a week.

this morning a medical doctor from Ile-a-la-Crosse says the fact that one of his patients had stopped taking medication for a heart condition, because he couldn't afford the \$130 a month for drugs, may have contributed to his death.

Mr. Minister of Health, why can't you keep your commitments to the people of our province? And when are you finally going to understand the seriousness of this problem, and act?

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. McLeod:** — Mr. Minister, we clearly do understand the seriousness of the circumstances surrounding when someone has a particular circumstance in drug costs, or any other problems that can come forward in their health, in their public health.

Mr. Speaker, the member makes reference to the circumstance around the death of an individual in Ile-a-la-Crosse recently, and suggests, I believe, as did the CBC, that that death was a direct result of the new drug plan, I believe is what the member's saying. And what I ... Mr. Speaker, let's suffice it to say that when a person ... you know when there's a death in the family, whatever, there can be statements, you know, born of grief, let's say, that can come out that are unfortunate.

But I will say to the House today, Mr. Speaker, that the death of this gentleman, Mr. Speaker - I'll say to the House and all members of the public - was not related to the changes in the drug plan.

**Ms. Atkinson:** — Mr. Health Minister, how long are sick people going to have to wait in this province for you to get your act together?

**Some Hon. Members:** — Hear, hear!

**Ms. Atkinson:** — We've heard about the death of a man in northern Saskatchewan, which came after he stopped taking his medication. And I want to talk to you about another example. A man by the name of Ross Reaney from Saskatoon has a serious heart condition. He has diabetes and requires nine medications a day, and he's run out of a number of his prescription drugs. Are you aware that the situation is so serious that his church, the Westgate Alliance Church, has now started paying for those prescriptions?

The churches have already been forced into the good bank business because of your cuts to social assistance. And are you now saying and now expecting churches to help finance the Saskatchewan prescription drug plan? Is that what you're up to?

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. McLeod:** — Well, Mr. Speaker, we have an example. The member once again brings forward individual cases and takes particular glee, sort of thing, in raising cases like that to prove a political point.

Mr. Speaker, the facts surrounding the case in Ile-a-la-Crosse, the facts surrounding the case in Ile-a-la-Crosse are the following. Since May 7 of 1987, Mr. Morin has been receiving supplementary health services based on a nomination for benefits made by the Department of Social Services. He was provided with plan I drug coverage, which means that all of his prescription needs are covered at a cost of \$2 per prescription.

Thus the first point of clarification that needs to be made is that Mr. Morin had been eligible since May 7 to receive all of his prescriptions at \$2 per prescription.

Mr. Speaker, on July 3 Mr. Morin's physician wrote to the prescription drug plan requesting that Mr. Morin be approved for plan II drug coverage, which would mean that he would be eligible to receive drugs covered by the drug plan at no charge whatever.

Mr. Morin was not eligible for plan II coverage, since this particular benefit has been designed to assist individuals with long-term social assistance needs, and Mr. Morin's nomination was for less than four months.

On July 13 we advised the attending physician, with a copy to Mr. Morin, that while he was not presently eligible for Plan II benefits, his Plan I coverage remained effective, and he was eligible to receive his drugs at \$2 per prescription.

On July 20 the attending physician wrote again outlining the list of drugs required by Mr. Morin, of which there were five. On July 28 the drug plan again advised the attending physician and Mr. Morin, by copy of the letter, that all of his drugs were listed in the formulary and, therefore, available at \$2 per prescription. No further correspondence has been received since that date, Mr. Speaker.

In summary, Mr. Morin has been eligible since May 7 to receive all of his drug needs at a cost of \$2 per prescription. The changes to the prescription drug plan on July 1 had no impact on this. Since Plan I and Plan II benefits were not affected in any way by the change in the drug plan, which came into effect on July 1, all of the drugs needed by Mr. Morin have been available to him at a maximum cost of \$10 per month.

**Mr. Shillington:** — I wonder, Mr. Minister, if you're confident enough of the facts you just gave us to table the document you read from. I ask you: will you table that?

**Hon. Mr. McLeod:** — Mr. Speaker, what I have in front of me is a briefing note with scribblings on it. I'm very confident, Mr. Speaker, in the facts as I presented them here, and they'll be recorded in Hansard, as the member well knows, and he'll have access to them and whatever. But the facts as I have presented them here, I am confident in. Mr. Speaker, those are the facts surrounding this case.

Mr. Speaker, there's one other point that must be made here. And the point is the following: this was clearly an unsubstantiated case, unsubstantiated - which a particular media outlet decided to carry on the air waves of the province without substantiation, and further, which a member of this Legislative Assembly decided should carry as well - based on unsubstantiated facts.

**Ms. Atkinson:** — Mr. Health Minister, people in this province have been waiting for months for you to bring in a program for people who have to deal with catastrophic drug problems, and you haven't yet answered the question on when that program's going to be introduced.

I have another example here. Last weekend I met with a senior citizen couple who have had to borrow over \$200 from their son to pay for their prescription drugs. Acts of charity from churches, and loans from relatives - that's all people are left with with these cuts, Mr. Health Minister. When are you going to stop throwing money at the Peter Pocklings and your political hacks, and restore the prescription drug plan to this province?

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. McLeod:** — Mr. Speaker, as it relates to the circumstances surrounding some unique cases - and we have said that there will be, and there are, people being contacted as it relates to about 25 cases, Mr. Speaker . . . So I can make it very clear that these thousands of people that these members talk about - that these thousands of members - there are about 25 cases which have been deemed to be unique and would have onerous circumstances, a couple of which have been mentioned in the House prior by members opposite, one of which was brought to me, or maybe two of which were brought to me by the member from Saltcoats, from this side of the House. Those . . . There are about 25 who are being contacted today. Some may have been contacted yesterday, but certainly in these days right now, during this week, will be contacted as to their particular circumstance and what they may do to have their problem looked after. And that's being looked after just now, Mr. Speaker.

**Ms. Atkinson:** — Supplementary to the Minister of Health. I would appreciate it, and thousands of people of this province would appreciate it, Mr. Minister, if you would table your criteria in the legislature, or at least give us the plan. What are the criteria? People need to know. You shouldn't be deciding 25 people are deserving of some sort of care when there may be hundreds of other examples. Table the criteria, and when can we have the information?

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. McLeod:** — Mr. Speaker, the member once again

uses the term "thousands of people" in this kind of circumstance. I heard her say thousands of people. Despite . . . Even with the publicity surrounding the implementation of the new drug plan, and the invitation by the Premier and by myself on many occasions, and by the publicity surrounding the questions raised - legitimately raised by the members opposite - even with that, there have been, I believe, less than 200 requests that have come forward. Okay.

There are about 25 of those, I'm informed, that are deemed to be serious circumstances - serious circumstances. Mr. Speaker, there are many variables involved in this. The cost of drugs, the very definition, the very definition of the term "unique" would suggest that no two cases are alike. The members opposite would say, well is it more than \$100, more than \$400, more than \$200 per month? Is it the income of the person, or the family . . . all of those things. All of those kinds of things can be looked at, Mr. Speaker.

Mr. Speaker, what I will say to the House, as we have said to the House before, and as is the case in the province of Manitoba to the east of us, no one, no one will be . . . no one will suffer as a result of the new drug plan. Mr. Speaker, no one will suffer as a result of the new drug plan.

**Some Hon. Members:** — Hear, hear!

**Mr. Romanow:** — Thank you, Mr. Speaker. I have a new question to the Minister of Health. The Minister of Health disputes the statement made by the Health critic on our side of the House that hundreds of Saskatchewan people are waiting for the criteria with respect . . .

**An Hon. Member:** — Read *Hansard*.

**Mr. Romanow:** — Hundreds or thousands - *Hansard* will show which it is; for the purposes of my question it doesn't matter - to which the Minister of Health seeks to diminish that to 25. I want to tell the Hon. Minister of Health, I don't care if it's 25 or one; it's one or 25 too many who have their . . . (inaudible) . . .

**Some Hon. Members:** — Hear, hear!

**Mr. Romanow:** — And my question to you, sir, is . . . as if one life was less important than a thousand, my question is this, to the Minister of Health. On August 6 your Premier told the House this:

Finally, with respect to the specific announcement on the comprehensive program for people who have long-run or chronic drug needs, that will be announced, I would expect, in the next two or three days, or surely within a week.

Dated August 6. That's a week - right on. Why will you not table a written statement of guide-lines so that the Ross Reaneys of the world, and the many others like them - one or thousands - know exactly where they stand? How about doing that?

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. McLeod:** — Mr. Speaker, when I say 25, and the member says one or 25, when the determination is made . . . and you must understand, and the members must understand, the new plan came into effect July 1. Over the period of time, a very short period of time relatively speaking, a very short period of time, we have been looking at what might constitute a unique case - what will constitute a unique case; what is coming forward. Not thousands, Mr. Speaker, not thousands as they say, not thousands - tens, tens are seen to be a serious problem. Okay - tens.

I have said, about 25 of those which have come forward to this point. There must be the flexibility. There must be for new circumstances which can arise in a family, new circumstances which can arise in terms of new drugs coming on, new drugs coming on to the scene. All of those kinds of criteria must be taken into consideration, as they are in the province of Manitoba; will be in this province, Mr. Speaker, I repeat once again. No one, no one will suffer as a result of the implementation of this new plan. Mr. Speaker, one more point. Mr. Speaker, one more point . . .

**Mr. Speaker:** — Order, please. Order, please. I believe the minister has made his point.

**Mr. Romanow:** — Mr. Speaker, a supplementary. The hon. member says that there are few numbers - few numbers of people which are affected. My question to the Minister of Health is very simple. Who is telling the House the absolute truth on the question of a detailed policy statement to look after these people? Is it the Premier who told the House one week ago that there would be a statement in writing? Or is it you, sir, who, by implication, is telling us that there will be no statement in writing and that whether people live or die will depend upon the good graces of you and your officials? Who's telling the truth?

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. McLeod:** — Mr. Speaker, I have not said that there will be no statement in writing. Mr. Speaker, I have not said that there would be no statement. I didn't say that. Mr. Speaker . . .

**Mr. Speaker:** — Order, please. Order, order, please. Order, please. Please allow the minister to answer.

**Hon. Mr. McLeod:** — What I will say is this. The members opposite once again, they raise . . . the gentleman from Saskatoon a couple of times now. Today they came with great glee, I might add, and raised the question of the gentleman from Ile-a-la-Crosse and the unfortunate circumstances of that family. They did. They raised that because it suited their political points. Mr. Speaker, the fact is, in the case of the Ile-a-la-Crosse there was no dire circumstance, but they said there was, and they talked about like and death in Ile-a-la-Crosse. Mr. Speaker, the drug plan did not contribute to that, and I'll stand by that. And they stand in this House for political benefit.

**Some Hon. Members:** — Hear, hear!

**Mr. Romanow:** — Mr. Speaker, I have a supplementary question to the Minister of Health. And my question, Mr. Speaker, as a supplementary, must be prefaced with a very brief statement.

There was a day in this legislature when the word of a premier, regardless of the political stripe of that premier, was accepted by the people of Saskatchewan. My question to you, sir, is this: are you today modifying, amending, undermining the statement made by your Premier to which I alluded in the second supplementary that there would be a statement by today and no longer than today; is that your position?

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. McLeod:** — Mr. Speaker, I am not today modifying or amending anything that our Premier has said. I am not today doing any of those things.

Mr. Speaker, I have said that unique circumstances are being looked after. Mr. Speaker, people - some of whom have been mentioned by the hon. member in his rhetoric about all of the dire circumstances . . . you heard him, I heard him, all members of the House heard him on other days.

Some of those people are being looked after this day; I believe some of them may have been looked after yesterday; others will be looked after tomorrow, as quickly as we can contact them directly. Those things will be done, and there will be a statement to the House. If it's possible, Mr. Speaker, the statement to the House - probably tomorrow.

### Fraser Institute Conference

**Hon. Mr. Berntson:** — Mr. Speaker, on August 4, I took notice of a question from the Leader of the Opposition relative to the Fraser Institute, Mr. Speaker, and the question was: how many people attended the conference sponsored by the Fraser Institute on behalf of government at government expense?

And the suggestion was that the minister responsible for SGI was there; and the suggestion was that the secretary, principal secretary to the Premier was there; and the suggestion was that Tim Embury was there.

Mr. Speaker, the people who were there are as follows: Don Baron, ministerial assistant to the minister responsible for SGI; Bruce Evans - and he's a ministerial assistant as well.

**An Hon. Member:** — To who?

**Hon. Mr. Berntson:** — I forgot.

Bill Gibson, president and CEO of Crown Management Board; Jill Hilsden, vice-president to finance for SGI; Peter Holle, policy analyst, Saskatchewan Executive Council; Larry Little, president of Sask Housing Corporation; Paul Schoenhals, chairman of the Potash Corporation of Saskatchewan, Mr. Speaker. Mr. Speaker, not the 10 or the 12 as suggested by the Leader of the Opposition. Mr. Speaker, there are seven.

Graham Walker, chairman of the board of Crown Management, was there at the expense of the conference as a speaker.

**An Hon. Member:** — You said he wasn't there.

**Hon. Mr. Berntson:** — I said he was there at the expense of the conference.

Now in addition, Mr. Speaker, from Saskatchewan there were two people from the city of Regina: Doug Archer, councillor for the city of Regina, and a Neil Zapf, analyst review officer, city of Regina - and I don't criticize them for that.

**An Hon. Member:** — That wasn't included in the question.

**Hon. Mr. Berntson:** — It certainly was.

In addition, Mr. Speaker, in addition there was a Mark Stobbe, executive assistant to the member for Nutana, Mr. Speaker, and that in itself raises another question. Was that person there at public expense, Mr. Speaker, or out of his own pocket, or out of the NDP caucus, out of the communications allowance? Just how did that person get there?

**Some Hon. Members:** — Hear, hear!

**Mr. Speaker:** — Order, please. Order, please. Order, please. Will the members to my right please be quiet, please.

**Mr. Romanow:** — I have a question to the Deputy Premier in the light of the answer which he has given. And my question is very simple, sir: is it correct to say that, given the numbers of people who attended at government expense - the ones that you know of for sure that went at government expense, seven at least - is it correct to say that the government has decided that, as a consequence, all of the Crown corporations of Saskatchewan are now candidates for the sell-off to their friends - big business friends outside the province of Saskatchewan?

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Berntson:** — Mr. Speaker, that is a question that's almost laughable. That's to suggest that if people from government go to this conference, hosted by the Fraser Institute, dealing with privatization - if people from the government go to that - by implication if people from Regina go to it, the city of Regina is for sale. It's ludicrous. If the NDP caucus are represented there, are they for sale? Well I think they are, Mr. Speaker. I think they are.

**Some Hon. Members:** — Hear, hear!

**Mr. Romanow:** — Mr. Speaker . . .

**Mr. Speaker:** — Order, order, order. Order, please. Order. Order, please. Both sides now. Order, please.

**Mr. Romanow:** — I have a supplementary . . .

**Mr. Speaker:** — Order. Order, please. Order, please. The hon. member can't ask his question if the House doesn't settle down. I asked hon. members . . .

**An Hon. Member:** — Which side?

**Mr. Speaker:** — . . . on both sides, as a matter of fact, to allow the hon. member to please ask his question.

**Mr. Romanow:** — Thank you, Mr. Speaker. I have a supplementary question to the Deputy Premier. And my further supplementary question to the Deputy Premier is simply this. I know that the city of Regina is not about to privatize. I know that the New Democratic Party is not about to privatize . . .

**Mr. Speaker:** — Order, please. Order, please. Order, please. Order, please. Order, please. I know we can crack jokes and have a lot of laughs, but we won't get through question period. So once more I ask your co-operation in allowing the member from Saskatoon Riversdale to answer the question.

**Mr. Romanow:** — Thank you, Mr. Speaker, for bringing the hon. members to order, especially the hon. Minister of Finance, who asks the only question that he can from a seated position, and given the fact that where a certain part of his anatomy of brains is located that's probably . . .

**Mr. Speaker:** — I'd like to ask the member from Qu'Appelle-Lumsden to please restrain himself and let the member ask the question.

**Some Hon. Members:** — Hear, hear!

**Mr. Romanow:** — Now, Mr. Speaker, my question, if I may get it out - I will even concede to the Minister of Finance that I don't know what the city of Regina says on privatization. I'll even concede that I don't know what the other members or the participants of the conference know on privatization.

But I can't ask them in any official capacity except right here in this legislature of this government during question period on accountability. And I am therefore asking the Deputy Premier and the Government of Saskatchewan, on behalf of the Government of Saskatchewan, isn't it correct to say that the large numbers of important people that you sent to Vancouver is the first shot in the privatization of every Crown corporation in Saskatchewan. Isn't that the policy that you have?

**Hon. Mr. Berntson:** — Mr. Speaker, I'm not absolutely certain, but I do believe that the member from Riversdale was sitting beside the Leader of the Opposition when that very question was asked on August 4, when I replied, no.

### Overpaid Invoices

**Ms. Simard:** — Mr. Speaker, my question is to the minister responsible for the Saskatchewan Power Corporation.

**An Hon. Member:** — I've been waiting for this.

**Ms. Simard:** — He says he's waited for this. Well now he's got an opportunity.

Mr. Speaker, we've already heard how the PC government is shelling out some \$12,000 a month to rent a full floor of office space where only three people work. Now we learn that SPC has been paying out money it doesn't even owe, and SPC has on several occasions overpaid invoices from the Moose Jaw Times Herald, which invoices showed a credit balance.

So my question to the minister, Mr. Speaker, is: how can the minister explain this wasteful spending when his government claims to be practising restraint and when his government is cutting back on the drug plan, cutting back on dental services to children, and making children and people across the province suffer from these cut-backs?

**Some Hon. Members:** — Hear, hear!

**Hon. Mr. Berntson:** — Mr. Speaker, we have, I think, some very serious concerns relative to the uranium issue, relative to the potash issue, relative to trade agreements, which . . . (inaudible interjection) . . . and Principal Trust.

We have very serious issues relative to the agricultural cost-price squeeze. We have very serious questions, Mr. Speaker, relative to the environmental impact study at Rafferty. We have very serious questions, Mr. Speaker, relative to even . . . the media recently have reported, on several occasions, Sask Power's exercise in collecting bills for power and gas and so on, and eliminating the commission collectors in the communities in Saskatchewan and using financial institutions. And I've had several phone calls on that, and I've tried to deal with it.

Mr. Speaker, if this is the most urgent and compelling, this administrative matter that we will deal with . . . but if it's the most urgent and compelling question that can be raised here in question period, Mr. Speaker, I want to applaud our government.

**Some Hon. Members:** — Hear, hear!

**Mr. Speaker:** — Order, please. Order, please! Order, please.

### POINT OF ORDER

**Mr. Shillington:** — Mr. Speaker, before orders of the day I wish to raise a point of order with respect to the Minister of Health who read extensively from a document and then refused to table it. Mr. Speaker, I want to read a couple of excerpts from two different authorities, from Erskine May, 20th edition, page 433:

A Minister of the Crown (may not) read or quote from a dispatch or other state paper not before the House, unless he be prepared to lay it upon the table.

Mr. Speaker, I cite as well, paragraph 327, of *Beauchesne's*, page 115, which I think states the matter better:

(1) A Minister of the Crown is not at liberty to read or quote from a despatch or other state paper not before the House, unless he be prepared to lay it upon the Table. This restraint is similar to the rule of evidence in courts of law, which prevent counsel from citing documents which have not been produced as evidence.

The obvious problem, Mr. Speaker, is that if one is allowed to quote from documents without actually producing them, false and misleading impressions can be conveyed. The only guarantee in which this House and, I suppose, a court of law has, is if the document itself which is cited is actually produced.

So my point of order, Mr. Speaker, is that the minister's under an obligation to produce that document which he quoted from so extensively.

**Hon. Mr. McLeod:** — Mr. Speaker, a couple of points to the point of order raised by the member from Regina Centre. As I indicated in question period and when he was raising some of those concerns from his seat, this document, Mr. Speaker, this scribbled document is a briefing note which had some detailed information as to dates and so on. Okay. It's a briefing not; it's not a state paper, Mr. Minister, as the member would suggest.

Mr. Speaker, if we were to have a table, if everybody in this House tabled everything from which they read after question period on each day, I submit, on each day members opposite would be tabling their questions because, for the most part, they're read.

**Mr. Speaker:** — Order. Order, please. Order, please. There's a great deal of comment by members on both sides of the House who's arguing this point of order. If they wish to speak to it, I'll certainly recognize them. But I'd ask them to wait their turn and . . . Otherwise we'll allow the Minister of Finance, I believe, who indicated he wishes to say a few words.

**Hon. Mr. Lane:** — Thank you, Mr. Speaker. Speaking to the point of order, I just called to Mr. Speaker and the hon. member, who's served in this Assembly for some time and should know better, that when members stand up and indicate most clearly that they stand behind the information they're given, that that's usually taken as appropriate and sufficient, Mr. Speaker. And I can . . .

**Mr. Speaker:** — Order, order. Order, please. Order, please. I believe the hon. member does have the right to . . .

Order. Order, order, order. As I indicated earlier, we're having comments from both sides of the House regarding the point of order. Once more I would like to remind you that if any of you wish to speak to it, I'm certainly willing to recognize you if you just wait your turn.

**Hon. Mr. Lane:** — I think I've made my point, Mr. Speaker. It's a historical rule of parliament.

And secondly, Mr. Speaker, I wait with some interest to indicate the potential ruling for the opposition having to

table their written question that they're using each day, contrary to the historical rules, Mr. Speaker.

**Mr. Lyons:** — Mr. Speaker, being a rookie in this Legislative Assembly, I don't pretend to be an expert on parliamentary procedure. However, I want to reiterate the point made by the member from Regina Centre in regards to the obligations of the minister of the Crown, which, unfortunately, that distinction between as an ordinary member of this Legislative Assembly, such as a back-bencher or a rookie back-bencher as myself, versus the Minister of Finance, who is a representative of Executive Council and who has access to state papers and documents upon which he . . . upon which the people of Saskatchewan must rely for accurate information, and to which ourselves, as non-members of Executive Council, do not have access to that information . . .

The point raised by the member from Regina Centre is clear, that . . . and the rules, it appear to me, are clear, that a minister of the Crown is required, when he reads from a state paper, i.e. having an imprint of some organ of the government or not, that in fact he's required to table that document.

I also want to take note too, briefly, Mr. Speaker, that after the member of Regina Centre began to raise his point of order, the Minister of Health began to alter the document upon which he was reading.

**Mr. Speaker:** — Order, please. Order, please. Order, please. I think that's complete speculation, and I don't know if you want to put that into your argument. I don't know if you want to do that. I'm just bringing that to your attention.

**Mr. Lyons:** — That is not a point of order, Mr. Speaker. And in fact I will . . . I stand here as an hon. member of this House. I saw with my eyes, as did other hon. members, the Minister of Health alter that document before it, by scratching on it with his pen. Now whether that changes the content of the particular document is not relevant. The fact is is that the member tried to alter the document after this point of order was being issued, perhaps in fear of exposing the contents of the document to the people of Saskatchewan.

I ask you, Mr. Speaker, to consider the point of order as put forward by the member from Regina Centre in regards to the obligations of cabinet ministers.

**Mr. Speaker:** — If there aren't any further members who wish to enter the point of order, I'd like to take this opportunity then to come forth with a ruling. And I refer to the Votes and Proceedings of the Legislative Assembly, dated Friday, July 24, 1987. It refers to a similar situation that took place in the committee, and it reads as follows:

During consideration of item 1 of the Estimates for the Department of Parks, Recreation and Culture . . .

Order, please. Order. Order, please. Just allow me to read the passage and then you'll have a more accurate opportunity to make your assessment.

I am going to read this passage to you, and of course you have an opportunity to have your own opinion of it, but right now I'd like to have some order so I can make my ruling. Both sides. I didn't hear anything. There's too much talk back and forth, and I'm asking for the co-operation of the House on both sides to please resist interrupting. Let me begin again.

During consideration of item 1 of the Estimates for the Department of Parks, Recreation and Culture, a point of order was raised by Mr. Van Mulligen stating that the Minister was required to Table the document from which he was reading. The Deputy Chairman of Committees ruled the point not well taken on the grounds that a Minister was not required to Table documents which were internal briefing notes being used to answer questions and referred Members to *Beauchesne's Parliamentary Rules and Forms*, Fifth Edition, cits. 327, 390(n) and 390(o).

So for further clarification, once more I will repeat that. You may refer to *Beauchesne's Parliamentary Rules and Forms*, Fifth Edition, cits. 390(n) and 390(o).

**Mr. Anguish:** — A brief question, and it would be for clarification on your ruling. On a point of order, if necessary.

**Mr. Speaker:** — Order, please. Order, please. There is no debate on the Chair's ruling. There's no forum for that. You may raise a new point of order, if you wish to do that, but you cannot enter into debate on the ruling I have just made.

**Mr. Anguish:** — Point of order, Mr. Speaker. I was wondering, Mr. Speaker, any time someone uses a document in the legislature, in the case of a cabinet minister using a document, I suppose that whenever they use that document they could in fact say it was briefing notes. And my point of order to you, Mr. Speaker, is who determines what it is that the hon. member is in fact quoting from?

If a member of the cabinet or a Legislative Secretary was to read from a document in this legislature, they could say, any time they don't want to table it, if it is an official document, or if it's something else, Mr. Speaker . . . Well, members from the opposite are hollering across in the usual lack of decorum, Mr. Speaker. And if they just let me finish, then they'll have the opportunity to stand in their place and make their participation and contribution to the debate as well.

But the point I am making is that at any time a member can stand up on that side of the House; it can be a very vital piece of information that they're quoting from. By tradition and parliamentary convention over the years, it's been their responsibility to, in fact, table such documents. But if they don't want to table such a document, they'll just say it's briefing notes, and they never will table any documents again in this legislature.

And so I maintain, Mr. Speaker, that it's not just good enough to say that they're using briefing notes all the time, that in fact they shouldn't have that right to make the

determination without any further inspection by yourself, or some process of this House, to determine whether or not it is briefing notes or whether it's a scrap of paper with the minister's doodling on it, or whether it's an official government document.

**Hon. Mr. Klein:** — On the same point of order, several times in this session we have seen the members opposite during question period shaking letters that we have asked them to table, or other documents that they read from during question period, or in fact their stupid questions themselves, and they don't table those either.

**Mr. Speaker:** — Order, please. This is not a forum for debate. I will bring in my ruling. It's been the custom and tradition of this House that the Chair and hon. members in the Legislative Assembly must take another hon. member's word for what he says.

## ORDERS OF THE DAY

### GOVERNMENT ORDERS

### ADJOURNED DEBATES

### SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Klein that Bill No. 31 - **An Act to amend The Local Government Election Act** be now read a second time.

**Mr. Van Mulligen:** — Thank you, Mr. Speaker. I indicated yesterday that this side of the House would support the principle of enabling lessees to become enfranchised in resort village elections. I think that all of us can agree that this initiative is long overdue.

(1445)

It is a well established fact in Saskatchewan that in addition to long-term residents of resort villages, the franchise . . . the right to vote and to run for public office, the right to participate fully in local affairs is also accorded to those who own land in resort villages, assuming in all cases, of course, that other basic qualification s such as age, citizenship and residency in Saskatchewan are met. This fact is established, because in the case of resort villages where the great majority of the population is seasonal and a minority are permanent residents, it seems reasonable that the majority be encouraged to take a direct hand in governing and administering their local affairs.

It also seems a reasonable proposition, as the Bill purports to provide, that lessees be entitled to exercise these rights. By lessees I mean those who lease land on a long-term basis from private or public landowners, but own their own cottages and are assessed by their local municipality for those buildings, and accordingly pay property taxes on those buildings.

When it comes to the administration and orderly development of resort villages, lessees, I would think, are no less interested in and implicated by local decisions. Their stake, like those of landowners and residents in

local affairs, can be substantial and long lasting. Leases normally run for the projected life of a cottage, if not longer.

It's for all those reasons that we will support the Bill before us. Having said that, Mr. Speaker, there is at least one ambiguity. And I would think . . . or there would appear to be one shortcoming that we will attempt to deal with in committee.

The ambiguity deals with the definition of lessees. The wording, I would submit, in the Bill requires some clarification. The shortcoming is a major one, and again is a matter of principle.

Although the bill would enable lessees to vote, the Bill does not accord the right to lessees to be able to run for public office in their resort villages, unlike property owners. Property owners, according to The Local Government Election Act, have the right to not only vote in local elections in the resort village, but are also accorded the right to be able to run for office, for mayor or alderman on the resort village council.

It seems to us that this Bill would accord a kind of junior citizenship, a limited franchise. And we would not differentiate between those who own and pay taxes on land and cottages, and those who lease land on a long-term basis, and in addition to that, pay land . . . or own and pay taxes on the cottages on that land.

The minister will know that the Provincial Association of Resort Communities is also of the view that lessees should not only be able to vote in resort village elections, but also be able to run for and to hold a public office in resort villages. Now the minister may be of the opinion that there is some merit in waiting until a later date to introduce a further amendment that would then enable lessees, in addition to being able to vote, also to be able to run for public office, that is, to qualify as a candidate for public offices in resort villages.

I'm not sure what will be learned and what benefit there will be in waiting. Again, we would submit that there is no great difference between those who - except in a legal sense - between those who own land and own the building and pay taxes on both the land and the building, and those who lease land on a long-term basis, whether it be 99 years from public landowners, or 35, 40 years from private landowners, but in addition to that, own and pay taxes on their own cottages. I'm not sure what the great difference is, except for a strictly legal one. I'm not sure what we will learn by waiting until later next year before introducing further amendments. We think the time is right, now, to introduce such an amendment and to accord the full rights of the franchise to lessees in resort communities.

We agree, Mr. Speaker, that the Bill should be passed today, or at least at an early opportunity so that the wheels can be set in motion to enable lessees in a number of resort communities who are undertaking a local vote as to incorporation as resort villages, namely Cochin; I think there is one other one. We think the Bill should be passed today to enable those lessees in those resort villages to have that right to be able to cast their vote on that

important question.

And having said that, Mr. Speaker, I would indicate to the House that we will have further remarks and, I would think, amendments during Committee.

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. 31 - An Act to amend The Local Government Election Act

#### Clause 1

**Hon. Mr. Klein:** — Yes. With me this afternoon, Mr. Chairman, I have my assistant deputy minister, Keith Schneider, to my right, and Lorne Tangier our planner.

I would just briefly like to address the remarks made by the member from Regina Victoria regarding this Bill. This Bill contains a new feature extending the vote to people who lease land in resort villages. And he asks the question, well, why extend the right to vote but not the right to run for office to persons who lease land in resort villages.

Well, Mr. Chairman, I would first like to make a brief comment on the background to this issue. Prior to 1982, the former Urban Municipal Election Act and The Urban Act allowed non-resident property owners the right to vote, but not the right to run for office in municipalities where they, indeed, owned property. This separation of the right to vote from the right to run for office was supported by SUMA (Saskatchewan Urban Municipalities Association). And it was for many years acceptable to the government in office prior to 1982.

My department's discussions with the Saskatchewan Urban Municipalities Association over the years show that SUMA has consistently opposed the right of non-residents to run for office. They have expressed the view, generally, that it would not be a good idea to have councils dominated by non-residents who, through no fault of their own, may not have a full knowledge of day-to-day concerns of the community because they don't live there year round.

In fact, Mr. Chairman, in 1982 the urban law review committee, composed of mainly local government representatives, recommended that the non-residents' or burgess vote be deleted from the Act. So accordingly, in 1982, non-residents lost the right to vote in urban elections. There was considerable reaction to this from citizens and urban councils, and as a result, in 1983 SUMA (Saskatchewan Urban Municipalities Association) reversed their position.

And I have here a copy of a 1983 SUMA resolution asking for the return of the non-resident property owner vote. but the resolution states, and I'll just quote the back of it - it's a lengthy resolution - but the resolution states:

Be it further resolved, that the non-resident

property owner is not eligible to run for mayor or council.

As a result, the Act was amended in 1983, restoring the non-resident vote, but not the right to run for office. SUMA passed a resolution again in 1986 reaffirming its general opposition to non-residents holding seats on councils.

So I'll turn to the Bill, Mr. Chairman. We delayed the vote on incorporating of the resorts of Cochin and Aquadeo, specifically because leaseholders in those resorts requested legislation allowing them to vote. And these votes had been planned for last summer, but at public meetings held last July, strong objections were raised. Lessees asked for the right to vote. The votes were then delayed until this summer to allow time to review this legislation. These votes are scheduled for summer-time when cottagers are in the area, and it's necessary that this Bill go forward at this time to allow for the incorporation votes to proceed. The necessary forms have to be completed by September 5, and in fact the advanced polls will be August 29.

But we as government must move carefully when there are proposals to extend the right to run for office to more non-residents. SUMA, in general terms, in the past, has expressed some reservations about extending, to a considerable extent, the right of non-residents to run for office. In law, and often in practice, a lessee does not have the same interests or the same rights as an owner of land. Indeed, under The Urban Municipality Act, provisions are made for landowners to pay taxes, but lessees usually only indirectly pay taxes through the rent that they pay to the landowner.

In the past, SUMA has linked the voting rights of non-residents with the ownership of land, and this likely explains their initial reservations about allowing lessees to vote. This also explains why SUMA has no apparent concerns with the provision in the legislation allowing non-resident owners of land to vote and run for office in resort villages only. In our discussions with SUMA, Mr. Chairman, they expressed reservations about, indeed, allowing lessees to vote. They were concerned about people voting in more than one municipality. They requested implementation on an experimental basis only, and they further suggested that perhaps lessees should vote only where they are a majority of the community.

But we, the government, are confident that this proposed amendment provides a realistic balance between the interest of lessees of land and the interest of landowners and residents.

Mr. Chairman, I'll summarize. Currently voters in resort villages must have resided in Saskatchewan for six months, and they must either have resided in the resort village for six months or own land in the village at the time of election. And this Bill takes a step forward and allows persons who lease land in a resort village to vote.

(1500)

To be a candidate in resort villages at present, you must be a resident of the province for six months. That's a

prerequisite. And then there are only two provisos, Mr. Chairman. First, you must own land in the resort. That's simple. Or to be a candidate, secondly, you must be a resident of the resort for six months, whether you own or lease the land. So indeed a resident owner or a resident lessee of six months or more can in fact run as a candidate.

So in short, this Bill does not change the qualifications of candidates in resort villages. As we mentioned, it's imperative that votes on a corporation proceed later this summer. And I look forward to answering the questions of my critic. I think that this Bill is a major step in giving people who lease land in resorts a significant role in the democratic life of their communities.

**Mr. Anguish:** — Thank you, Mr. Chairman. Through you to the minister, I'm particularly pleased that we are able to have this piece of legislation, known now as Bill 32, before the legislature today. And I do hope that it receives passage this very day in all stages.

The communities that I think are referred to by the department as Hunt's Cove and Pirot Beach wish to have a vote to form resort village status. And there's a similar situation at Aquadeo Beach, where the residents there wish to vote on whether or not to form resort village status. And I understand that the vote is to be held on September 5, with the advanced poll on August 29 of this year.

I do question the minister in terms of what he says in regard to who is eligible to run for public office to seek the position of mayor or councillor if these areas, in fact, become resort villages. And my reading of the Act with the amendments - and I certainly defer to the expertise of your officials you have here today - but the way the Act reads, as it will be amended, seems to me that lessees do have the right to run for public office because the residency clause is residency of the province of Saskatchewan for six months prior to the vote being held.

And I'd ask the minister to please consult with your officials and determine whether or not, in fact, that is correct. And my question to the minister is: if a lessee is resident of the province for a period of six months, then in fact they can seek the position of mayor or councillor when those positions become available?

**Hon. Mr. Klein:** — Mr. Chairman, it's not quite the way that the member of The Battlefords has it, and perhaps by way of explanation I can clarify it for him.

To qualify as a candidate, the first prerequisite, as I mentioned in my remarks, is that you must be a resident of Saskatchewan for six months. Then there are only two other alternates that exist if you want to become a candidate. The one is that you must own land in the area, then you can run as a candidate; or if you are a resident of that area, you can run as a candidate. And a "resident" is described as six months or more. So that even if you are a lessee, but live in that area, as a permanent residence, for more than six months of the year, you may then seek office.

**Mr. Anguish:** — Well I think that that's unfortunate. I

accept what you say because I certainly don't have the expertise as an individual that the officials of your department have. I find that there's some problem if, in fact, the Act was interpreted like that in a court of law.

And I appreciate, Mr. Minister, that you pointed out that the people might not have the intimate knowledge of the area and therefore shouldn't maybe seek public office in that particular resort community.

But I would maintain to you, Mr. Minister, that the same thing would apply to landowners. A landowner may very well own land there and never see the community - they may never come to the community in which they own land. But yet from what you're telling me, that landowner could run for public office, but the lessee who may be someone who's there for five months of the year and spends the rest of the time in North Battleford, or in Hafford, or one of the surrounding communities, would have a very intimate knowledge of the workings and the intricacies of that resort village.

And I would think that it's the fault of the legislation, and I would hope we could try and work that out here this afternoon, that the residency clause of six months apply, and that would give the lessees an opportunity to in fact seek public office in those resort communities.

The case of the elections that are coming up, I would ask the minister as to whether or not there is some process for the issuing of a writ. This is a separate question. I'd like you to just listen to this for a minute, and we'll maybe go back to the item as to whether the lessees can vote if they've been resident for six months in the province. But there's been no official notice, other than through the media, Mr. Minister.

People who have ownership of land, or are lessees of property and land in those hamlets that exist now, have only known through, I suppose, the odd public meeting and through newspaper and media articles that, in fact, yes, there's a vote September 5, and the advanced poll will be on August 29. That's the most recent date; it's been changed once.

But is there a procedure that writs will be issued and there'll be an official notification of election?

**Hon. Mr. Klein:** — Mr. Chairman, this will follow the normal municipal election procedures. There have been several informational meetings occurred already. There will be another one occurring on August 22 to discuss the outcome of this legislation. Notifications to all affected people have been forwarded already. They are posted in the area now about the upcoming elections.

And I would say this. The existing legislation, the landowners can vote as in the past, so they're all aware of it. Residents, whether they own their land or lease it, can vote as in the past, but they have to live there for six months. Now what we want to do with this legislation, Mr. Chairman, is provide the opportunity for the lessees, who are not residents, and enjoy that area - whether it be for a month or two months, or yes, even five months - to have the opportunity to vote which they do not have that right at the present time.

**Mr. Anguish:** — Well I'm happy to hear that the notifications have gone out and that the elections are posted. Now I would assume that this is for the election - since the election date has been changed at one point in time - that the notifications have gone out and the posting is for an election on September 5, with the advance poll on August 29. Is that correct?

**Hon. Mr. Klein:** — Mr. Chairman, they are in the process of being posted now. Your dates are right, but just to clarify something. Earlier in your remarks you mentioned a few other areas, but we're talking now specifically of two areas, one of which you mentioned - Aquadeo, and the other one is Cochin. And those are the two areas that are affected presently for the vote of September 5 with the advance poll of August 29.

**Mr. Anguish:** — Further clarification, Mr. Minister. I understand that there are three locations. There's Aquadeo Beach. Aquadeo is having a vote of their own to form resort village status, whether they approve or not approve of it. The other situation takes in Pirot Beach and Hunt's Cove. They are also voting in a separate vote as to whether or not they wish to form village status. Is that correct?

**Hon. Mr. Klein:** — Mr. Chairman, I understand that Pirot Beach and Hunt's Cove will form part of the vote with Cochin as one area, and Aquadeo is a separate vote.

**Mr. Anguish:** — If . . . okay, I accept that Aquadeo is a separate vote. What I'm trying to determine, Mr. Minister, is who comprises the other vote? Is there a community, a hamlet, called Cochin, Pirot Beach, and Hunt's Cove, with possibly others? What are the identification of names of the pockets that make up the vote in the case of Cochin?

**Hon. Mr. Klein:** — Mr. Chairman, I understand that the resort hamlet of Cochin and the resort hamlet of Hunt's Cove as well as Pirot Beach, which is not a separate entity onto itself but rather a part of Cochin, is where the three names . . . the three areas you can put a name to.

(1515)

**Mr. Anguish:** — Well that's my understanding as well. And I'm glad you clarified that, so now I do know definitely we're talking about the same situation. There'll be two separate votes, Aquadeo in one, and Hunt's Cove, Cochin, of which Pirot Beach is part of Cochin, will be voting in a separate poll on September 5.

I'm wondering if the minister could tell me today what the advance notice is that's required prior to going to the polls? Like it's maybe not called an issuing of the writ, but the notification that goes out - is there a requirement as to the number of days?

**Hon. Mr. Klein:** — Mr. Chairman, my officials aren't absolutely certain on a specific date that we can give you. We have all of the machinery in motion at this time, so that with the passing of this Bill and Royal Assent we will be within the required time frame to ensure that the - or the new eligible voters would have the required notice

served to them.

In the event that passage would not occur, then the rest of the implementation, without being able to give you that specific date at this particular moment, would still be in place for the other voters to vote without lessees having the right to vote.

**Mr. Anguish:** — Well we certainly want lessees to have the right to vote. And I'd hope that your officials will dig up the time requirement while we're here this afternoon.

I'm wondering . . . I have a bit of a concern, and I'd like you to be very clear on the record, Mr. Minister, as to the six month residency clause. In terms of this legislation, not going through six months prior to the vote being held, can you assure us that lessees legally still have the right to vote in this election.

And what I'm getting at is that there certainly isn't six months between the passage today and when the vote is actually being held; but the fact that these lessees were residents of the province six months prior to the vote, does this legislation still allow them to vote?

**Hon. Mr. Klein:** — Yes. With the passage of this Bill, anybody that would qualify — you know — we're going to know the residents who can already vote, whether they lease or own land. We know who owns the land. And they have to be a Canadian citizen over 18 and a resident of Saskatchewan. So all that is in there.

All this will simply do is allow lessees, who couldn't vote prior, to have the opportunity to vote, assuming that they fall into the other qualifications that I just mentioned, and the time limit will be there because the Royal Assent will be given, and they will then qualify automatically as regard to the Bill.

**Mr. Anguish:** — So what I understand you saying is, as long as there's passage of this Bill prior to September 5, then lessees can in fact vote in that election. And I see the deputy minister shaking his head in the affirmative.

I'd like to go back a bit to the concern of lessees as to whether or not they can hold public office. For example, if someone from The Battlefords owns a cottage which is presently at Hunt's Cove, and they've had it for an extensive period of time — 10, 15, some cases 20 years — how do you determine what that person's residency is for six months? Does that mean they would have to live there continually for six months without living at their permanent residence in, say, the city of North Battleford, or the town of Hafford, or town of Battleford; or is the residency of six months accumulative?

**Hon. Mr. Klein:** — Mr. Chairman, I suppose that we could read the existing legislation into the record; it's there, but rather than do that . . . we all have access to that.

Basically, the voter goes to the electoral officer or the clerk at the polling station and makes a declaration that in fact that was their principal residence, and that according to the Act they do qualify. So they in fact qualify themselves as that being their permanent residence. Later on, following the election, if somebody should want to

challenge a particular voter for signing the declaration falsely, this can be done as is the norm in any election. But the qualification is made by the voter himself.

**Mr. Anguish:** — Mr. Minister, through you, Mr. Chairman. That presents a bit of a problem as I see it. There are many, many people who are lessees in the area that we're talking about today, and I would be surprised if 1 per cent of them would declare their permanent residence as being within the resort village. Their permanent residence is somewhere else. But in fact if you take into consideration the fact that they spend their total summer out there and maybe commute into the city of North Battleford, plus going out there on weekends in the winter-time for fishing, recreation, they're intimately in contact with that resort community. And if you counted up the days they spend there, they likely spend as many days there as what they would spend in the city of North Battleford or wherever they would call their permanent residence.

So the six-month clause is very important in terms as to how you determine that, Mr. Minister. And if it's an accumulative kind of process, then in fact that would maybe qualify them to have spent six months there of the year. So could you clarify that a little more for us?

**Hon. Mr. Klein:** — Mr. Chairman, I'll read again the qualifications of candidates, and this is as clear as I can be, because this is normal procedure under the existing Act. And we're not dealing with this part of the Act or the Bill at this point in time, so keep that in mind.

But the qualifications of candidates as they exist in a resort village; a person may hold office if they are an elector of a resort village, which means: have resided in the village for six month; owned assessed land in the village, and have lived in the province for six months; is the spouse of either the resident or owner of assessed land. Lessees and their spouses are excluded from holding office in resort villages.

**Mr. Anguish:** — So if they're a resident of the area for six months or more, in the amendments passed here today, and they're a lessee, they then can run for office.

**Hon. Mr. Klein:** — That legislation is in effect right now.

**Mr. Anguish:** — Well, do you want to provide further clarification?

**Hon. Mr. Klein:** — Mr. Chairman, the member is talking here about the residency clause. That's what he's getting at, and that part is not on the Bill. I'm just trying to explain the existing situation to you.

The existing situation is this: if you're a resident for six months in the village, whether you are an owner or a lessee, you may run for office. The fact of who declares whether you're that resident for that six month time is the voter themselves. this may later be challenged by whoever, following the election, because it is the voter that makes the declaration that he in fact is a permanent resident for six months.

**Mr. Anguish:** — Okay, I seek just a little bit further

clarification. Is that six months within one year, or could somebody in fact declare that since they've had that property there, since they've been a lessee for, say, 15 years, does that mean that they've been resident there in a resort village for a period in excess of six months because they have been lessees on that property?

**Hon. Mr. Klein:** — Yes, Mr. Chairman, I can clarify that one. The six month rule is in effect for the six months immediately preceding the date of the election.

**Mr. Anguish:** — I just have a few other questions. Under the situation, if the vote for village status passes and they become a resort village and attain that status, is it a requirement that they hire an administrator, and if so, what class of certificate under current legislation or regulations, what class of certificate does that administrator have to possess?

**Hon. Mr. Klein:** — Mr. Chairman, because it's a community of less than 1,000, there are no specific requirements as to the qualifications of their administrator. They can hire class A to class D or, in fact, somebody without any experience.

**Mr. Anguish:** — Is it required then, Mr. Minister, that they do have to hire an administrator?

**Hon. Mr. Klein:** — I suppose technically, Mr. Chairman, they wouldn't have to, but somebody would have to run the shop. So I imagine that they would.

**Mr. Anguish:** — If they didn't fire an administrator; if they just had a group of people taking care of the business of the resort village; if they didn't fire any administrator, they would not be in contravention of any provincial legislation or regulations?

(1530)

**Hon. Mr. Klein:** — They would have to hire a clerk or an administrator of some kind, call them what you wish, even if it were part time.

**Mr. Anguish:** — And that's required by legislation?

**Hon. Mr. Klein:** — That a requirement of the legislation, yes.

**Mr. Anguish:** — Mr. Minister, there seems to be some inequity here between the lessees and the landowners. As I understand it, what you've told me about someone wanting to hold the position of mayor or councillor, if they're a landowner they don't really have to reside there at all. But if they owned land, say a person from Regina who owned land in Hunt's Cove or Cochin, that person would never have to be a resident there and yet could seek public office. Is that correct?

**Hon. Mr. Klein:** — Mr. Chairman, in regular communities, non-resident landowners cannot hold office. And here we're talking about the resort communities, which is a special status.

**Mr. Anguish:** — I understand that. So the question I pose to you, Mr. Minister, in resort village status, take for

example if you who are a resident of Regina, owned land at Hunt's Cove and they voted to form resort village status, you as a landowner would have a right to vote in that process, and you, although you are not resident there, would also be able to run for either the mayor's position or councillor's position, even not having met the residency requirement there.

**Hon. Mr. Klein:** — That's right.

**Mr. Anguish:** — Well, Mr. Minister, I wish that you would change your mind. I don't think the people would elect you at the resort village anyway. And I don't say that against you personally, but I would hope that people wouldn't vote for someone who didn't reside within their community and resort village status there - at least had an intimate knowledge of what was happening there.

So don't you see a little inequity in the fact that the lessees who— some of them spend a great deal of time there — in fact, cannot run for their public office. And they may spend as much time there as somebody who could qualify as a permanent resident or at least be as well-known as somebody who meets the six month residency clause. And this is kind of what we're asking you to do here this afternoon is to change that sort of inequity that you could be there as the mayor and never have spent any time. In theory you could, but yet a lessee who spends a considerable amount of time there, in fact, cannot run for public office, and basically what we're asking you to do is to extend the democratic process.

I have one individual, Mr. Minister, who's written to me who, in fact, is a landowner, and he and his spouse's concern is that if they do go to resort village status after this vote, they want it to be as democratic as possible. And this is one landowner who doesn't have any opposition to his neighbour, possibly who is a lessee, should be able to hold that public office. And won't you get some consideration to changing that his afternoon, to make it more equitable for the lessees?

**Hon. Mr. Klein:** — Mr. Chairman, if the hon. member from The Battlefords wants to get into hypothetical situations, I suppose I could, too, and I'd rather not. But this legislation is not just for those two areas of your constituency. And, Mr. Chairman, as we pass this legislation, it's for the entire province. And it's conceivable that there are some areas that would like that and there are in fact no residents, and there are in fact no lessees, but all the landowners there. And there would be nobody on earth that would have a more vital interest and right to voting and running for council than those landowners, because the lessees aren't there.

In this particular situation, where we are listening to the people, where we are listening to the newly-formed Provincial Association of Resort Communities, where we are listening to SUMA (Saskatchewan Urban Municipalities Association), who say let the lessees, at least for now, have a vote. We are listening to the people and saying, fine. We agree with that and we'll give you the vote. Because even SUMA wants to take a go-slow situation. And we're kind of putting the cart before the horse in an area like this, because if you put that provision

in, we're not sure until that vote is taken whether they will even want to incorporate or not. And as a result of that, it would be kind of foolhardy to give them the provision to run when that provision may never ever be used.

**Mr. Anguish:** — Well the minister makes a good point but whatever happened to the principle of no taxation without representation? Does just them having the right to vote allow them that representation? I maintain it doesn't. I maintain they should have the right to run.

So I pose another situation. It's not a hypothetical situation, but I pose a situation to you that someone who is a lessee, they lease the land but they own the cabin or the house or the home that's on the land. Many of those have been assessed taxes for their property because, I suppose, it's viewed that they're property owners there, because they own a structure but lease the land. Do those people have the right to run for public office they don't spend the six months residency at the resort village?

**Hon. Mr. Klein:** — No they wouldn't, because the residency would still apply there. What you're asking would put us into almost an untenable position, in so far as . . . The natures of leases vary so extensively that I suppose we could argue here from now until the proposed date of the election as to how many tenants would actually pay taxes and how many are included in the leases and whatever.

There might be several instances, and we don't know this, of large tracts of land where the landowner who could have, and I'll be hypothetical here, 25 or 50 lots, that only two of them may be leased. And he's paying taxes on this entire piece of property and collecting his tenant's rent on only two.

And I believe that in consultation with SUMA (Saskatchewan Urban Municipalities Association) and with PARCS (Provincial Association of Resort Communities of Saskatchewan), that a go-slow attitude is right. The people right now are satisfied with the right to vote, which is something that they've never had. And this right to run for office would come at an appropriate time when all of these things have resolved . . . all of these different matters have resolved themselves. First of all, the fact of incorporation itself, and then after that, after the incorporation, to establish that they're a council and to see where they are in fact going, how it does affect the various lessees and the like.

And I believe that a go-slow approach at this time is good. It meets the desires of what the people want. We've been in discussions with them now for a couple of years. They've never brought up the issue of running, rather simply the issue of having the right to vote. And we do agree with that.

**Mr. Anguish:** — Well I appreciate that, and my colleague from Regina Victoria, I think, will pursue this a bit more. I don't want to unduly delay the passage here this afternoon, but the concerns that we have are very real.

And I would ask the minister if he would give us his undertaking that at an appropriate date in the future, should these villages incorporate into resort village status,

will you give us your undertaking that we will again have the opportunity to review this legislation, with the possibility of having lessees given the right to run for public office in those resort communities that don't necessarily meet the strict requirement, of the six-month continuous residency requirement?

**Hon. Mr. Klein:** — Mr. Chairman, I believe that we can give the member assurance that, you know, we're always reviewing our legislation. We're always in discussion with interested parties, certainly the organized ones such as SUMA, such as PARCS. We're in discussion with the various people of the resort areas themselves. And there is no question that we would be prepared to discuss this with the opposition when the appropriate time comes. If it's adequate, there is no question of that.

**Mr. Anguish:** — Mr. Minister, I'm wondering if the officials have come up with the time requirement yet as to . . . if there's any required number of days to give notice of the election that's been given notice for on September 5?

**Hon. Mr. Klein:** — Mr. Chairman, the information that he was able to find indicates that the time period is from three to five weeks prior to the vote, with notice by publication or posting. So we've got that . . . we're just right in that time frame now.

**Mr. Anguish:** — There is no further special requirements of the lessees to give them the right to vote? The posting that's there now is in fact adequate, and the notification . . . And there will be another public meeting that I assume you will have officials at. And I see the deputy minister shaking his head in the affirmative. Then you can assure us that by passage here today of these amendments, that the lessees will in fact have the right to vote?

**Hon. Mr. Klein:** — Mr. Chairman, absolutely, with their co-operation.

Clause 1 agreed to.

Clause 2 agreed to.

### Clause 3

**Mr. Van Mulligen:** — Thank you, Mr. Chairman. In his opening remarks, the minister somehow intimated that lessees have somehow less of an interest in local affairs, or have less of a stake in local affairs.

And I think we come now to what is an ambiguity in the Bill that's before us, and that is the definition of lessee, and the fact that no definition is really provided. And I assume that what we're going with here is the normal dictionary or legal definition of lessee, and that is: someone who has all right of use and enjoyment to a piece of property for a given price, etc.

If one takes the minister's definition of a lessee, and his definition seemed to be — and I draw this, and I infer this from his remarks earlier, that is to say that, one who does not directly pay taxes, I suppose I might be inclined to agree with the minister that perhaps there is less at stake here for the individual cottager, and that that person may not have as much of an interest in local affairs than, say,

someone who pays taxes. And that situation can occur.

Earlier we were introduced to the agent-general for Saskatchewan in London. And let's assume that Mr. Rousseau has a cottage, but because Mr. Rousseau has his overseas posting he decides that he will lease his cottage to someone else. Mr. Rousseau retains ownership of the land, of the building, and will be assessed, for the purposes of local taxation, by the resort village, whereas the lessee will indirectly pay that through the lease remuneration. And that's one case of a lessee.

But what is clear is that the Provincial Association of Resort Communities has a different interpretation than has been provided by the minister, and I would suspect that most who await the outcome of the Bill have a different interpretation of lessee than has been provided by the minister.

And I would refer the minister to a report of the working committee on resort communities which was presented to the government in April of 1986. That committee included representatives from resort communities, included representatives from your department. And in discussing the question of elections in resort areas and dealing with the qualifications of electors, the report indicates, and I quote:

(1545)

Members of the committee from resort communities felt that non-residents who lease their land but are assessed owners of the building should be allowed to vote in resort village elections.

And I would now come back to the remarks made earlier by my colleague, and ably so, by my colleague from The Battlefords, that one can draw a distinction in terms of lessees. And what we're really talking about here is two kinds of lessees — the kind of lessee that the Provincial Association of Resort Communities and the working committee talked about, and that is someone who leases land for a long term, whether it be 35, 40 years as many leases are, or 99 years in the case of some leases from the Crown.

But in addition to leasing the land, those people have either build or acquired cottages that sit on that leased land, and are assessed by the resort village or the urban municipality, whatever the case might be, for taxes on the improvement on that land. So that contrary to what the minister is saying, we have a case here of lessees directly paying taxes to the local municipalities, whether it be the rural municipality as the case now in Cochin, or whether it be a resort village.

And that is the distinction I would like to draw. And if we can clear up this ambiguity, if we can clear up this ambiguity in the Bill, then I think that it might seem more reasonable to accord lessees not only the right to be able to vote in resort village elections, but also the right to run for public office. Because like property owners, like property owners, they also are assessed for taxes. They also pay taxes directly to the local municipality.

And with that in mind, Mr. Chairman, I would like to move an amendment to clarify section 3, and that is to:

Amend clause 3(b) of the printed Bill, by striking out "for at least six months" in the second line of subparagraph 23(1)(c)(iii)(B.1) of the Act, as being enacted by clause 3(b) of the printed Bill, and substitute the following:

and is the owner of assessable improvements located on that land.

And that amendment is seconded by the member for The Battlefords.

Amendment negated.

**Mr. Van Mulligen:** — Thank you, Mr. Chairman. I was sure that it had passed one way or another, but I guess not.

I hope that the minister will ask his officials that notwithstanding the amendment that was defeated, that he will ask his officials to examine this point, and to very clearly gain an understanding from the people that are involved in resort villages and resort communities as to what it is that they mean by lessees. Because if I read the minister's remarks, he has one interpretation of what is meant by a lessee; if one reads the comments of the Provincial Association of Resort Communities, one gains a different interpretation of what is meant by lessees.

In the one case, a person who rents the land and buildings according to a lease agreement with a private property owner does not directly pay taxes, as opposed to someone who leases land on a long-term basis, builds their own building, or otherwise has acquired a building that is situated on that land, is assessed for land, or is assessed for that building by the local municipality, and pays taxes directly to the municipality.

And I wonder, will the minister agree that there is that very clear distinction, and that what PARCS (Provincial Association of Resort Communities of Saskatchewan) is talking about is something different than the type of lessee who, in effect, leases the land and buildings. Can the minister agree that there is that difference?

**Hon. Mr. Klein:** — Mr. Chairman, we'll be in continual discussion with PARCS, and if a problem develops over the terminology "lessee," or in the event that this amendment that was just defeated should come forward again because of circumstances, then we'll discuss it again at that time. But I'll be in touch with PARCS over it. I don't anticipate a problem at this time, however.

**Mr. Van Mulligen:** — I appreciate that the minister has given that undertaking, that he will enter into those consultations. My view is that if the consultations had been more extensive, that we would not be dealing with amendments and that we would have a much clearer Bill before us at this point in time.

Again, I would commend to you looking at that differentiation and clarifying the definition of "lessee," because if we can agree in future amendments that lessees should be taken to mean someone who in fact is

the owner of assessable improvements located on that land, and by definition, therefore, one who directly pays taxes, it seems to me that all of us can agree that that person should in fact have the right to not only be able to vote in local resort village elections, but also should have the right to run. Because, like a landowner, that person also pays taxes directly, and will be directly concerned because of that, about the affairs of local administration and the development of the local resort village.

**Hon. Mr. Klein:** — Mr. Chairman, the member from Victoria is right on. And that's exactly why we proceed to go with the legislation as it is. We don't know if they're in fact even going to pass the incorporation.

Once the incorporation is indeed passed and a resort village formed, then as a result of the tax rolls and all the rest of it that goes on with it, we will be able to determine precisely what your concerns are. And if the concerns are valid, and if Parks has a problem, and the people in that area, certainly we don't want to make their problems more severe, and we're prepared to amend anything that we might have to. But what we're saying today is that that's an unnecessary procedure today.

**Mr. Van Mulligen:** — Well, Mr. Chairman, I'm surprised that the minister does not have access to that information today - information that would help the House to make a more informed decision on the matters before us. To discount the amendment because they don't have the information, I think is an indictment on the minister that he's not on top of things. Mr. Minister, we're stuck at this point then, with section 3 as it stands.

Let me ask you, or point out to you that it is not clear whether or not a person who actually leases land for the six-month period will qualify, or whether the term of the lease must be stipulated by the parties as being for a time longer than six months when the lease is entered into. That is not clear.

**Hon. Mr. Klein:** — Mr. Chairman, as I've said before, a person that has been leasing land six months prior to the election will be eligible to vote.

**Mr. Van Mulligen:** — Mr. Minister, again there is this ambiguity. And I'm informed by counsel that this ambiguity exists. Again I would comment to you and your officials a review of those ambiguities.

I think that the people of Saskatchewan would not want to see a duplication of the kind of fiasco that was created in Ferland because of amendments to this House and amendments that were not well thought out by your government.

So I would comment to you, sir, a more thorough review, notwithstanding your stubbornness today. But I would commend to you a more thorough review of this legislation so that any ambiguities might be cleared up before elections take place.

**Mr. Anguish:** — Mr. Minister, I beg your indulgence and ask you leave. I have just a couple of very brief questions I ask for clarification that don't, in all honesty, apply to the section 3 of the Bill that we're on. I'll be less than a couple

of minutes, if I could ask those.

Leave granted.

**Mr. Anguish:** — Mr. Minister, I'll put the questions all at once, and if you could answer them for me. One of the members who wrote concerning the vote was concerned about the number of people who had petitioned the government to actually have the vote for incorporation into resort village status. And could you tell us what the number of people is, or percentage of the population? It seems to me, in my figures, there are about 70 people who petitioned the government, and there are in the area of 600 people who are affected.

The second question I have is one of concern about the vote date itself. Some people are wondering — I'm sure they'll ask at the public information meeting on August 22 — that is, that many people who are lessees will be gone by the September 5 date. And some people are asking, is it mechanically or technically possible, I suppose, to have that date changed, either over to next year or back into the August period?

The third question I have is: could you just briefly outline for us what the steps are if the vote goes in favour of resort village status? Is there a time period when they have to, in fact, elect a council and mayor? Is there a time period when they have to hire an administrator? Just if you could give us a thumb-nail sketch of the procedure that has to be taken in the resort villages if, in fact, the resort village passes on September 5.

**Hon. Mr. Klein:** — Okay, Mr. Chairman, I appreciate those questions, and we have the answers. According to the Act, a minimum number of people of . . . a minimum of 30 is the requirement. And there were 77 on the request, so we had to deal with it.

Regarding the voting day, it could be changed. But it's really not practical to change it now because the people, most of the people affected, know; they are expecting it. To delay it another year . . . They've been waiting for two years to get this vote out of the way. And I don't think it would be fair to them to delay it. And they do have the advantage of the advanced poll on August 29. So hopefully they'll all still be around.

Regarding the time period to proceed, the government leads the procession, so to speak, and we would do it in consultation with the people in the area. I suppose we could get it done. It would be nice, I suppose, or comfortable if we could proceed on a fiscal year, which would be January 1, and if they chose to do that, then we would try to meet that deadline.

Clause 3 agreed to.

#### **Clause 4**

**Mr. Van Mulligen:** — Thank you, Mr. Chairman. Earlier the minister expressed a point of view that had been put forward by SUMA over the years, in that SUMA has expressed reservations about local councils becoming dominated by people other than those who live in the local municipality. I would agree that those are valid

reservations, especially as these pertain to urban municipalities, or what is commonly referred to as urban municipalities - our cities, towns, and again, especially our villages.

(1600)

The minister would do well to listen to the concerns of SUMA, especially given the Ferland fiasco where we had a fiasco that resulted from a less than adequate consideration, by that government, of amendments put forward by it in 1983 and '84 — a situation where the government, because of its ideological blinkers, felt that it was imperative that property owners be given the right to, in addition to money bills, be able to vote for local councils, and therefore resulted in a situation in Ferland where people from outside, basically, were able to dominate the local election. And that is a fiasco that results from the actions of the government opposite. So I would commend to him those reservations of SUMA, and I would commend to him a thorough review of The Urban Municipality Act, The Local Government Election Act, and to rectify the kind of problem that occurred there.

Resort villages are a different situation that is clearly outlined in the legislation. I have received a review from the law clerk, who states that, and I quote:

Resort villages are treated differently from other municipalities in that spouses of residents and assessable owners of land are qualified as electors, and non-resident owners and their spouses are also qualified to be candidates.

It is not clear whether or not . . . the amendment, I go on:

The amendment proposed by Bill 31 would permit persons who lease land in a resort village for at least six months, and their spouses, to qualify as electors, but not as candidates. And the situation proposed for lessees by Bill 31 will differ from the situation for owners of land in the resort village, in that owners of land, and their spouses, because they are electors, are also qualified to be candidates. Lessees will be qualified as electors, but not as candidates.

In speaking to the second reading of this Bill, Mr. Chairman, I indicated our reservations about this dual status, this junior citizenship, this limited franchise that is being offered for lessees, as distinct from landowners. And again the minister refused to entertain an amendment which would have clarified what was meant by "lessees." But I'm not satisfied with the minister's explanation that for some reason or another, that we should wait before a further amendment can be entertained which might then allow electors the opportunity . . . or lessees, not only the opportunity to vote in resort village elections but also to be able to run for office in resort village elections.

He's somehow indicating that some massive review will take place; that we will know more next year than we know now. And I would ask the minister what is the nature of the review that he proposes to undertake with respect to the question of allowing lessees not only the

right to vote but also the right to run for election? What is the nature of the review? What kind of methodology do you have in place to examine this question?

**Hon. Mr. Klein:** — Mr. Chairman, I guess at the outset all I can do is apologize to lessees out there. I'm sorry to hear that the hon. member opposite doesn't hold too high an opinion of lessees. I do. and that's why we're bringing in this amendment. We want to provide them with the opportunity to vote.

The mechanism that's in place is the continuing and ongoing discussions that our government is known for right across this province. We have consulted with groups since 1982. We still do, and we will continue to do so. And if these consultations bring about errors in our legislation, certainly we're going to look at them and, hopefully with the co-operation of the opposition, amend any errors in legislation.

Mr. Chairman, he points out for instance to the unfortunate situation that arose in Ferland. And I agree, and as a result we will be bringing forward legislation to correct that situation. And in some instances there's kind of a parallel between what his argument is and what he's asking, because the problem in Ferland turned out to be non-residents.

He's asking us to treat the lessees in, again, a different matter in a lot of instances, maybe in not the two particular communities that are affected today, but in other communities, resort areas throughout the province, a lessee is a non-resident. And we could have exactly the same situation occur as occurred in Ferland, and we want to avoid that. And in consultation with SUMA and with PARCS and with a lot of people out there that are both lessees and owners who have vital interests in their properties, this is the legislation that we came up with. This is the legislation that they want. This is the legislation that they're happy with. And they know that at some future point in time, after all is said and done, if we have to amend it to, in fact, allow them the opportunity to run for office, when all of these facts and figures come in, if indeed the incorporations ever even occur, then we'll deal with it when we have to.

**Mr. Van Mulligen:** — Mr. Chairman, for the minister to somehow suggest that we don't support the right of lessees to have the right to vote, I would point out to him that we just passed section 3 and that was supported by this side of the House, notwithstanding your stubbornness and your intransigence and not accepting reasonable amendments that would improve that section. This side of the House supported section 3, and we support the right of lessees to be able to vote in their local elections in resort village elections.

The question at stake here in section 4 is the question of whether these lessees, in addition to having the right to vote, should also have the right to be able to run for office. And you say that you have consulted. I would submit to you that you've not consulted fully. I would submit to you that what you've been doing is listening to yourself.

The opinions that I've received from people involved in resort communities, including those involved in parks,

would seem to indicate that they, in addition to wanting the right for lessees to be able to vote, they want the right for lessees to be able to run for office, to be put on the same footing as those who are landowners. And again, their interpretation of lessees is someone who is also directly assessed and taxed for improvements on leased land.

Mr. Minister, how long will we have to wait until your review is completed and until you come back with an amendment to also allow lessees the right to run? Can you advise us as to whether or not this amendment will come forward, or some statement will come forward on this prior to resort village elections which are scheduled for 1988?

**Hon. Mr. Klein:** — No, I can't give you any absolute assurance of the date. And keep in mind this, and this is the important point - the residency clause is the awful important point - if a person lives there six months prior to the election, even if he is a lessee, he does have the opportunity to run.

So I don't think that there's a big problem out there at all. I think that you're carrying it far too far. A lessee right now has the opportunity to run as a councillor, providing he lives there for six months; that's it.

**Mr. Van Mulligen:** — Mr. Chairman, I'm beginning to get an impression here of a minister who knows and recognizes that there are shortcomings in a Bill. But rather than do the right thing, and that is accept reasonable amendments, the minister is choosing to explain away an oversight in the legislation with vague assurances of some future improvements. Again I would point out to the minister that consultation is a good think, but that there is a further forum for consultation in this province, and that is this Assembly, and that if there are reasonable amendments to be put forward, you should take heed of those rather than simply disregard them, and in your own stubborn way try to explain away your shortcomings.

Mr. Minister, I hope that you would say that there would be amendments forthcoming next year to enable lessees to also have the right to not only vote, but also to run for office. Although assurances about legislation coming forward next year is not the type of solid assurance it once was in this House, Mr. Chairman, we don't seem to have an assurance, once this session adjourns, whether the House will sit again for another year. But anyway, I would . . . notwithstanding the minister's protestations, I think that it would be appropriate to amend section 4:

By striking out section 4 of the printed Bill.

Seconded by the hon. member for The Battlefords, Mr. Chairman.

(16:14)

Amendment negatived on the following recorded division.

**Yea — 15**

Prebble

Kowalsky

Shillington	Atkinson
Tchorzewski	Anguish
Rolfes	Hagel
Upshall	Lyons
Simard	

**Mr. Chairman:** — Order. I'd ask members to be quiet when the vote is being taken.

Calvert	Smart
Lautermilch	Van Mulligen

**Nays — 30**

Devine	Smith
Duncan	Swan
Andrew	Muirhead
Berntson	Schmidt
Lane	Hodgins
Taylor	Gerich

**Mr. Chairman:** — Order. Order. I've asked members to remain quiet while the vote is being taken, and I will enforce that.

Hepworth	Swenson
Klein	Martens
Meiklejohn	Gleim
Martin	Neudorf
Toth	Gardner
Sauder	Kopelchuk
McLaren	Saxinger
Hopfner	Britton
Petersen	Goodale

Clause 4 agreed to on division.

Clause 5 agreed to.

The committee agreed to report the Bill.

### THIRD READINGS

#### Bill No. 31 - An Act to amend The Local Government Election Act

**Hon. Mr. Klein:** — Mr. Speaker, with leave, I move the Bill be now read a third time and passed under its title.

**Mr. Van Mulligen:** — Thank you, Mr. Speaker. I just want to indicate that this side of the House will support the Bill. There are shortcomings in the Bill. We attempted to put forward amendments to improve the Bill, in particular to provide for a clearer definition of the term "lessee" in the context of resort villages; secondly, to enable lessees not only the right to vote in resort village elections, but also to be able to run for office in resort village elections.

These amendments were denied by the members opposite. Nevertheless we will support the Bill. And it is our opinion that some progress in this area is preferable to no progress at all, Mr. Speaker. Thank you.

Motion agreed to, the Bill read a third time and passed

under its title.

## COMMITTEE OF FINANCE

### Consolidated Fund Budgetary Expenditure Education Ordinary Expenditure - Vote 5

#### Item 1 (continued)

**Mr. Kowalsky:** — Mr. Minister, we have a few questions to ask this afternoon prior to going into the subvotes.

My first set of questions deals with students who have enrolled in private institutions, particularly in some of the newer private schools that have come to being in the last few years. We have a tradition in Saskatchewan of course, where both private and post-secondary schools work alongside with the technical schools to provide skills in business education, or in some cases it could be some trades. But there's some things that have happened and people have brought to my attention that I want to ask you about.

The problem is that some of the students who have now been enrolled in some of the private schools have come to me and said, look, we were talked into and sort of induced into taking a course at a private school as opposed to a tech. We were on a waiting list for the technical school. We knew that the tuition fee was \$4,000, or close to \$4,000, whereas, at the technical school it was a smaller tuition fee. We enrolled in good faith, and then what happened is we ended . . .

There's a couple of scenarios. Some of the students that finished their courses went out, and although they were sort of given the indication - or they tell me that they were given the indication that they might get jobs - found out that people that they went to look for jobs with, would not accept their credentials. And they felt used, as a result of this.

Other students would get into a conflict, maybe with a staff member or with the institution itself, or might decide half-way through that, gee, this isn't the course for them, and they would end up pulling out.

Now the difficulty here is that one they make that decision to leave the schools, or after they've come out of the schools, they felt abused, and they have no . . . didn't seem to have any way of appealing - appealing what has happened to them, appealing to any authority other than the principal of the school if they do feel abused.

And I'm wondering if there's anything that you could do, Mr. Minister, or anything that your department could do, in terms of the regulations regulating private schools, that would provide for a student the right of appeal in more than one manner. Right now the only thing they can do is to go directly to their instructor, who goes up to the principal, and the principal's decision holds.

At a university, for example, a student has several avenues. He may go to an instructor; he may go to a student council; he may go to a faculty council; he may go to a faculty member; he may even go to a board of

governors. Is there anything in the regulations that you might consider doing in this respect? And I ask also whether you have received this type of concern directly to your department?

(1630)

**Hon. Mr. Hepworth:** — Mr. Chairman, hon. member, the question that you raise relative to private institutions and mechanisms for students to deal with actions that they may feel unfair, or of whatever nature, is a fair question, and a good one that you raise. And it may be, to some degree, be an emerging issue.

In the course of the discussions that I had this past winter when we were looking at restructuring post-secondary education, one of the meetings that I held was with a number of private institution operators. And they too, to share with you some of what went on at that meeting, they too are concerned about getting black eyes by having a bad apple in the barrel, if you like, about fly-by-night operations, and raised with me while they were there in the discussion the possibility of they themselves looking at perhaps formalizing a professional association amongst themselves.

I don't know as anything's come forward on that yet, but I can assure you that certainly the ones who are in that room are keenly interested in not having their quality reputations jeopardized because of the actions of one or two or some who might be seen to enter into some of these areas in a fly-by-night, almost, kind of manner. I suspect that we'll see something more come forward on this over the weeks and months ahead. The cases that are brought to our attention now, such as you mentioned, would number maybe three or four dozen a year, I'm guessing, but something in that order. And we do have some avenues.

And most often we are prepared to take it up on the student's behalf and raise the issue with the institution in question, albeit that it is . . . the tool we're using there is moral suasion. I suppose if we saw something so severe in our minds, we could go to warnings and even ultimately, I suppose, threaten to withdraw licensing and that kind of thing.

Given what I've heard, the operators themselves say when I met with them . . . I would like to see what develops on that side, because I sense that they were too genuinely interested in maintaining their reputations, that they are not well-served if they've got a bunch of . . . if their institution becomes known as not being one of high standards.

So your question is a good one. It may be an emerging issue there. We've been able to deal with them to date, as I said, through moral suasion, largely. If there's further action that needs to be taken, it may well be forthcoming on the basis of some other discussions.

**Ms. Smart:** — Thank you, Mr. Deputy Speaker. Mr. Minister, I'm assuming that you're familiar with The Private Vocational Schools Regulations Act, which your department administers. I would like to know how many contraventions of this Act there have been in the last 12

months, and what were the natures of those contraventions?

**Hon. Mr. Hepworth:** — Well as I said in reply to the hon. member from Prince Albert's question, we get about three to four dozen, and that's an estimate. We could undertake to find the number out more accurately if you like. But something in the nature of 40 or 50 complaints a year, and based on those it seems to make sense we do try and carry them forward on behalf of the student.

**Ms. Smart:** — I asked you also what the nature of those contraventions were. Were there any that related to a private vocational school failing to having competent instructors? And can you table the information relating to each of these contraventions?

**Hon. Mr. Hepworth:** — In so far as a detailed list, we don't have that available here, but we can undertake to provide you with that, if not yet today, as soon as possible.

In so far as the kinds of contraventions or the kinds of complaints we get, there's a fairly wide range. A couple that are fairly common, I suppose, or a couple that would come to mind, at least, would be . . . oh, thinks like, you know, an individual who has failed or been expelled, and the natural kind of reaction that you might get from somebody who has been failed or expelled when they thought they were . . . had not been treated fairly. The quality of instruction has been a source of complaint on occasion; those would be a couple of the kinds of things we've dealt with.

**Ms. Smart:** — So you are saying that you will table the details of those complaints in the House as soon as possible? We would like very much to have those.

Another question I would like to ask you is: I understand there have been several incidents in which your department has been paying out student loans and sends them directly to the private vocational school, which then cashes them instead of giving them to the student to cash. Are you familiar with that, and don't you think that cheques should be cashed directly by the students rather than by the schools?

**Hon. Mr. Hepworth:** — Well, my understanding is the cheques are sent where the student instructs, and maybe there's instances where the student asks them to sent it to the institution, in the event that they might be in limbo and moving and not sure what their new address could be. I mean, I don't think either of us would want to have the situation where, as you describe, cheques are being cashed and the money ahs not been forthcoming to the student, unless that was an arrangements that had been worked out between the student and the institution. And my understand is, unless you know of a case differently, the cheque goes to where the student instructs.

**Ms. Smart:** — So as far as you're concerned, you don't know if the institutions are cashing the cheques and then giving the money to the students, rather than giving the cheque directly to the student.

Another question: I would like to know what steps you're

taking to ensure that the curriculum being submitted to your department on paper by a private vocational school is as good as the curriculum actually being delivered in the classrooms of that school. What inspections are done at each school to check the curriculum quality, and how frequently are these inspections done?

**Hon. Mr. Hepworth:** — Well I understand that if a school or institution applies for a licence, there is some inspection, and we have to be satisfied to the point that they have a proper plan or proper facility, that the curriculum is a factor. I'm also advised that if they put in a course that they really hadn't originally had licensing under, or for, in the initial instance, that we look again at what they're proposing so that we're satisfied of a new course that's put ion place, through some . . . that we have some understanding of it and some sense of their curriculum. Not that it's maybe an in depth process and an ongoing one, but there is some requirements for a new licence and for establishing of new courses.

**Ms. Smart:** — that doesn't sound like a very strong process of inspection of the private schools. But I just have one other question and one comment. When you submit the documents, table the documents, about the complaints and the nature of the complaints, will you also give us the names of the schools that the complaints have been lodged against?

And my final question: will you give us the names of the schools, and have you set a maximum rate for tuition that can charged by the private schools in Saskatchewan — private vocational schools?

**Hon. Mr. Hepworth:** — We don't have any say over tuition fees. I think the market-place, I suppose, is the factor that's the determinant factor there.

The other thing I'm advised, to clarify with you, is relative to what I can supply you, in so far as the complaints that have come forward. We can give types and numbers based on legal implications on this. We may not be able to name names, if you like, because we might be seen to be besmirching the name of a reputable institution, if I somehow might suggest in this legislature that it's under investigation, or I had these complaints and they turned out to be nothing. And I'll give you as much as I can give based on the constraints that I will have to operate within from a legal standpoint. So I'll give you everything I can, given that caveat.

(1645)

**Mr. Prebble:** — Thank you, Mr. Chairman. I'll be brief. My spirit's willing, but my voice is not, today.

I just want to say to the minister, first of all, that his comment with respect to the fact that tuition rates at private vocational schools are to be governed by the market-place, I don't think is accurate. In fact, under the private vocational schools Act, which your deputy minister kindly sent me . . . on upon examining that, it's very clear in there that you have every right to pass regulations setting maximum tuition rates for private vocational schools.

And I suggest you look at setting some maximums, Mr. Minister, because it's just outrageous that tuition rates of \$3,000 or more can be charged for courses of only six months duration which, if they were taken at a technical institute, would only be one-sixth of the cost they are at some of these private vocational schools.

But my question to you, sir, relates to your failure to consult with the trade advisory boards at Saskatchewan's technical institutes before you severely cut back on instructor positions and student spaces in many of the trade programs at those technical institutes. You have been indicating for months that you, as minister, would meet with the chairman of each trade advisory board. When can we expect that you will actually hold such a meeting and consult with them about the future of training in areas such as carpentry, welding, and the trades as a whole? When can we expect that meeting to take place?

**Hon. Mr. Hepworth:** — A couple of points I would make here. I don't think the hon. member should assume that just because we're in this legislature, or just because we're making some changes based on some consultation throughout the winter, that somehow when that legislation is passed or the new institute is up and running that somehow we stop talking and consulting with these trade advisory boards. I think you will probably know there's 100 or more that follow that category and it's just there are some physical constraints as far as how many one can meet in any given day or week or month especially given what we've been doing for the last three weeks, certainly. But that consultation can be ongoing.

I can tell you that I met with, as part of those meetings that I described earlier, across the province this winter, with the provincial apprenticeship board which in many ways would be the umbrella organization. Maybe not as good as meeting with 100 individual boards, but certainly I think it provided me with some useful insight. And as it relates to the instructors and laid-off instructors, I think I would underline and remind you again that everyone offered a job with the exception of one. I think we ought to bear that in mind. We tried to be very conscious of their needs.

**Mr. Prebble:** — Mr. Minister, that last statement just can't be true. You fired 142 instructors at Saskatchewan's technical institutes, and you simply can't be accurate when you're telling this House that they all had an opportunity to get other employment.

I can tell you that in my home city of Saskatoon where you chose to fire 74 instructors, that the large majority of those instructors, many of whom are my friends, many of whom are acquaintances, don't have jobs today. So don't talk about that kind of nonsense in this House, Mr. Minister.

I want to urge you to get on with pursuing your meetings with the chairpeople of the trade advisory boards.

And I have one final question for you, and that pertains to the University of Saskatchewan and the University of Regina. As you know, Mr. Minister, a large number of the faculty at both of . . . particularly at the University of

Saskatchewan, were hired from the United States and from England in the 1960s to work in Saskatchewan. And a large number of those faculty will be retiring in the late 1980s, the early 1990s. There is obviously a need in this province to phase in the hiring of new faculty members. We'll not be served well by a process in which a large number of people retire in a short space of two or three years and the universities have to rush out onto the market-place looking to hire dozens of new faculty members each year.

So my question to you is: would you be prepared in conjunction with the University of Saskatchewan and the University of Regina to set up a faculty renewal fund whereby early retirement opportunities would be made available for some senior faculty in those institutions now, and the hiring of new faculty could be phased in over a period of 10 years rather than being done in a hurried manner from the period 1990 to 1992?

**Hon. Mr. Hepworth:** — Relative . . . I want to . . . I sensed the hon. member's emotions when I said that, relative to the lay-offs, that those who had wanted to get another job had been offered another job, with the exception of one. And I think the hon. member thought I was talking nonsense, to use his own words. And I want to say to you that I've done some re-checking with my officials, and I stand by that statement.

And I know there's been a fair amount of media hype about the treatment of people in the Public Service Commission at educational institutions, but we've also clearly said all along that we want to do right by our people if we can. And so when the lay-offs occurred, there were some who . . . They had a number of options, one being that there were some settlements, and some took those. Others could bump, and some did, and there was bumping. And I'm led to believe that, even to this bumping process, everything has worked out, if you like.

And there was others who were, as I said earlier, offered employment. And some of the examples that you raised, it may well have been that they were offered but turned the job down because they want to wait for something better. But I stand by my statement that those who wanted, were offered, and last time we checked there was only one who we hadn't been able to — that that statement wouldn't ring true for.

So I stand by my original statement, and I think it speaks well for what the institutes, in conjunction with my staff officials and the administrative staff of these institutes, have been able to do through this process.

As it relates to your suggestion for a faculty renewal fund at the University of Regina, University of Saskatchewan because of the demographics of our faculty, I'm advised that under the auspices of the University renewal and development fund, both universities have put forth proposals that would see some of that money being used for faculty renewal.

And I can't say much more than that about that at this point in time, except that to say it's under consideration.

**Some Hon. Members:** — Hear, hear!

**Mr. Kowalsky:** — Mr. Minister, thank you very much for your very enthusiastic response to my rising to speak to these estimates.

Mr. Chairman, we are nearing the completion of the Education estimates, and in these . . . before we complete these estimates, I would like to take some time to review some of the things that we have heard. We have strived in these estimates to bring to the attention of the minister, the concerns of the public of -s, and I intend to take the rest of the time this afternoon, Mr. Minister, and then to complete my remarks when we reconvene at 7.

But the message is this. All the people that we have talked to, Mr. Minister, and people who have sent us letters, and colleagues of mine, and colleagues of other members in this legislature, have very grave concerns about what your government has done to education, what this minister is doing to education. And I could pass this concern on in a one-sentence summary, Mr. Chairman, and that summary, and the message that I pass on to the minister is this: the choices that your government has made are a betrayal to the youth of Saskatchewan. And I will repeat that. The choices that your government made are a betrayal to the youth of Saskatchewan. That is a one-sentence summary of what has happened to education as we've revealed in these estimates.

Clearly, Mr. Minister, there were choices, and clearly your choice was to remove Education from a priority of this government as you did Health and Social Services. And I say it was a betrayal to the youth of Saskatchewan, that is, it was a betrayal to the entire population of Saskatchewan. Now why?

**Some Hon. Members:** — Hear, hear!

**Mr. Kowalsky:** — No one asked, prior to this budget coming forth, no one asked that school grants be cut. No one asked that the educational development fund be cut. No one asked that the Department of Education staff be purged. No one asked that the university budgets be frozen. I didn't hear anybody ask that the community college offerings should be slashed. I didn't hear anybody ask that technical school staff or technical school student positions should be slashed. No one asked for that.

Nor did you on the government side campaign on that. And that's why the people of Saskatchewan were betrayed.

**Some Hon. Members:** — Hear, hear!

**Mr. Kowalsky:** — I agree with the people when they say that they were betrayed. Nobody believes that Health or Education should be short-changed for the purpose of accomplishing the political agenda of any party, particularly in this case, of this party, the Conservative Party that's running this government.

Now what has happened is that your incompetent government has so mismanaged, so mismanaged the finances of this province that when you went to the money-lenders they told you that there was no more low

interest money for Saskatchewan. Shy? Because you are \$3.4 billion in debt.

They told you if you wanted to get any more low interest money you had to change your ways. Your financial house is in a mess, they said, so change your ways.

During your first four years of government you made the first bad choice. You chose to go on a spending spree. And I say that was a choice because as I will point out shortly, you could have collected more resource income.

And then when it came in this budget, you were faced with a second choice. How could you change your direction? Unfortunately, education was affected. Because this budget and these education estimates reveal the real choice that you made. You clearly reduced the amount that should have been wisely spent in education, in my estimate, is by about \$30 million.

Did you go before the people and say, we must keep our education offerings first-rate, therefore we'll charge higher oil royalties and we'll put some of that money into education? No, you didn't do it. You did exactly the opposite. What leadership!

Did you say: we made a mistake by giving Weyerhaeuser a \$248 million paper mill . . . pulp mill and the forest rights, and we'll get payment only after a 30 per cent profit? Did you say you made a mistake? No. You didn't say that, well maybe we should go back because we need some money for the school dental plan. No, you did exactly the opposite.

And I say, where's the leadership? Did you make any decision . . .

**Mr. Chairman:** — Order, please. It being now 5 o'clock, I will leave the chair until 7.

The Assembly recessed until 7 p.m.