

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 26, 1983

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

WELCOME TO STUDENTS

MR. DIRKS: — Mr. Speaker, it's my pleasure to introduce to you and to all members of the Assembly today, a group of 30 very fine grades 7 and 8 students who are attending here. They are from the St. Patrick School in Regina, which is in my constituency. I would like to welcome them here today. I'll be meeting with them right after question period for pictures and refreshments, and I would ask all members to join with me in welcoming them here today.

HON. MEMBERS: — Hear, hear!

HON. MR. TAYLOR: — Mr. Speaker, I'd like to introduce to you and to the members of this Assembly, the students from the Wolseley and district Development Centre. They're seated in the Speaker's gallery, along with their most excellent staff: their teacher, Mr. Carol Hammond; the aides, Mrs. Lola Gardiner, Grace Magel, and some of the parents, my wife Isabelle, and Cheryl Aston, and my youngest son, Peter. I hope you enjoy the deliberations today and I hope this visit will be enjoyable for you. I think I should have some type of a treat for you after question period.

HON. MEMBERS: — Hear, hear!

QUESTIONS

Proposed Changes to The Trade Union Act

MR. SHILLINGTON: — Thank you very much, Mr. Speaker. I want to welcome back to the Assembly some ministers we haven't seen in some time. The attendance this morning is exceptionally good.

AN HON. MEMBER: — Exceptionally good because half of them are here.

MR. SHILLINGTON: — Yeah, that's right. Almost half the ministers are here. The question is to the Minister of Labour. I want to express the hope initially, Mr. Minister, that you've recovered from your jet lag. I won't be so unkind as to make the obvious suggestion that there are those who feel that your condition didn't originate with . . .

MR. SPEAKER: — This is question period, and if the member has a question I would like him to get directly to it.

MR. SHILLINGTON: — My question to the minister has to do with, Mr. Minister, your proposed changes to The Trade Union Act. It's now the 48th sitting day of the legislative session. By far the most controversial piece of legislation, The Trade Union Act, has yet to be seen. When, specifically, Mr. Minister, will you be introducing your amendments to The Trade Union Act in this legislature?

HON. MR. McLAREN: — Mr. Speaker, I'd like to just tell the member opposite that I had an excellent sleep last night. The Trade Union Act amendments are coming in due course. My understanding is that the session can normally run for 75 days and we've still got lots of time to introduce it.

SOME HON. MEMBERS: — Hear, hear!

MR. SHILLINGTON: — While I thank the minister for that lesson in the history of this Assembly, that wasn't my question. My question to you was: when will you be introducing this legislation in this session?

HON. MR. McLAREN: — Mr. Speaker, there's been, as I said yesterday, a couple of weeks that I've been away. I'm getting briefed on where we stand in the whole drafting and legislative process, and we should be making an announcement very shortly.

MR. SHILLINGTON: — Supplementary, Mr. Minister, I suggest to you that's precisely the problem. This government doesn't know where it stands on The Trade Union Act. Will you confirm that we haven't seen it because you can't make up your mind what you're going to do.

HON. MR. McLAREN: — Mr. Speaker, that is not true. We have our amendments in place. We're just going through it point by point with my briefing people, and they say in due course we'll get it tabled.

MR. SHILLINGTON: — Mr. Minister, if you have it ready to go and you've made up your mind, why don't you share it with the Legislative Assembly so the work of this session can proceed?

HON. MR. McLAREN: — Mr. Speaker, I've already said that we'll be doing it in due course, and the specific day I don't know just yet, but you'll see it when it's tabled.

MR. SHILLINGTON: — I want to ask the minister what groups you have consulted with, if any, and whether or not that in any way explains the delay in introducing this legislation.

HON. MR. McLAREN: — Mr. Speaker, I think it's going to be a bit unique that we will be discussing it with a number of groups prior to tabling, and that will be scheduled, and we always had to wait till it was in second reading when I was out in the boondocks before we knew what was going on out here. We have intentions, we are scheduling meetings with the people that have submitted briefs including the unions and the business side, as soon as we can get it put together.

Legislative Program for the Session

MR. LINGENFELTER: — Mr. Speaker, my question is to the House Leader who I would like to ask a question about the legislative program of this Assembly, which leads from the questions asked by my colleague from Regina Centre. We have on the order paper today about 16 second reading bills. I believe 6 of them will be dealt with today. The other 10 are not printed. We have words coming from the Minister of Labour that we are awaiting. The Trade Union Act, amendments to it. What I would tell the minister or ask him, is when he will get his act together to the point where we can get on with the session; to the point where we will not be taking Thursday nights off this late in the

session — which I understand is the case that we're not sitting tonight. When will you get the program together to the point where we can get on with the legislation, and complete this session of the House, and in completing the session save the money of the taxpayers of the province?

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BERNTSON: — Well, I'm delighted to see, Mr. Speaker, that the opposition have totally endorsed the ethnic communities of the city of Regina. When I told you yesterday that we were — and part of their responsibility, Mr. Speaker, I understand is to slight the ethnic communities of Regina — we are taking this evening off to afford the opportunity to all members of this legislature to participate in Mosaic and I would have hoped to have seen the members of the opposition there but obviously we're not going to. I know that we're going to see a great number of our people there.

As it relates to getting our act together, perhaps what we should do is call a recess of two or three years to give you guys time to get your act together. And we are today on day number 48 of the legislature of this particular session and if it weren't for the fact that it's not our intention to in any way slight the ethnic community, I would sit here and I'd stop the clock and go around until the cows came home, but we're not going to do that for the reasons that I've just stated. And as it relates to when the labour bill is going to be tabled, with the same degree of precision as my colleague, the Minister of Labour — due course.

MR. LINGENFELTER: — Mr. Speaker, I had asked another part to the question, that being about the 10 bills that are not printed yet. What I would like to know from the minister, in light of the fact that we have had Mosaic for many years, it has been well attended and we have found time to go on Friday afternoons or Saturdays, how can you use that as an excuse for not sitting tonight, when very simply the fact is that you don't have the bills printed and you don't have the bills ready to bring in the House? Your phoney excuse that we have to adjourn to go to Mosaic when Friday afternoon is the traditional time we go, and Saturday is the traditional time that we go . . . When will you get on with getting these bills printed so we can do the work of the Assembly and the work that the taxpayers of the province expect us to do?

HON. MR. BERNTSON: — We'll stay here as long as there's work to do and as long as members opposite want to keep us here. I kind of suspect that it won't be very long, though, because our budget has passed the earliest it's ever passed, primarily because of two reasons: it was an excellent budget, number one, and difficult to criticize, and number two, you really didn't have a great deal of depth in your questioning. So it slid through kind of quickly. As it relates to this evening, why are we going this evening instead of tomorrow or Saturday or some other day? Well, the reason we're going this evening, Mr. Speaker, is this is the evening that the ethnic community in Regina, the Mosaic committee, invited us all to attend and I thought we would oblige them by showing up on the night that we were invited.

MR. KOSKIE: — I'd like to ask a question to the Deputy Premier, Mr. Deputy Premier. I think all will agree that we are here to carry out the work of the people of Saskatchewan in the most efficient manner, and I want to indicate as my colleague has indicated that there was insufficient work last Friday and we had to adjourn early. Tonight there's insufficient work, and you are building up an excuse. In respect to all of your back-benchers who are very fed up with your attitude, I'm going to ask you: can you put a legislative program together for this here Assembly, or are you prepared to resign as

House Leader?

HON. MR. BERNTSON: — Bob Hope, Mr. Speaker, at 80 years old still does a far better job. There's no threat, quite frankly, from the member opposite. I point out to the member opposite, last Friday — he's sitting over there blatting away — but last Friday, Mr. Speaker, we did in fact adjourn early, and we adjourned early, Mr. Speaker, after consulting with the Leader of the Opposition.

In fact it was a long week-end and a lot of people had travel arrangements set out for the long weekend, and we have been here a while. I thought it was the decent and human thing to do to allow the people to in fact get on with their travel plans and get home for the weekend to spend it with their families, and I think it was the right and proper thing to do. As it relates to my resigning, Mr. Speaker, I'll be here long after you're gone.

Federal Crow Rate Legislation

MR. MULLER: — A question to the Minister of Agriculture. When is the federal committee going to sit on the Crow rate issue?

HON. MR. BERNTSON: — Well, I have not the foggiest. The legislation has been stalled in second reading by the combined efforts of the opposition parties down there and I just don't have the foggiest . . . (inaudible interjection) . . . By some of the NDP, Mr. Speaker, the ones that show up and the ones that are concerned enough to care about the West. And so until the legislation gets past second reading, we have no idea when it will appear before a committee.

In any event, Mr. Speaker, we have asked the federal minister, the chairman of the transportation committee, to include us on the agenda when that particular legislation gets to the committee. As of yet, we have received no response from the chairman of that committee, so we will . . . you know, continue to pursue that course of action in hopes that we will in fact be heard before the committee.

MR. MULLER: — A supplementary, Mr. Speaker. I want to congratulate you on the stand you've taken so far. You have invited the NDP caucus to join you in your drive to try and save the Crow in Ottawa, and I was wondering: have they accepted your invitation to go to Ottawa with you to lobby for no change in the Crow rate?

HON. MR. BERNTSON: — Mr. Speaker, the answer to the question is: they haven't turned the invitation down, nor have they accepted it. So I still wait in eager anticipation to have my hon. Colleague, the member for Assiniboia-Gravelbourg, accompany me to Ottawa. And I'm sure that he will; I have every confidence. I also, Mr. Speaker, want to congratulate the member for Shellbrook for helping the members opposite fill up the half-hour of question period, and it will prevent them from being embarrassed further . . . (inaudible interjection) . . .

MR. SPEAKER: — Order, please.

Lake Diefenbaker Pipeline

MR. SHILLINGTON: — A question to the Minister of Urban Affairs with respect to any invitations you might have received to attend in the national capital. It has to do with the foul-water season, which is once again approaching this city and Moose Jaw. My question is: Mr. Minister, have you received confirmation of a meeting date with the

federal government to discuss the federal financial support for the construction of the Lake Diefenbaker pipeline?

HON. MR. SCHOENHALS: — Mr. Speaker, as of 10:15 this morning when I was in contact with my deputy, the answer is no. The request has been made. We expect an answer today or tomorrow at the latest.

MR. SHILLINGTON: — Will the minister confirm then that the delegation from Saskatchewan to Ottawa will contain all of the players in the act — representatives of the province, Moose Jaw, Regina, Ipsco workers, and Ipsco management?

HON. MR. SCHOENHALS: — Mr. Speaker, I will confirm that it will be excellent delegation, and it will go down there and present the case very well. And we'll definitely include the members from the city of Moose Jaw, the city of Regina, and the provincial government. There will be some other people go along as observers. Ipsco may in fact be one of those.

MR. SHILLINGTON: — Supplementary, Mr. Speaker. Mr. Minister, are you aware of the comments made by Bill Baker of Ipsco, that the company is concerned that you're going to Ottawa, feeling them out about financial support without having a detailed, comprehensive financial proposal to take to them, and that without a detailed, comprehensive financial proposal, you are unlikely to succeed under the special programs?

HON. MR. SCHOENHALS: — Mr. Speaker, obviously Mr. Baker is certainly capable of reaching his own conclusions on that. I would contend that we are working towards a complete proposal. We will not be making that public prior to going to Ottawa. Once again, I can only indicate to this House as I have on many times that in a very short period of government, we have taken some major steps on the path towards solving this problem — a problem that has existed in Regina and Moose Jaw for many years and was obviously here during the 11 years that the opposition were in power. I indicate one more time that we will solve this problem a lot quicker than they even moved on it.

Resignation of Dave Barrett

MR. WEIMAN: — Thank you, Mr. Speaker. My question is to the Deputy Premier. I'm wondering whether the Deputy Premier has any plans to send a letter of accommodation to the Leader of the Opposition in the province of British Columbia, Mr. Barrett, on his wise decision to resign from the party leadership, as well as to include in that letter of accommodation, a letter of condolence over the past defeat in the provincial election in British Columbia.

HON. MR. BERNTSON: — Well, I don't know that he had resigned, Mr. Speaker. This is my first knowledge of it, and if he has I would be prepared to send a letter of congratulations for doing the honourable thing. I would invite all members to join me.

Saskatoon NHL Franchise Application

MR. KOSKIE: — Now that there is no more government members standing, I can ask a question.

SOME HON. MEMBERS: — Hear, hear!

MR. KOSKIE: — I want to ask a question to the Minister of Culture and Recreation. I want to ask a question in respect to the pre-lobby of the NHL board of governors. I want to remind the minister that on page 2458 of *Hansard*, when questioned in respect to the lobbying, you had this to say:

We had some informal discussions with other provincial governments, but the lobbying of the members was left to the parties involved, Ralston Purina and Coliseum Holdings, and in fact that was at their request.

Subsequent to that, on page 2483 of *Hansard*, you told the legislature a different story:

In specific terms (you say), the Premier of this province had contact with each of the NHL owners and board of governors prior to the presentation.

I wonder if the minister can in fact indicate to the House which version represents the truth?

HON. MR. SCHOENHALS: — Mr. Speaker, I missed the first part. I don't think anything that I indicated in answering those questions was incorrect, and I will stand by the statements in *Hansard*.

MR. KOSKIE: — I specifically asked you which statement was true — whether or not there was no pre-lobbying, or in fact was the Premier involved in pre-lobbying?

HON. MR. SCHOENHALS: — Mr. Speaker, I was asked initially if I had done any pre-lobbying. I think the answer was no. The Premier, as I indicated, did in fact write letters to the various owners and members of the board of governors. We indicated that. We indicated as well that it was the recommendation of the Ralston Purina Co. who were in fact making the proposal asking for the transfer, that the pre-lobby should be left with them, and it should not be carried on in any great degree. We respected their requests and went that direction.

MR. KOSKIE: — Supplemental, Mr. Speaker. It seems to me, Mr. Minister, that in respect to the pre-lobbying that the minister did — that he put the office of the premiership of this province on line, the prestige of that office, and indeed the reputation of this province. I would like to know whether or not you are prepared to indicate what form the Premier's lobbying took, and whether or not you will file before this legislature, the nature of the lobbying that the Premier undertook in locating the team here in Saskatchewan?

HON. MR. SCHOENHALS: — Mr. Speaker, I continue to be amazed at the calibre of the questioning that we're hearing today. I indicated the pages in *Hansard* where you and your colleague from Regina Centre indicated that this government was at fault because they were too involved in this endeavour. Now I am hearing arguments that we're not involved enough in this endeavour. I will quote from a letter that I received from a member of the board of governors. Modesty prevents me from reading it all, but I will read a couple of lines:

The presentation made by you and the others involved was well made and received. As proof, it was the first time I have ever heard the governors applaud at such presentations. In all, it was an excellent example of the kind of co-operation which is possible between the two levels of government in

Saskatchewan and private enterprise.

And I think that indicates fairly clearly what type of presentation was made. It was the type of presentation recommended by a fellow member of the board of governors, Ralston Purina. We believe it was an excellent presentation and we stand behind it.

SOME HON. MEMBERS: — Hear, hear!

MR. KOSKIE: — Obviously the minister is somewhat confused because the presentation fell flat on its face and every source . . . and every board of governor, practically, rejected it. But I ask the minister, as a result of the pre-lobbying done by the Premier of this province with the board of directors, can you indicate at the time that you went to make your presentation how many board of governors were in fact committed to your cause?

HON. MR. SCHOENHALS: — Mr. Speaker, I can speak only for two — the two who were involved in the proposal, or the two obviously that I'm aware of. I would suggest to the member opposite that Vancouver took two attempts to get in. Winnipeg took two attempts to get in. The WHA took at least four. I believe we may get in in at least that short a time.

SOME HON. MEMBERS: — Hear, hear!

Funding Cut-backs to NGOs

MR. LINGENFELTER: — Mr. Speaker, I have a question to the Minister of Social Service, and it has to do with an incredible speech she gave to the Family Service Bureau of Regina. And I would like to quote from a news report which came out of that meeting, and in part it goes:

'With case loads going up and revenue going down, the government is providing preventive and crisis intervention programs, but non-government organizations should fill in the gaps,' she said . . .

I wonder if the minister is not aware of the fact that her government and she, herself, have been involved in . . . Here are some headlines: 'Deafness Council funding eliminated.' 'Programs for natives get grant cuts,' (it won't get any money next year), 'Government pulls the cord on Community Switchboard.' 'No provincial grants for senior citizens programs.' Can the minister tell me how she expects the non-government organizations to take up, on her insistence, that they fill the gap when she has, in the last couple of months, cut back in the programming and funding of many of these non-governmental agencies?

HON. MRS. SMITH: — Mr. Speaker, I guess I can only return it with a question and ask the hon. member from Shaunavon if he realizes who writes the articles in the *Leader-Post*. I assure you that it's not me. If you would like to know what was said in the speech, I have it for you today, and I assure you, once reading it, you will wonder if the same article in the *Leader-Post* is the same meeting that the speech was said at.

AN HON. MEMBER: — Well, send it to us.

HON. MRS. SMITH: — I will.

MR. LINGENFELTER: — Mr. Speaker, I would like to ask the minister whether or not, in her speech, she said that the non-governmental agencies should fill the gap. Was that part of your speech?

HON. MRS. SMITH: — Mr. Speaker, I would have to go through the speech, word by word, to see what was said in it, and I will share the speech with the member from Shaunavon to see if we said that, that they shall fill the gap. I would like to state to the member and to this House that the gaps, per se, out there are best filled by the local community and the agencies — not the government, provincial or federal. But the local people do a much better job of delivering the service from what big government does.

SOME HON. MEMBERS: — Hear, hear!

MR. LINGENFELTER: — Final supplementary. I wonder if the minister . . . And in phrasing my question I will say that I agree that the non-governmental agencies can do a much better job than her department, but is it not a fact that they also need some money to do that job and it is not true that you have cut back in many areas so that they can't do the job? How can you expect both from them?

HON. MRS. SMITH: — Mr. Speaker, when I was talking about service that the agencies deliver to the people in need in the local communities, we were talking about direct service, and no, the direct service element has not been cut back. We've gone through the budget in estimates and the member knows full well that on the direct service there was an increase — at least 7 per cent. Some may be held the same but not a cut-back on direct service.

INTRODUCTION OF BILLS

Bill No. 87 — An Act to amend The Horned Cattle Purchases Act

HON. MR. BERNTSON: — Thank you, Mr. Speaker. I move first reading of a bill to amend The Horned Cattle Purchases Act.

Motion agreed to and the bill ordered to be read a second time at the next sitting.

Bill No. 88 — An Act to amend The Animals Products Act

HON. MR. BERNTSON: — Mr. Speaker, I move first reading of a bill to amend The Animal Products Act.

Motion agreed to and the bill ordered to be read a second time at the next sitting.

Bill No. 89 — An Act to amend The Provincial Lands Act

HON. MR. BERNTSON: — Mr. Speaker, I move the first reading of a bill to amend The Provincial Lands Act.

Motion agreed to and the bill ordered to be read a second time at the next sitting.

Bill No. 90 — An Act to amend The Cattle Marketing Voluntary Deductions Act

HON. MR. BERNTSON: — Mr. Speaker, I move first reading of a bill to amend The Cattle

Marketing Voluntary Deductions Act.

Motion agreed to and the bill ordered to be read a second time at the next sitting.

MOTIONS

Referral of Bill No. 69 to Standing Committee on Non-Controversial Bills

HON. MR. BERNTSON: — Mr. Speaker, before orders of the day, at the request of members opposite and in a spirit of co-operation, Mr. Speaker, I move, seconded by the Minister of Finance:

That by leave of the Assembly, that order for second reading of Bill No. 69, an Act to amend The Beef Stabilization Act, be discharged, and the bill referred to the standing committee on non-controversial bills.

Motion agreed to.

ORDERS OF THE DAY GOVERNMENT ORDERS COMMITTEE OF THE WHOLE

Bill No. 54 — An Act to amend The Business Corporations Act

Clause 1

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

HON. MR. SANDBERG: — Yes, thank you, Mr. Chairman. To my immediate left, deputy minister Michael Crosthwaite; behind Mr. Crosthwaite is Phil Flory, the director of the corporations branch; next to him is Allan Higgs, the executive director.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Clause 4

MR. SHILLINGTON: — Mr. Minister, I have read the section; I have read the explanatory note. I have to confess I still don't know what problem we're trying to solve here. Perhaps you can give me some assistance.

HON. MR. SANDBERG: — Mr. Chairman and the hon. member for Regina Centre, this amendment will, for example, permit a proposed new corporation to insert in its articles of incorporation, at the time of incorporation, provisions which would restrict the ownership, the issue of transfer of its shares to a specific maximum level of non-Canadian shareholders. This would be done initially in anticipation of the corporation qualifying for certain specific grants or incentive programs which require specific levels of Canadian ownership by the national energy program.

MR. SHILLINGTON: — So the section and other similar sections simply give a company

the ability to restrict the sale of its shares or restrict its shares to Canadians or give a company the ability to set out in its articles that only a certain percentage of its shares can be owned by non-Canadians. Is that what I understood the minister to say?

HON. MR. SANDBERG: — Yes, that is right.

MR. SHILLINGTON: — I'm not sure, Mr. Minister, that I know what was in the act before which constrained the company from doing this. What was there before which stopped the company from simply saying, 'Only 15 per cent of our shares are going to be owned by non-Canadians? I would have thought that would've, could've been part of the articles of a company in any event.

HON. MR. SANDBERG: — Mr. Chairman, it's explained by . . . Under the old act you could only constrain the transfer of shares. Under this new legislation . . . Rather, you couldn't constrain the ownership under the old act either.

MR. SHILLINGTON: — Under the old act you could constrain transfer but not ownership. Okay. Now, the final question, Mr. Minister, is: what is it about the national energy program that we are attempting to meet? Does the national energy program have as a requirement of qualifying for certain grants that a company's shares be so restricted? Or is it an attempt to allow companies to guarantee that they will not run afoul of the regulations? Or why specifically is it being done?

HON. MR. SANDBERG: — Well, in order to qualify for the national energy program incentives a corporation must be 50 per cent Canadian-owned. And it's the only program in Canada that you have to qualify at 50 per cent Canadian ownership.

MR. SHILLINGTON: — But does the national energy program say that a company's shares must be so structured? Or is this an attempt to give a company the ability to guarantee that it will not run afoul of the laws?

HON. MR. SANDBERG: — It's a minimum qualification of 50 per cent. It can be more.

MR. SHILLINGTON: — But is it a requirement of the national energy program that a company include this in its articles, include such a constraint against the ownership of shares?

HON. MR. SANDBERG: — Well, if it's an all-Canadian company now, it doesn't have to change its articles, but if it wants to qualify, it will have to change its articles.

MR. SHILLINGTON: — So is the minister saying it is a requirement of the national energy program for companies not incorporated in Canada? Is that what you're saying? I'm just . . .

HON. MR. SANDBERG: — The company, Mr. Chairman has to be incorporated in Canada and the majority of the shareholders have to be Canadian in order to qualify for the program.

MR. SHILLINGTON: — I'm going to leave it in a moment, because it doesn't matter that much. But my question is: you are, by this legislation, giving a company the mechanism by which it can guarantee to all concerned that not more than a certain percentage of the shares will be owned by non-Canadians. That's the effect of this legislation. My question is: why? Why can't a company simply sell its shares all to Canadians, so

qualify, and not worry about this mechanism? Why is this mechanism needed?

HON. MR. SANDBERG: — Well, Mr. Chairman, if you didn't have this restriction, the shares outstanding could be sold to anyone, not necessarily Canadians. This restriction, therefore, provides the authority for companies to sell shares to Canadians in order to meet the requirements stipulated under the national energy program.

MR. SHILLINGTON: — Yes, and it deals only with publicly . . . This really would only apply to a publicly traded company in effect. Well, would this have some bearing on the activities of a privately traded company?

HON. MR. SANDBERG: — Yes, only if the private company wanted to qualify.

Clause 4 agreed to.

Clauses 5 to 24 inclusive agreed to.

Clause 25

MR. SHILLINGTON: — A question, Mr. Minister. This legislation affects the manner — I'm referring to section 20 — affects the manner in which a company may be served. What steps are going to be taken to draw this to the attention of interested parties? I think particularly of members of the law society.

If I might, Mr. Minister, I have no quarrel specifically with the provision. I think it's a good one. And I've often wondered in the past why we haven't done it.

I just wonder what steps you're going to be taking to bring this to the attention of members of the law society and others who have occasion to serve documents, and companies. How about television? Unlike elected members, most attorneys don't have time to watch television in the middle of the afternoon.

HON. MR. SANDBERG: — Well, it's worth noting, Mr. Chairman, that all of the amendments have been supported by the corporate law subcommittee. So it will be circulated through them.

Clause 25 agreed to.

The committee agreed to report the bill.

Bill No. 51 — An Act to amend The Oil and Gas Conservation Act

Clause 1

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

HON. MR. ANDREW: — Myron Sereda, from Energy and Mines.

MR. SHILLINGTON: — If there aren't any objections from the minister or members opposite, I'm going to try and deal with all the questions under subsection (1) because they don't neatly fit into any of them.

Mr. Minister, I understand what you're attempting to do here, I think. If I'm wrong, please correct me. You are attempting to accommodate the sale of natural gas to institutions and individuals other than SPC, which has been the sole purchaser in the past, if I understand it correctly. So I understand what this is intended to accomplish. What I'm afraid I don't follow is why we need it. Cabinet has always had the power, has it not, to set natural gas prices, or has that only been done through instructions to SPC as to what they pay? I'm just wondering what the old mechanism was.

HON. MR. ANDREW: — As I understand the old mechanism, in reality it was set between informal negotiations between the Minister of Energy and Mines and SPC. They would work out that formula. What this would do is, rather than doing that, do it through the cabinet process instead.

MR. SHILLINGTON: — Apart from the obvious advantage in that sort of open government and allowing everybody to know what the price of natural gas is going to be — apart from the advantages of open government, is there any other reason why this route is being followed?

HON. MR. ANDREW: — One of the reasons is: if we were fortunate enough to be able to get into the export market with natural gas, the government really doesn't have the authority to set that price. This would allow in effect the government to have that authority if we were to deal with the export price.

MR. SHILLINGTON: — I suppose that's true. If anyone other than SPC bought the gas, the mechanism might be more awkward. Alberta has a body — you will know the name of it; I can't think of it at the moment — but Alberta has a commission or an agency which in fact sets prices for oil and natural gas. Has this government ever considered delegating this . . . This is not a political decision, Mr. Minister; this is a technical decision based on markets, costs and so on. Has the government considered setting up a pricing mechanism similar to Alberta's?

HON. MR. ANDREW: — The oil price, and to that degree as well, the natural gas price, is set of course by the Saskatchewan-Ottawa, Alberta-Ottawa energy agreements. That's where you basically set the bulk of your pricing. Alberta has a rather complex marketing board concept to regulate the industry, but their industry is far larger than ours. We would tend, to the point that there would be too much confusion, not to want to move to that type of option, but allow the flexibility that we would have now, rather than getting into the Alberta Energy Conservation Board, is what I believe that you're talking about, and tends to be a far more . . . You know, it was at the heart of the problem with the shutting down of production of oil, along with government, etc., and I would question really whether we need that type of functioning thing. It's really an arm of government, if you like, the way it works in Alberta and I would question whether we'd really want to get into that. It just sets up another structure that I don't think is needed.

MR. SHILLINGTON: — Are you saying you don't think it's needed because you don't think the export industry in Saskatchewan is large enough? Obviously, it isn't. It scarcely exists at the moment. Are you saying that you don't think it's needed because of the size of the industry or because of inherent faults within that type of mechanism itself?

HON. MR. ANDREW: — Okay. There's two elements to the Alberta board I'm advised. One is the marketing arm of it, which we really don't need. I mean the marketing of natural gas let's say, for example, into the U.S. market. It doesn't exist for us now. We have to go through the various mechanisms, the national energy board, etc. to get their permission to do that.

With regard to the conservation end of it, or the regulation, that is now done by the department and we would see that as a proper function for the department to do as opposed to delegating it to an energy conservation board.

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

Clause 4

MR. SHILLINGTON: — Mr. Chairman, we have one brief question. What penalty is provided for failure to comply with the regulations?

HON. MR. ANDREW: — There are penalty sections for the hon. member. There are penalty sections within the main act and I could dig those out, but they are sufficient penalty sections to be able to control the industry.

MR. SHILLINGTON: — That was my concerns, that the penalties might be a maximum fine of \$500 which is an insignificant small sum. It wouldn't be worth paying someone to go down to the court-house to pay the fine.

HON. MR. ANDREW: — We found the penalties that were in the existing act when you were government to be fairly stringent and we're not changing those.

Clause 4 agreed to.

Clause 5

HON. MR. ANDREW: — The printed bill goes from 1, 2, 3, 4 and then back to 3. It should have read: 5 instead of 3 in the coming into force section of the act. I think we'd make that adjustment. It would be in order, I take it, to change that 3 to a 5.

Clause 5 as amended agreed to.

The committee agreed to report the bill as amended on division.

Bill No. 50 — An Act to amend The Public Utilities Companies Act

Clause 1

MR. SHILLINGTON: — We are proceeding to deal with these bills with such dispatch that we're not getting explanatory notes. And I've just checked with the page, and I'm informed the explanatory notes still are not available to members. I'm thus having some difficulty fitting this into the jigsaw. So, if you could fit this into your jigsaw, we'll probably deal with it.

HON. MR. ANDREW: — This bill has been out for some time. The new Bill No. 50 is

simply a consequential amendment to the last bill that we just completed, and it has to have the adjustments into the Local Government Board's original authority to go down setting these particular rates; that hasn't been exercised since 1950. By moving that authority into cabinet you have to then correct consequentially the previous act dealing with Local Government Board, and it's a complete consequential amendment as a result of the energy conservation bill.

MR. SHILLINGTON: — Just as explanation, I was unaware the Local Government Board played any role at all in setting natural gas prices, and I guess they did only with respect to public utilities owned by municipalities.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

The committee agreed to report the bill on division.

THIRD READINGS

Bill No. 54 — An Act to amend The Business Corporations Act

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

Motion agreed to and bill read a third time.

Bill No. 51 — An Act to amend The Oil and Gas Conservation Act

HON. MR. ANDREW: — Mr. Speaker, I would move that the bill . . . There is an amendment to this particular bill in the changing of the number of clause 5 —it read clause 3 — to clause 5. I would move that the amendment be now read a first and second time.

Motion agreed to.

HON. MR. ANDREW: — Mr. Speaker, with the kind indulgence of the House, and the consent of the House, I move that the bill now be read a third time and passed under its title.

Motion agreed to and bill read a third time.

Bill No. 50 — An Act to amend The Public Utilities Companies Act

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

Motion agreed to and bill read a third time.

SECOND READINGS

Bill No. 83 — An Act to amend The Income Tax Act

HON. MR. ANDREW: — Yes, Mr. Speaker, I am pleased today to move second reading of

an amendment to The Income Tax Act. This bill contains a number of rather technical amendments which are required by the federal Minister of Finance, in the administration and enforcement of the Saskatchewan Income Tax Act.

The hon. members will be aware that our income tax is administered by the federal government, by Revenue Canada on the basis of the Canada-Saskatchewan tax collection agreement. I won't dwell on these technical amendments except to say that they will ensure that our Income Tax Act will remain consistent with the federal act, thereby making the Saskatchewan residents' filing and payment responsibility as uncomplicated as possible. Now having said that that makes it as uncomplicated as possible, that's not to say that it's not complicated, because I think we all know that that act has built up over a fair period of time. It has become very complex, and a difficult act for most average citizens to be able to deal with.

This bill does contain two other amendments which are necessary to offset administrative problems caused by the November 1981 federal budget. As we all know, that is the famous MacEachen budget that brought that minister down. The first of these two amendments required to ensure that Saskatchewan individuals will not be unfairly taxed as a result of the application of the federal government's new forward-averaging measures. The new federal measures allow individuals the opportunity to spread out unusual or lump sum sources of income over a number of years, thereby reducing total tax owing. In return, the individual is required to pay a refundable tax withholding when the income is initially earned, equal to the highest federal and provincial marginal tax rates.

Our present legislation would impose the surtax as part of refundable tax withholding. In our view, this would be grossly unfair to Saskatchewan low- and middle-income earners who receive large one-time incomes such as resulting from the sale of a farm. These individuals wouldn't normally be required to pay the surtax if allowed to average that income over a number of years, or bring it back to income at the time of retirement. We therefore propose to eliminate the application of the surtax to the forward-averaging amount. This should be noted however that this amendment will still allow for the surtax to be applied against high-income earners once the forward-averaged amount is returned to income for tax purposes.

The second of these amendments is also required as a result of the new federal forward-averaging provisions. As I've already mentioned, the federal measure provides the taxpayer with unlimited ability to spread out unusual or lump sum incomes into future taxation years. The flexibility of this deferment process has been an adverse effect on the administration of Saskatchewan capital gains tax rebate program since the payments of the rebate according to the current legislation must directly offset the payment of the Saskatchewan tax owing.

We therefore propose that commencing with the 1982 tax year, payment of the capital gains tax rebate be based on a fixed percentage of the eligible taxable capital gain where the gain is forward-averaged or not. This payment would be made in respect of the year the farmer or the small business person disposes of a farm or small business property and incurs a taxable capital gain.

Further, this government proposes that a fixed percentage of 12 per cent be applied to the taxable capital gain. This percentage is representative of what the average applicants for the rebate has paid in Saskatchewan income tax in relation to the eligible

taxable capital gain as determined over the first three years of the program's operation. We would continue to monitor the normal tax status of applicants to ensure that the fixed percentage of 12 per cent continues to be a representative figure.

As I indicated, Mr. Speaker, in my opening statement, these are I think what most people would see as technical, and rather a complex area for all of those except the tax accountants, or the odd tax lawyer. It tries to make the system a little easier, particularly for the farmer, the small farmer, the small business man who has not had a high income over a number of years, but does sell either his farm or his business and finds himself in an extremely high tax position. Now this will allow him to average that farm better. It does not provide, as the hon. members might like to suggest, to the average person who is in a higher tax bracket, would not provide that particular taxpayer with an advantage, but would provide the advantage to the lower income taxpayer who does have that once lifetime increase of capital gains tax. That's the prime purpose of it. It is a complex piece of legislation only in the sense The income Tax Act is a complex piece of legislation, and with that, Mr. Speaker, I would move second reading of Bill no. 83, An Act to amend The Income Tax Act.

MR. SHILLINGTON: — Thank you, Mr. Speaker. This piece of legislation, as members who have some experience in the House will know, comes before the House virtually every year. Virtually every year, our Income Tax Act has to be amended to ensure that it complies with the federal Income Tax Act. The federal income tax department collects our tax, and if our act doesn't comply with their act, they won't collect it.

This act appears to go somewhat further than that. I noted the minister's comments with respect to the flat rate on capital gains, and I note what he says with respect to its application — that it is progressive rather than retrogressive. I want the opportunity, Mr. Speaker, to assure myself that that's accurate, and it is with respect, I think, to that provision, that we have some interest. I will not at this point in time raise it to a level of a concern but I have some interest in what he said.

We want, Mr. Speaker, the opportunity to investigate that further, and we are therefore going to . . . We may find other things when we're looking at the act; we might find other things in his comments that are of concern to us, but that didn't leap out at me today. But these comment son the capital gains tax did. We want an opportunity to investigate his comments in the light of the bill further. We therefore beg leave to adjourn the debate.

Debate adjourned.

Bill No. 81 — An Act respecting the Operation of Vehicles.

HON. MR. GARNER: — I hope, Mr. Speaker, that the members opposite will be just as willing to pass second and third reading of this bill later on in this Assembly, because I think this is one of the most important bills coming before this Legislative Assembly to save lives in the province of Saskatchewan. The members of this Assembly are fully aware, Mr. Speaker, this bill is long overdue. The present Vehicles Act was passed into law in 1939 and in 44 years since it has not been revised or updated in a meaningful way to reflect the changes that have taken place in transportation, in transportation services throughout not only the province of Saskatchewan, but North America. You can understand why we refer to this bill as the new Vehicles Act. The need for a major overhaul of this act is not a discovery this government uncovered when we took office. For the last 11 years, the new Vehicles Act gathered dust on the shelf while the previous

government looked for the courage to bring forward the needed changes to the motoring public in the province of Saskatchewan.

It's unfortunate in one sense that the people of Saskatchewan have been saddled with this tired, worn-out act; but in another way it is fitting that this government has done the job — the job others could not and would not and were afraid to do. The people of Saskatchewan realized that this government, under the leadership of Grant Devine, is looking forward to the future — the future of Saskatchewan, the safety of the travelling public in Saskatchewan. And, Mr. Speaker, it amazes me this afternoon that that we hear members opposite saying 'who; who.' I remember them back in '77, '78 and on, talking about the invisible man. Mr. Speaker, in this Assembly here today we have a government that is working for people, listening to the people under the leadership of Grant Devine.

I am not going to go into the gutter of politics, as the members opposite would like to do, Mr. Speaker, whatsoever. I think they realize that they have been reduced to the gang of eight. And, Mr. Speaker, after the question period we witnessed in this Assembly this afternoon, it looks like the lights are out on the NDP in Saskatchewan. The people of Saskatchewan realize that under Grant Devine the future for the motoring public is going to be taking a great step forward with this new act. Mr. Speaker, this bill before you today is a fine example of the kind of the kind of forward-thinking leadership the people of this province are coming to know and respect.

The direction this bill has taken, the style in which it was written, and the kind of issues that we tackled in an up front manner are fine examples of how this government carries out its responsibilities to the people of Saskatchewan. When I say 'direction,' Mr. Speaker, I need only say much has changed since 1939; and I might add, all of it has been for the better.

When this legislature was enacted, travel by horse was more popular than by car, Mr. Speaker. And for those who travelled by car, 40 mph was top speed. And, most important, Mr. Speaker, the people of Saskatchewan need legislation that is going to take them into the next century, and into that next century will go, without a doubt, Mr. Speaker, a Progressive Conservative government in the province of Saskatchewan.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. GARNER: — And now, Mr. Speaker, there are over 850,000 vehicles registered in this province. The days is not too far away when there will be one registered vehicle for every man, woman, and child living in the province of Saskatchewan. It only made good common sense that in preparing this bill that we consulted the people who will have to abide by its contents.

Last year we released a white paper containing proposals for the new Vehicles Act. We

also conducted a survey through the media and asked the people of Saskatchewan how they felt about some of the more important changes that were being considered. Mr. Speaker, I received thousands — thousands — of letters, briefs, and phone calls from every corner of this province. Never in the history of this province have the people been given an opportunity to contribute to the decision-making process of a bill that affects them as much as the new Vehicles Act. I just can't imagine what kind of legislation would be presented today had we not taken the opportunity to ask the people first, Mr. Speaker.

I think this is a prime example of why the NDP, the gang of eight, are in opposition and we are the Government of Saskatchewan. It's without a doubt, Mr. Speaker, that legislation . . . (inaudible interjection) . . . Mr. Speaker, could we have some order in this Assembly so that we could continue, please?

I am confident that the people of Saskatchewan now have a Vehicles Act that is worthy of their support and well qualified to meet the challenges of today, as well as the opportunity that the future holds. Mr. Speaker, another example of the kind of leadership this government provides has to do in the way this bill is written and organized. Instead of following the traditional methods of preparing this legislation, again it made good sense to organize the contents in a way that both lawyers and laymen could understand. And to make it even easier to follow, this bill has been written in an everyday language. That, Mr. Speaker, is a minor change, but it means a lot to the people of this province who want to know what this bill contains.

I want to refer to the nuts and bolts of this legislation. As I said, we have tackled the issues in an up front manner. We did not shy away from those areas where the timid were afraid to tread. Some of these issues we have provisions for are receiving national attention, Mr. Speaker. Some affect only a few, and there are some that will be addressed later by way of amendments. And, Mr. Speaker, I am quite prepared to accept those amendments.

But I can honestly say, Mr. Speaker, that by and large the contents of this bill takes into account the main concerns facing the people of Saskatchewan today and for the future. No other government in the history of this province can challenge the facts and I look forward to the defence of members opposite who must shoulder much of the blame for having this act gather dust for so long while they were trying to be government of the province of Saskatchewan.

In wrapping up my general comments on this bill, I want to emphasize that the new Vehicles Act is an important part in providing safe and efficient transportation service to the people of Saskatchewan. If we want it to be effective, we must know what the travelling public expects. I can assure you, Mr. Speaker, that the new Vehicles Act means those expectations.

I would now like to turn my comments towards some of the major provisions this bill contains. When we first released our white paper last year, the one concern that touched the hearts of the people of Saskatchewan is the driver impairment. I wish I could table all of the letters we received on this issue so that the members of the Assembly could appreciate how dear it is to thousands in Saskatchewan. To make my point, Mr. Speaker, I would like to paraphrase one letter from an accident victim so that those who don't believe me can understand that the people of Saskatchewan feel very deeply about this issue. A letter, Mr. Speaker, from Regina, Saskatchewan:

Dear Sir: (dated January 7, 1983) I strongly agree with 80 per cent of the listed white paper proposals. Many people are hurt daily by the unthinking, irresponsible actions of numerous drivers. Something has to be done in regard to these drivers. If stiffer fines, added jail terms, and long-term licence suspensions are part of the possible solutions, then so be it. My husband, his father's sister, brother and our daughter were involved in an accident in May of 1978 and my husband was severely hurt, being unconscious for several days. In June of 1981, my husband and I were returning home following a church meeting when we were again hit by another vehicle. My husband and I are still suffering the results of that accident.

Many people do not realize the consequences of car accidents. As well as physical pain and suffering, there is the anxiety, frustration and isolation it puts you in. There is additional stress on marriage, along with financial set-backs. Occasionally, you even lose a job due to medical leaves of absence . . . (inaudible) . . .

The above-mentioned does not take into account a death from an accident which we, by the grace of God, have not had to deal with yet. Several months ago I caught a news brief that stated that mandatory sampling for alcohol and drugs would infringe on the freedom guaranteed by our new Canadian charter of human rights. What about the freedoms that the actions of negligent, irresponsible drivers take away from their victims?

Thank you for reading my letter. Our family has been hurt by the actions of drivers. I wish people would think before they act, and perhaps others would be saved.

When we first released our white paper, Mr. Speaker, late last year, the one concern that touched the hearts of the people of Saskatchewan is that of driver impairment. I wish I could table all the letters we received on this issue, so that members of this Assembly could appreciate how dear it is to thousands in Saskatchewan.

To make my point, Mr. Speaker, I would like to paraphrase . . . I don't know whether members opposite would go along with it, Mr. Speaker. No, I think we'll save that for later on when they're a little more aware.

Mr. Speaker, a few stats that I would like to share with members opposite, and I guess this is one of the reasons why we've decided to take the new Vehicles Act off the shelf, dust it off and implement it. If you were to line up 100 young boys between the age of 6 and 20, one of them would lose his life before the age of 10 in an alcohol-related accident. Mr. Speaker, this is a tragic loss of life. I cannot and I will not accept a loss of life to statistics like this. The statistics tell us that drivers whose abilities are impaired are believed to be seriously over-represented in injury and fatal accidents. The results of autopsies tell us that approximately 40 per cent of all drivers who die in traffic accidents are legally impaired at the time of death.

So what can we do to stop this needless loss of life, Mr. Speaker? Mr. Speaker, the provisions in this bill make a three-prong approach. For one, this bill provides for strong deterrents by standardizing licence suspension for those convicted under the Criminal Code. First offenders will receive a six-month suspension; second offenders will receive a one-year suspension; third-time offenders will receive a three-year

suspension of their licence. Furthermore, a fourth conviction within five years will result in a five-year suspension. Another measure aimed at the drinking driver is increased penalty for driving while disqualified, Mr. Speaker. First offenders will be subject to a \$500 minimum to \$2,000 maximum fine. Second or subsequent convictions will result in fines of minimum of \$500 to maximum of \$2,000 and/or jail terms up to two years, at the discretion of the courts. Second, it is not enough, Mr. Speaker, to toughen existing laws without offering a solution to the problem. Therefore we will be expanding a program called Driving Without Impairment. The goal of this program is to educate those first-time offenders by helping them to understand the responsibility they must share when they drink and drive. As a measure of our sincerity and belief in this program, first-time offenders will be given the opportunity to enrol in the DWI program and have their suspensions reduced from six months to three months. The third and final measure has to do with obtaining blood samples from injured drivers suspected of being impaired. Mr. Speaker, this bill grants authority to injured drivers suspected of being impaired. Mr. Speaker, this bill grants authority to our law enforcement agencies to request the necessary evidence and at the same time provide legal protection for the medical personnel who must carry out this request.

Mr. Speaker, the last provision will have two very important effects. First, those suspected of impairment can no longer hide behind the veil of injury. In the past this prevented the police from obtaining the necessary evidence from drivers who were injured or who pretended to be injured. Just as important, for those who need more accurate information to aid in preventing drinking and driving, better enforcement will lead to a better understanding of this problem.

Mr. Speaker, this approach does not pretend to be a cure, but it will lead to greater awareness and improved prevention, something that is badly needed to stop this needless loss of life on our provincial road network.

I would now like to comment on a number of major changes in the new Vehicles Act that will affect nearly everyone in the province. I know that school will soon be finished for the summer holidays, but when students return next fall, those riding buses will be affected by the new Vehicles Act. Presently school buses are required to activate their flashing lights when loading or unloading children outside of the corporate limits of cities, towns and villages. Vehicle drivers approaching from the front or rear are required to stop until the children have reached a place of safety and the flashing lights have stopped.

Unfortunately this is not the case within the corporate limits of cities, towns and villages, unless local by-laws are in effect. By standardizing this requirement, Mr. Speaker, drivers will know that they must stop when a school bus is loading or unloading regardless of where they are travelling. Although we expect this will be accepted by the majority, we realize that there is a need for exemptions, and therefore local councils through by-laws can prohibit the use of lights at selected locations within urban areas. And, Mr. Speaker, it's at this time that I would like to share with the members of the Assembly today, for their knowledge we did have today I think . . . A very tragic accident took place in the province of Saskatchewan today. We lost a five-year child and a 52-year-old male bus driver. It is the first loss of life that we have had in the province of Saskatchewan of children or an adult travelling on a school bus. It is without a doubt not a very heartening thing to discuss. We are taking steps, and part of these steps are in the new Vehicles Act with activating the flashing lights to try and prevent this. It is a sad loss, Mr. Speaker. I have informed SSTA that I will be meeting with them to discuss all safety aspects and safety-related issues for school buses and children travelling on school buses in the province of Saskatchewan.

So the new Vehicles Act does not maybe cover all aspects of this, but, Mr. Speaker, without a doubt it is a step in the right direction.

Once again, Mr. Speaker, the summer season is upon us and brings another provision to mind to that which the public should be made aware of.

Passengers will not be allowed to travel inside a trailer. The only exceptions to this are farm trailers, emergency services and fire-fighting, just to mention a few. This provision is contained in the old act, but is obscure and difficult to locate.

Another fact the travelling public will have to become aware of is that gasoline tankers will be required to stop at uncontrolled railway crossings, whether they are full or empty. This change will provide a further safety measure by recognizing the potential danger of empty gasoline tankers.

Mr. Speaker, at present time, there is an information gap in existing legislation when it comes to the requirement to carry flares and to use them for the proper illumination of stationary vehicles. Right now, only commercial and public service vehicles are required to carry flares, although all vehicle operators are required to use them. This bill provides that all vehicles 80 inches or more in width will be required to carry flares. As a consequence, all vehicle operators meeting the standard will be better equipped in emergency situations.

Regarding, Mr. Speaker, the level of fines: although specific fine levels are set for specific cases, the present Vehicles Act contains a general penalty for use, and specific fines are not provided. The general fine on the maximum has been increased to \$1,000 for an individual, and \$2,000 for a company, at the discretion of the court.

Mr. Speaker, there is one more change that will affect the operation of the highway traffic board. At present, the issuance of public service registrations is discretionary. This means that a carrier is required to receive specific board approval before licensing any vehicle. This bill provides for the separation of a vehicle registration from the discretionary issuance function of economic regulation. This bill provides for the registration of all public services vehicles in the same manner as all other classes. In addition, an operating authority licence will be created to assist with the economic regulation activity of the board.

I should remind the public that, at this time — the enforcement of the new Vehicles Act — those companies and individuals now holding public service certificates will automatically receive certificates of operating authority.

Mr. Speaker, this concludes my comments on the new Vehicles Act. We have listened when the people responded to our request for their input, and have presented legislation that everyone can understand, Mr. Speaker — I even believe the members opposite. This bill is not the product of a few, but takes its direction from the people, the people that are affected by its contents.

Mr. Speaker, above all, the approach we take in preparing this legislation proved to be a very valuable learning experience. What the people have said to me, by way of letters and phone calls, is they want legislation that recognizes that driving is a privilege, not a right, Mr. Speaker. I think the bottom line to the new Vehicles Act, the position of this

government, that our concern, our major concern, with the new Vehicles Act, and what we're trying to accomplish by the new Vehicles Act, Mr. Speaker, is not political in nature at all. The bottom line is we just want to try and save more lives in the province of Saskatchewan, and have the roads a safer place for the tourists and the people from within this province to travel upon. With that, I move second reading of Bill No. 81.

SOME HON. MEMBERS: — Hear, hear!

MR. LINGENFELTER: — Mr. Speaker, I rise to say a few words on this bill before I adjourn the debate. My colleague from Pelly, who is not in the House at the present time, and others, will want to have a chance to dissect the bill as well as the words spoken by the minister because it is a very complicated bill which includes many things, I think, that the people of Saskatchewan will appreciate. I know that our government was in the process of bringing in a vehicles act and many, many hours, by many of the same staff, I'm sure, has gone into preparing this bill and it is complicated and it will take some time.

There are other things in the act, I think, that are not as acceptable and will be controversial and we would like the time to analyse and prepare for doing an analysis of Bill 51. I would like to join with the minister in expressing sympathy for the two families who were affected by the terrible tragedy — I believe it was at Strasbourg — where two lives were lost in a school bus and grain truck accident. And we will be looking at the act and at the accident, in fact, to see whether or not provisions have been made for seat belts in school buses, something that I think should be included, and possibly a House amendment would be in order, Mr. Minister, and we will see whether or not that will be an option, whether or not a loss of life possibly could have been prevented had we gone to that route — and possibly for future that is an option that we should be looking at. And so with those few words, Mr. Speaker, I would beg leave to adjourn debate.

Debate adjourned.

Bill No. 84 — An Act respecting the Provision of Financial Assistance for Capital Works Projects

HON. MR. ANDREW: — Thank you, Mr. Speaker. In the March budget address I announced that the government intended to create a new \$30 million special projects fund to help finance investments in the public sector. Reading from that, just to refresh the memory of the Assembly, Mr. Speaker, I am announcing the government's intention to create a new \$30 million special projects fund to help finance future productive investments in the Saskatchewan public sector. I am particularly pleased to explain the source of this \$30 million. Through careful management of expenditures proposed in our November budget we estimate departments and agencies of government to be able to turn back to the treasury a further \$30 million in 1982-83. This is over and above the significant administrative economy that is already built into the November budget — \$30 million generated by a government becoming more and more productive, now able to turn back to the economy for productive investments.

This piece of legislation, Mr. Speaker, is the legislative arm of that statement from the March budget as part of our nine-point program to deal with job creation in the province of Saskatchewan.

Section 6 of the bill outlines the financing arrangements. Thirty million dollars is to be appropriated from a fund for fiscal year 1982-83. This retroactive appropriation is

proposed for two reasons. First, our analyses show that expenditure levels for '82-83 would be \$30 million below our November '82 blue book figures. This was largely due to greater government productivity, and I'll come to further details on that in a minute. Because this money could be used to finance useful capital projects that we might not otherwise be able to afford in 1983-84, a retroactive appropriation has become necessary to set up the fund.

It should be clearly pointed out that the fund will be operated in a highly accountable way. Any future additions to the \$30 million fund, or any expenditures from it, will be subject to appropriation by the legislature. In addition, the Provincial Auditor will annually audit the fund with the financial statement appearing in the *Public Accounts*. In short, the fund has resulted from increased government productivity, and I see a very responsible way to extend our job creation potential through the additional capital projects.

What happened, Mr. Speaker, is that our government, I suppose, came under moderate attack from the opposition in the November budget because we weren't spending enough money, because we had whittled down the previous NDP election budget significantly in November. And we felt that we did a fairly good job of paring that particular budget down to the point where it was viable and valid, and no significant programs were cut. What we were able to do from the time of November through to the end of the fiscal year ending March 31 of 1983 is that collectively all the departments of government were able to, through productivity measures, through good management by the ministers and good management by the officials of the various departments, save \$30 million. Very, very seldom do you see governments, Mr. Speaker, that in fact can save money. Usually what they do is have to spend more. We've been able by that means of in fact saving a significant amount of money.

One of the main areas that we were able to save that money through was because of our ability to not fill some of the vacant positions, or positions that were budgeted for further hiring of people within the public sector. We heard the community out there and the people out there basically saying -government could do a little bit more, that government had become a little too fat relative to the consumer, relative to the business community, relative to the local government. So our managers went to work and by and large saved a significant sum of money.

One of the other areas that led to this savings of dollars, Mr. Speaker, was that we brought in a mortgage interest reduction program. We believed at the time — last April during the election — that one of the great problems that were faced by the average citizen out there was a genuine concern in that particular household as to whether or not they were going to be able to maintain their home. Previous government advanced their theory. It didn't wash. It was a complicated system that basically said . . . I suppose one could describe it as a Roy Romanow solution to a problem: pick a fight with the banks, but don't put any money into the pockets of the average consumer. And the consumer saw through that, Mr. Speaker.

We delivered a 13.25 per cent mortgage program that was very well received by the rank and file voter out there. And what did we hear from the opposition? 'You bought your way into government. Extravagant expenditures, and you bought your way into government.' That program, Mr. Speaker . . . We were able to save almost \$10 million from that program, because interest rates went down, Mr. Speaker. And, while we anticipated that interest rates would go down, we hadn't anticipated that they would go down quite that far and, as a result, a significant saving was made from that.

And I would like to hear, Mr. Speaker, now, those grave critics of the particular program that said, 'You're going to bankrupt the province with it. It's way too expensive. It's going to force the government to bring in deterrent fees and sell off the Crown corporations.' It didn't do that, Mr. Speaker. I believe that cost in the year '82-83 was \$22 million out of a \$3 billion budget; not a big expense, Mr. Speaker. We were able to do it as well because the department was able to function well with the private-sector lending institutions, the banks, and the credit unions across this province. They delivered a very good program to it when able to deliver that program.

Enough said about the way we were able to save that money, Mr. Speaker. I suppose we could have done two things. We could have used that money that we didn't spend to cover off that deficit, in which case we would have come in with expenditure down \$30 million, which we have done. But we also think it's appropriate to take that \$30 million now, Mr. Speaker, set it into a fund, and be able to use that fund to deal with some capital projects through the year that we see as worthy and important. And as those capital projects are announced from that fund, it will be made public to the entire population.

As well, Mr. Speaker, what this will allow us to do is the legislation will allow accountability to it. It'll be accountable to the legislature; it will be accountable and registered in the public accounts committee and it would be audited by the Provincial Auditor. We hope this money can be used for some good capital projects — projects yet to be announced, but that will be announced over the course of the next fiscal year.

And, with that, Mr. Speaker, and prior to moving second reading, I am very proud to be able to announce this \$30 million program. I was proud to announce it in the budget. I am proud of the ability of the managers and the various ministers who have been able collectively amongst themselves — and it's been collectively across the board — to be able to save this kind of money. I think it's responsible government. I think it is good government. We have delivered the programs, Mr. Speaker, and we've delivered them cheaper than we said we could deliver them, and I think we've delivered them more effectively. And with that, Mr. Speaker, it's my pleasure to move second reading of Bill No. 84, an act to set up the assistance to capital works.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BLAKENEY: — Mr. Speaker, I wish to add a few words in this debate. I've not had an opportunity to peruse the bill which has not been available except for a few hours. I've not had an opportunity to see the explanatory notes, and I'm not sure whether they have been distributed. Accordingly, I beg leave to adjourn the debate.

Debate adjourned.

Bill No. 68 — An Act to amend The Summary Offences Procedure Act

HON. MR. ANDREW: — Mr. Speaker, in speaking and moving reading of The Summary Offences Procedure Amendment Act of 1983 . . . Mr. Speaker, because the federal government has announced that it is considering proclaiming into force the Young Offenders Act later this year, many of the provisions of the bill are required to deal with juveniles who commit offences under the provincial law or municipal by-laws. The present Juvenile Delinquents Act governs these offences now, but the new Young Offenders Act ignores them and leaves the provinces to prescribe their own

procedures. In most cases this is most conveniently accomplished by adopting the federal scheme so that one set of rules does not exist for the Criminal Code offences, and yet another for the provincial offences. We do, however, consider that some of the provisions of the Young Offenders Act are too onerous in the context of provincial offences and have therefore made some modifications to the federal procedures.

Section 3 of this bill establishes part I of the act, and section 4 sets out the new interpretation section which is necessary because of the additions and changes being proposed. The more important parts of section 4 to note are the definitions of juvenile offender, open custody, provincial director. These correspond closely to those contained in the federal Young Offenders Act. It is proposed that, where possible, open custody facilities that are provided for under the federal Young Offenders Act will be utilized for custody and detention of juvenile offenders under the provincial statutes and municipal by-laws, and that the person or agency that will act as provincial director under the federal act will also act as a probation officer for juveniles under the provincial legislation.

Section 5 of the bill establishes part II of the act consisting of most of the existing act. Section 5 also provides for new section 2.1 prohibiting prosecution of anyone under the age of 12 for an offence under the provincial law or municipal by-law. This also is consistent with the federal enactment.

Section 6 of the bill provides for an amendment requiring notice to be given to a parent, or someone standing in the place of a parent, when a juvenile is taken into custody for being found intoxicated in a public place and requires that the juvenile not be placed with adults, but be held only in the open custody facility.

Section 9 of the bill adds two new sections relating to juvenile offenders that differ somewhat from the federal enactment. While it is considered desirable that a parent or guardian of a juvenile be notified that this child has been charged with an offence, we consider that the federal mandatory requirement that the parent or guardian must be notified too stringent. Under the proposed new section 9.1, a peace officer need make reasonable effort to serve notice on the parent or guardian. This new section 9.2 will ensure that charges are not unnecessarily thrown out of court because of a lack of strict proof of the notice to the parent.

I'm sure for those that have appeared in court on some of these charges that very often the policy force are in fact thwarted by what would be called technical defences. And this was an area that we tried to correct — a type of situation where perhaps a youngster is charged with an offence and it becomes very difficult to locate the parent, find the parent and serve the proper notice, or the parent effectively is able to dodge that type of service, and therefore provided a defence to what otherwise would be perhaps a straightforward charge before the court.

On the other hand, the new section 10.1 proposed in section 10 of the bill establishes the importance of parents being notified by giving the court authority to allow evidence of the effort made to be introduced where no parent appears and to permit the court to adjourn proceedings to allow further effort to be made to notify the parent or guardian.

With that we believe that we've been able to cover off both sides of the problem: number one, Mr. Speaker, to avoid the technical argument and yet provide enough safeguards, Mr. Speaker, that the law is not abused by police officers that would take advantage of that type of an amendment.

Section 10 of the bill also adds a new section 10.2 to protect juvenile offenders from being imprisoned with adult offenders. The present provision of the probation of adults are to be found in The Corrections Act. These provisions do not apply to juveniles. Upon the proclamation of the Young Offenders Act, it is necessary to have provisions for probation and juvenile offenders under the provincial and municipal law. It is also considered more appropriate to have probation provisions for adults in The Summary Offences Procedure Act rather than in The Corrections Act, since probation is a sentencing alternative to incarceration.

Therefore section 11 of the bill establishes part 3 of The Summary Offences Procedure Act, and lifts out of The Corrections Act that part of it relating to probation, with amendments to the existing section required in order to provide for juvenile offenders. In general, the change made to existing provisions recognizes the provincial director under the Young Offenders Act as a probation officer for juveniles.

Of particular note is the addition by subsection 4 of the new section 19, of special conditions appropriate to a juvenile offender that a court may require of a juvenile on probation. These conditions are taken out of section 23(2) of the Young Offenders Act.

The other change from the existing section of The Corrections Act that I will bring to your attention is increasing the maximum fine from \$100 to \$500 under section 21. This is the maximum fine that may be imposed by a judge when a person is in breach of his probation order.

Certain other provisions of this bill are unrelated to the implementation of the Young Offenders Act. The amendment proposed in section 7 of the bill will permit a peace officer to charge a person with being intoxicated in a public place if he takes a person into custody under section 5 of the act, and then discovers that the person has been taken into custody under section 5 on two or more previous occasions. This will be in addition to his power to keep the person in custody up to 24 hours. Presently once a person is taken into custody under section 5 a charge cannot be laid, and usually the peace officer will not know at the time of taking the person into custody about the previous conviction.

Section 8 of this bill repeals the subsection of the act that officials of the Department of Justice consider may be contrary to the Canadian Charter of Rights and Freedoms and therefore unconstitutional. The section being repealed deems a description of an offence written on a ticket to be sufficient notice of the offence charged. This seems to contravene the provision of the charter of rights that a person charged with the right to be informed of a specific offence. With the proposed repeal of this section, whether the person has received sufficient notice of the offence charge will be a decision for the trial judge to make.

In addition, section 10 of this bill will add a new section 10.3 to the act. This section specifically authorizes imprisonment for non-payment of fines. At present this is done under certain provisions of the Criminal Code, which are incorporated by reference to the provincial offences. However, this leads to some confusion, and it is therefore considered desirable to have this authority stated plainly in the provincial legislation.

As well, the maximum period of incarceration for non-payment of a fine under provincial law is to be 90 days, not six months as in the case of the Criminal Code.

That is the basic thrust of this piece of legislation, Mr. Speaker. I believe it is primarily of a procedural nature, with regard to the practice of summary offences within the provincial court system.

A comment or two with regard to the Young Offenders Act. A Young Offenders Act is an example of a federal jurisdiction basically deciding a process of law that should be better in imposing that on the provincial governments at a significant cost to a provincial government, Mr. Speaker, without necessarily the agreement and co-ordination of effort that one would sometime hope to see under that type of thing.

But with that, Mr. Speaker, it's indeed a pleasure for me, on behalf of the Attorney-General, the Minister of Justice, to move second reading of a bill, The Summary Offences Procedure Amendment Act, 1983.

SOME HON. MEMBERS: — Hear, hear!

MR. KOSKIE: — Thank you, Mr. Speaker. I just want to make a few comments. I had an opportunity to review the legislation and the accompanying notes that were supplied. And I think that the provision, as the minister indicated, that no person under the age of 12 shall be convicted of an offence under provincial or municipal by-law, is a step forward. I think previously it was seven.

And in respect to the section 9(1) and 9(2) and the subsequent section 10, as you indicated that it was mandatory in the federal legislation in order to have service of an information made on the juvenile offender's parent or a person that stands in place of the parent. I note that you have not make it mandatory; you have however put a protection clause in there that the judge can of course adjourn the proceedings and ask for further efforts. I think that may well give protection and certainly protection in the event that the individual is represented, of course, by counsel. That provision could be invoked and may well be invoked by the courts. However, I am a little surprised that the minister has deviated from it being mandatory that the parent or guardian of the juvenile, the mandatory provision for service of an information. I think during committee of the whole, I'll discuss that further.

The increase in the penalty section also, I think, has been increased very substantially as you have indicated. And that has been increased from previously a specified number of days — of 60 days and a fine of \$100 — and here it has been simply indicated that a sentence can be imposed with no limitation, that is in the case of contravention of a probation order — and that has sizeably increased to \$500. It may be indicative of the direction of the new justice minister in respect to the approach that is being taken in respect to offenders; one of probably increasing significantly the penalties, and perhaps a deviation away — and that's what we fear — a deviation away from the rehabilitation.

And as you indicated in default of payment, section 10(3), where there can be up to 90 days, now that's a pretty significant incarceration for non-payment. Because non-payment only applies, primarily, to the poor and not to the wealthy in society. Paying fines is not much of a problem to the rich, but it is a very difficult area in respect to the underprivileged who have occasion to come before our court system and often may not, even though they would certainly pay it if they had the income. And so I'm a little concerned with the amount of the penalty, because we're dealing primarily here, I guess, with the provincial legislation. But, as I indicated, I want to discuss some of the

specific clauses during the committee of the whole.

Overall, I think that there are some steps forward being taken in the legislation. Moving the probation from The Corrections Act into the summary conviction . . . I was a little surprised as why it was moved from The Corrections Act. The explanation I see in the notes is simply that it's a sentencing procedure and should be therefore tied to the summary conviction act rather than to The Corrections Act. Again I just raise a flag of concern with the direction that may be being exhibited here by the government.

Certainly the corrections were in fact with Social Services for a very specific reason — our corrections was with Social Services. And the emphasis in the past, I think to a large extent — at least the emphasis — was on rehabilitation of young people and for that reason we thought Social Services both from the standpoint of staff and the whole outlook would be probably somewhat different than the Attorney-General's portfolio or the Minister of Justice.

But, as I say, I've had an opportunity to go through it, and I've got two or three concerns with specific clauses. I'll raise those with the minister through the committee of the whole.

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

Bill No. 73 — An Act to amend The Corrections Act

HON. MR. ANDREW: — Yes, Mr. Speaker. This is the second reading of The Corrections Amendment Act of 1983. With the exception of section 6 of this bill, all of the amendments contained in it are consequential to The Summary Offences Procedure Amendment Act of 1983. Bill 68 is now also before the legislature. Section 3 and 5 repeal the parts of The Corrections Act relating to probation, which are to be incorporated in The Summary Offences Procedure Act. I take it that my learned friend from the Quill Lakes was in support of that particular proposal.

Section 4 make a consequential amendment to section 8(1). That is required because the probation provisions of this act will be moved to The Summary Offences Procedure Act.

Section 7 repeals a schedule to the act, which is related to the provisions being moved to The Summary Offences Procedure Act.

In the new section, subsection 29(1), in clause (2)(b) of section 6 of the bill, the authority for classification of tasks performed by the inmates of a correction facility, for setting the schedule of allowances paid to the inmates for performing those tasks, and for determining the classifications to which the task will fall is to be clarified. At present these are accomplished by ministers' orders in a rather cumbersome and imprecise way. This proposed amendment will clarify the legal authority for prescribing and paying the allowances paid to inmates of correction facilities, and result in the publication of the rates as regulations.

The new clause 29(2)(b) continues the existing authority for provisions of clothing transportation and money to the inmates being released from the correction institution.

With that, I would move second reading of The Corrections Amendment Act, 1983.

MR. KOSKIE: — Mr. Speaker, I don't have many comments in respect to this. This is legislation that's coterminous with the previous bill, and accordingly I do not have any particular difficulty in supporting it.

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. 55 — An Act to amend The Penalties and Forfeitures Act

Clause 1

MR. VICE-CHAIRMAN: — Is the minister ready to introduce his officials?

HON. MR. ANDREW: — Mr. Ron Hewitt from the Attorney-General's department.

MR. KOSKIE: — The last day that the Minister of Justice introduced this, I did at that time raise some concern in respect to the provision of this act, where in fact it says:

Where a pecuniary penalty of forfeiture mentioned in subsection (1) is not more than \$300, the Attorney General may remit that penalty or forfeiture in whole or in part.

My two concerns: previously, any remission was in fact done by order in council, and that of course gave the public accessibility to the orders in council and a full knowledge of what forfeitures or fines were being remitted.

The second thing, if you weren't here the other day, Mr. Minister, the Attorney-General, the Minister of Justice, indicated that they were doing this, but in defence of it, I would have thought giving a power to a specific minister, it would be because of a burden of dealing with so many of these remissions of fines or penalties. I was somewhat surprised when he indicated that over the four-year period there was something like 24 in total, and so that's somewhere in the neighbourhood of about six. I would not have thought that if that is expected to be continued, it is justification for going from the order in council, as it previously was, to a discretionary ability by an individual minister. I also have proposed an amendment to this and he said he would certainly give it very serious consideration.

I wanted to look up his particular remarks, but he indicated that my concerns were not justified, if I may use it in that form, because he said there would be a filing before the legislature, or some such filing whereby the information would in fact be made public. And perhaps the Minister of Finance could enlighten us and alleviate us of these deep concerns and the potential of abuses that could possibly emanate by the amendment to this particular bill.

HON. MR. ANDREW: — Well, I think that the member should be aware that there is a reporting mechanism now, a reporting system wherein that report has to go to the legislature with regards to remissions of taxes now. There's a report filed in the legislature for all remissions. I take that you are aware of. I am advised that that is done

now, and what you're suggesting is that we, I suppose, have an OC and have a gazetting of it as well. You know, and what that does I take it just creates that much more paper work to do and that much more effort to do, and therefore that would run into cost problems.

The hon. member gets some kind of a view, I take it, and I'm not referring specifically to this but the general thrust is that somehow this government is going to be in a sinister way covering something up. You are trying to make something out of something that does not exist. You are trying to create an issue, trying to raise doubts in the minds of the population that somehow there is some sinister hiding concept involved in this government. And as a result nothing could be farther from the truth. We are I would say by all comparisons and by all standards, the most open government ever to sit as a government in the province of Saskatchewan. I think it is an unfortunate statement, or an unfortunate attempt by the opposition to try to colour this government as somehow sinister in trying to be less than open with the people.

This is the most open government that has ever held office in the province of Saskatchewan; and I believe the population out there right now . . . What the population out there are interested in right now is not so much that they government do everything, they want to be part of what the government does. They want to be part of doing to make the province go, and not all government to do all the problems. So with that, I think your whole attack or strategy or direction is very ill-founded, and I would hope that in the interests of the people of Saskatchewan, and in the interests of a better system that you would cast that aside and try to find another area to attack the government. I know there is not very many but try to look at something that perhaps is a more thrusty attack.

MR. KOSKIE: — What a great little political speech but not very much evidence by the minister that there's nothing to fear, because certainly there is quite a considerable amount to fear with this government. They pretend to be an open government and they aren't. They indicated they wanted TV in committees when they were in opposition; now they are no longer for it, and hesitating, and thwarting it. And now in the appointment of executive assistants, they have devised a new secretive method of appointment of EAs. Before it was by order in council. Now they are sneaking them through in the dark of night in order that the public may not be informed.

And here now what they want to do is to give to the Attorney-General the power of remission. And I want to say that that is a pretty serious situation. Most of the fines and penalties that are imposed are done through a court system — court system, judicial system. And here we have one single individual, that doesn't even want to be accountable any longer, wanting to have the power, the power to remit, probably to some Tory friend. That's what he's getting at. He wants to be able to slide it through without an OC so some Tory that runs into a fine or something, that he can quietly slip it through without any order in council.

Obviously what they're doing here is some more political manoeuvring. And what I want to say, this utter nonsense about the total cost, it's just absolute nonsense. And they use it for every direction that they go, which they try to destroy the public's input into the affairs of this government and they're saying it's done for cost basis.

On the admission of the Attorney-General, there is only 24 of these in the past. Now maybe they anticipate there's going to be more now that he's got a hold of it. Maybe there's going to be more. And therefore maybe you have to look at the costs. But if you

look at what was going on in the past, there was only 24 in four years — six of them, just six per year, on the average. And to indicate that it's going to be a great savings — and I think he said something like \$2,400 or \$2,500 on individual OC which is absolutely, totally stupid to even put forward in, before this Assembly to support it, because obviously that figure has not been documented.

Certainly if the remission is going to be done by the Attorney-General, it seems to me a submission would have to be made to him with the factual background in the detail that the whole cabinet would look at it. Obviously he's not just going to have it on a back of a cigarette carton. Or maybe he is. Maybe he is. Maybe somebody's just going to run into his office and say, 'Look, I've had this penalty. I want it alleviated. It's under \$300, Mr. Attorney-General, and I'm a good Tory. Can I get that fed back to me — remitted?' And this is conceivably what they're setting up because they have absolutely no justification, because on the basis of the history of the volume, it just doesn't make sense to change it. It just doesn't. I want to specifically ask the minister if he's indicating that in respect to the filing of the number of remissions and so on is in the annual report, that's not very assuring in total. Because the filing of the report, to my knowledge, with the Minister of Justice is not mandatory. And secondly, it's delayed information that we would be receiving. And like orders in council . . . Before in the past, orders in councils were made available to the public shortly after the event — as soon as the order in council was passed.

I want to say, more secretiveness in this government. We have two orders in councils that were approved on April 20, and they won't tell us — they won't put them into the file. They're waiting until this House adjourns, presumably. And don't tell me that it's open government. This is not an open government. This is a government that is scared — scared to let the public look at their actions. And they have done it by the rejection of television, which they supported. They rejected what they were fighting for, is comprehensive auditing. They've rejected it by a sneaky, sleazy method of appointment of EAs. That's what they've done. And now what they want to do is to turn over, turn over, turn over — turn over, Mr. Minister.

And something — I tell you, you know, you need something to make you laugh, because you're so far down after your blunder in New York that you can hardly rise your head high enough that we can see you over the loudspeaker in front of you. I'm telling you, if you get down any lower, you won't even be noticeable.

I want to say, Mr. Minister, that we have proposed an amendment. The amendment simply provides that if there's a remission, that such remission would be published in the *Gazette*, and accordingly this could in fact be seen by the public and by the opposition. So I want to be more specific on this, Mr. Minister, and ask you: can you provide me with the specific information as to the procedure of the so-called filing that you sort of washed over, and outline that immediate and more detail? But more specifically, if you have nothing to hide, why not adopt the amendment which we have proposed and put it into the *Gazette*? Certainly the public has every right to know it. I don't think we should take it lightly because these are penalties that have been imposed by due process of law, and it seems to me that for one single individual minister to have the power of the remission just is, I think, usurping the responsibility and the accountability to the public.

HON. MR. ANDREW: — Well, the hon. member raises several points, I think all of them not founded on logic and reason and fact.

Let's deal, first of all, with his allegation, that the TV in the committees is not . . . (inaudible interjection) . . . The problem with the hon. members opposite is that they are unaware of the fact that there's a board of internal economy, of which they have two members on the committee — two members on the committee. Both the members . . . (inaudible interjection) . . . Just listen to this one. Both of the members don't happen to be here today, but we had a committee meeting this week, I believe. This week we had a committee meeting of which we dealt specifically with the question of television in committees.

What we looked at is a proposal . . . (inaudible interjection) . . . The members opposite don't want to hear the answer to this question . . . (inaudible) . . . Well, I'll tell you. He says, 'It doesn't make any sense,' and yet that committee represents two members of cabinet, two members of government back-bench, two members of opposition. At that meeting there was one cabinet minister — myself — two members of the government back-bench, and two members of the opposition — the member from Assiniboia and the member from Pelly. And there was a resolve that we look at the whole question of television in committees. The suggestion that we will pursue with those received — received, Mr. Chairman — unanimous — unanimous — consent. In other words, the two members opposite that are not there today forgot to tell the other colleagues, the lawyer colleagues, of the NDP caucus that they agreed to this overall proposal to look at in fact delivering television coverage to the committees in the Saskatchewan legislature.

We are dealing with that. They're just not aware of it. Not only that, but they're not aware that their own members voted with the government members in a unanimous resolution in that committee. So they raise the point that somehow the government is trying to hide something through this committee. If that is the best argument that they can mount, and I think that is the strongest that they can mount that somehow that this government is trying to hide something.

Now, I will mention comprehensive auditing. I'd like to go back and talk about comprehensive auditing for a minute . . . (inaudible interjection) . . . The hon. member now doesn't want to hear about comprehensive auditing, so I won't go into comprehensive auditing. The hon. member talks and says, 'Well,' he says, 'it's only a few thousand dollars. What's a few thousand dollars?' Well, I'll tell you. My grandmother always told me a penny saved is a penny earned.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. ANDREW: — My grandmother was a wise old lady. And the members opposite are always of the view that you spend here, spend there, spend the next place, spend the next place. Don't worry about responsible looking after the dollars. Create more red tape and hurdles to have to go through. That's the way to do it. That's the way to run a government. They ran one for 11 years that way. They're paying for it now. We're changing from that system. Now they make reference to somehow of a sleazy system that we have for dealing with our executive assistants and ministers' assistants to the various ministers.

The members opposite wrote the book on sleaziness with regard to this subject. Here's what we have done and if somehow, if this is sleazy . . . I don't know how they define that word. What we have said is that where you're appointing a ministerial assistant who will be doing some political work —and that's accepted by all, including the members opposite —than you put him into an overall blanket OC. Consistent.

MR. SHILLINGTON: — Mr. Chairman, I'm having difficulty fitting these comments within the four corners of The Penalties and Forfeitures Act. I wonder if the minister is in order.

HON. MR. ANDREW: — Mr. Chairman, I simply . . . Response to the point of order.

MR. VICE-CHAIRMAN: — Order, please. My ruling would be that I think both sides were somewhat out of order and strayed perhaps a little bit from Bill No. 55. I would like to remind you that we are on Bill No. 55, clause no. 1, and if we could kindly get back to the topic at hand.

HON. MR. ANDREW: — The only thing I was attempting to do, Mr. Chairman, is when somebody refers to my colleagues as sleazy, I think I should only have the right to try to defend and explain that in fact it is not sleazy in nature at all.

With regards to the question, is that the annual report has to be filed. The annual report of the Attorney-General is filed and in that annual report we must set out the details of the remission which we would propose to do. We believe the department has in fact looked at the situation. We are giving serious consideration to making an adjustment, making an amendment to this particular bill, Mr. Chairman, and I suggest that we will make that particular amendment to the bill. The one proposed by the members opposite is, as usual, has gone a little bit too far and we were proposing to move only section (b) of that and not section (a) of that.

If you would permit me, Mr. Chairman, I would simply read from the illustrious column of the *Leader-Post*, one Dale Eisler, just to try to bring one's view, one media view, with regard to the functioning of the opposition. It says, and I'll read . . .

MR. SHILLINGTON: — I thought your ruling indicated, Mr. Chairman, that this line of discussion was outside the bill. And I wonder why the minister is being permitted to continue it.

MR. VICE-CHAIRMAN: — I would ask the Minister of Finance to perhaps explain to us how the newspaper clipping relates to the bill.

HON. MR. ANDREW: — The thrust of the hon. member's attack with regard to this bill was that it was a means by which the government was trying to use the legislation to cover up and to hide . . . (inaudible interjection) . . . No, he refers to it as potential. Now, that seems to me to be a very serious accusation against the government, of cover-up and trying to hide something. I simply want to — and this is a political forum — I simply should have the opportunity to try to counteract that argument with regard to cover-up. And I would simply try to react to it . . .

MR. KOSKIE: — On a point of order, Mr. Chairman. I wonder if the Chairman could make a ruling as to the relevancy of the comments, and that the hon. member should not have the opportunity merely to stand up and continue on explaining to you why he wants to go on with non-relevant material. And accordingly I've asked a specific question into the safeguards in respect to this, and that's exactly what we're asking for . . . (inaudible interjection) . . . Somebody else is on his feet, Mr. Chairman. I have the floor, I would have thought. Can you sit him down?

I would like to get some order into the committee of the whole in the discussion of this here bill, and this principle which is important. And the opposition are not apparently addressing their concerns. I have indicated to them that I have an amendment. And the Attorney-General, the Minister of Justice, indicated that he would take a very serious look at it — a very serious look — because he understood our concern. And that's the point. And so I want to ask the minister, and I have . . . That's what I want an answer from: what are the safeguards which will in fact replace the safeguards which we had before by the OC?

HON. MR. BERNTSON: — Mr. Chairman, it seems to me that what we were discussing here was a point of order raised by the member from Regina Centre.

MR. VICE-CHAIRMAN: — I would like to remind the member that you can only interject on a point of order. Are you making a point of order?

HON. MR. BERNTSON: — If I rise now on a point of order, what we've got then is three points of order on the floor, in rapid succession. If I can speak to the point of order.

MR. VICE-CHAIRMAN: — I would ask the Minister of Agriculture to please take his seat. The member for Quill Lakes did have the floor. If we could just hang tough here for a minute or so, I'll take this under advisement.

I would ask the member for the Quill Lakes to continue.

MR. KOSKIE: — Well, thank you very much, Mr. Chairman. I know that you haven't been here around much in respect to watching the proceedings in the committee, and I appreciate very much . . .

MR. VICE-CHAIRMAN: — I would remind the member for Quill Lakes to continue with the point of order. I believe you are straying from the subject at hand.

MR. KOSKIE: — The question that I want to ask the substituting minister that's bringing in this legislation is: can he indicate the guarantees that we have as to the information . . .

MR. VICE-CHAIRMAN: — Would you please get to your point of order, please.

AN HON. MEMBER: — Pardon?

MR. VICE-CHAIRMAN: — What is your point of order, sir?

MR. KOSKIE: — My point of order is that the minister wasn't answering my question, and I thought you ruled that he was out of order, and that I in fact had the floor again.

MR. VICE-CHAIRMAN: — I did not rule that, sir . . . (inaudible interjection) . . . Yes, I will.

HON. MR. BERNTSON: — Mr. Speaker, I would like to speak to the point of order. The question raised by the Chair, as I understand it, was: what relevance does the newspaper article have to the bill that we're dealing with in committee right now? That was the question raised by the Chair. Well, in order to explain what relevance it has, I want to put on the table, Mr. Chairman, the relevant section of the article. The relevant section of the article, Mr. Chairman:

It is this rather benign attitude that the problems faced by the NDP are the result of misdirected political awareness amongst others, rather than any specific mistakes made by the party, that makes it a prisoner of its own self-righteousness.

That is the particular quote that is relevant to this debate, Mr. Chairman, because they are in fact victims of their own self-righteousness throughout this whole debate. I think that is relevant to the debate, Mr. Chairman.

MR. VICE-CHAIRMAN: — All right. The original point of order, the question before us, was: was the subject relevant to the bill that we were discussing? My ruling would be: yes, I believe the newspaper article is relevant, and I would ask the Minister of Finance to get back to the bill at hand.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. ANDREW: — I will resist now referring to the . . . (inaudible interjection) . . . Mr. Chairman, to show that in fact this government has listened. What we are prepared to do is the proposed house amendment; to accept the amendment to section 2(3) of the printed bill. Part (a) which was proposed we would not accept, because it doesn't make sense. But part (b) we are prepared to accept, and the Attorney-General had a similar-type legislation being prepared to draw up for that, so that we can show that we are a government that are prepared to listen.

And subsection (b) which we would agree to, would read as follows — by adding after 'part' in the last line of section 2(1.1) of the act as being enacted by section 2 of the printed bill the following: 'and shall cause to be published in part 1 of the *Gazette* a notice with respect to each penalty or forfeiture remitted by him pursuant to this subsection showing: (a) the name of the person whom the remission related; (b) the charge with respect to which the penalty or forfeiture was imposed; (c) the amount or effect of the remission.'

So what we are prepared to do, Mr. Chairman, to show what we are prepared to do — and referring to the Hon. Attorney-General's statement of May 20, 1983, in which he said:

I will consider the amendment proposed by the opposition. I do believe on the face of it . . .

But he did say that he is prepared to look at it, propose to make some changes. We're prepared to accept half of that amendment. That shows to me a government that's prepared to listen to a reasoned suggestion sometimes coming from the opposition. If the member opposite, the hon. member from the Quill Lakes, had referred his comment to the bill in question and related to that specific amendment, and not had to venture out into the area of television land, and to talk about how proud he is of the fact that Saskatchewan were turned down by the Manhattan boys dealing with the NHL franchise, and talking about some kind of a sleazy thing that the Executive Council or the Executive Assistants to ministers, all hard-working young people, are doing, then we would have got on with this job 15 or 20 minutes ago.

But, Mr. Chairman, I can assure you that when a member opposite makes false accusations, or irritating responses, accusations against the members of this side, I

can assure you that we're not prepared to sit on our backsides and let that happen. We're going to fight back, and we've always done that, and we always will do that. We make no apologies for it. If the hon. members wishes to take credit for the amendment, I would simply invite him to move the amendment with the section (a) scrubbed out of it, and I would then advise and invite all members of the House to unanimously support that amendment and all will be well.

MR. KOSKIE: — Precisely what I was asking, and I'm glad that the opposition, in a responsible way, have come forward with the amendment. I am glad that in view of the responsible way in which we put forward our case of the accountability, that indeed the Minister of Finance has in fact accepted the opposition's responsible amendment. I think to be . . . Certainly if it hasn't been a change of heart during the debate here, I am rather surprised that the Minister of Finance did not initially, at the beginning indicate clearly to us that he was going to consent to our amendment.

Instead, he opted not to inform us until after we had raised our very serious concerns with what was in fact the possibility of accountability. And so I congratulate the minister for following the direction of the very responsible opposition. I certainly will, Mr. Minister, proceed with the amendment deleting that which you have indicated.

HON. MR. ANDREW: — I would certainly be open, and I'm sure the committee would be open, if there's no other concerns with the bill, to move to that particular section and have the hon. member move that amendment, and we can then vote on it and away we go.

Clause 1 agreed to.

Clause 2

MR. VICE-CHAIRMAN: — There has been a proposed amendment. I would seek a little bit of clarification as to just what portions of that amendment have been accepted or have been deleted.

HON. MR. ANDREW: — Okay, Section (a) is unnecessary, so if we could make . . . Strike out from (a) down to (b), and then call (b), (a). Then away we go.

MR. KOSKIE: — Yes, that's fine. That's what I propose to do. I can initial that if you want, but if it's all right, Mr. Chairman, to proceed with that, we're in agreement.

MR. VICE-CHAIRMAN: — Is it agreed then that we will pass clause 2 as amended with the exception of portion (a) being deleted and portion (b) being changed to portion (a)? Is that agreed? Okay, and I'd read portion (b). It reads:

By adding after 'part' in the last line of subsection 2(1.1) of the act as being enacted by section 2 of the printed bill, the following: 'and shall cause to be published in part 1 of the *Gazette*, a notice with respect to each penalty or forfeiture remitted by him pursuant to this subsection, showing: (a) the name of the person to whom the remission relates; (b) the charge with respect to which the penalty or forfeiture was imposed; and (c) the amount or effect of the remission.'

Is that agreed?

Clause 2 as amended agreed to.

Clause 3 agreed to.

The committee agreed to report the bill as amended.

Bill No. 56 — An Act to amend The Police Act

Clauses 1 to 9 inclusive agreed to.

The committee agreed to report the bill.

Bill No. 57 — An Act to amend The Jury Act, 1981

Clauses 1 to 11 inclusive agreed to.

The committee agreed to report the bill.

THIRD READINGS

Bill No. 55 — An Act to amend The Penalties and Forfeitures Act

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

Motion agreed to.

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

Motion agreed to and bill read a third time.

Bill No. 56 — An Act to amend The Police Act

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

Motion agreed to and bill read a third time.

Bill No. 57 — An Act to amend The Jury Act, 1981

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

Motion agreed to and bill read a third time.

HON. MR. BERNTSON: — Mr. Speaker, because all members of the legislature are anxious to go to Mosaic this evening, I move this House do now adjourn.

The Assembly adjourned at 5:04 p.m.