

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 27, 1983

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

WELCOME TO STUDENTS

MR. MARTENS: — Mr. Speaker, it gives me a good deal of pleasure on behalf of the Hon. Joan Duncan to welcome to the legislature today a school from Tompkins, Saskatchewan. They are accompanied by Lance Wellsch, Helen Paul, and Margaret McIntyre. We want to welcome them here. They are in the Speaker's gallery, and I'll be meeting with them at 11 o'clock for drinks. I'd like the Legislative Assembly to welcome them.

HON. MEMBERS: Hear, Hear!

MR. MARTENS: — I would also like to welcome on behalf of the Hon. Pat Smith the Central School from Swift Current, Saskatchewan. They are accompanied by Connie Giesbrecht, Louise Taylor, Donna Kehler, and Jo Appleyard. And we want to extend to them also a welcome and hope they have a good time of entertainment, and also a practical knowledge and understanding of what the legislature does.

HON. MEMBERS: Hear, Hear!

QUESTIONS

Canpotex

HON. MR. BLAKENEY: — Mr. Speaker, I direct a question to the minister in charge of the Potash Corporation of Saskatchewan, and it has to do with sales of potash and to do with the comments attributed to the premier in his recent trip to Brazil. I will quote briefly from statements referring to the Premier's remarks:

The marketing arm of Canada's potash producers must find ways to make its potash 'irresistible' if it wants to regain its market share in Brazil, premier Grant Devine said . . . Devine's comments about the loss of market share in Brazil from 37 per cent in 1980 to only 16 per cent in 1982 appear to serve notice on the Canadian potash marketing agency, Canpotex, that the Government of Saskatchewan wants some changes made in Canpotex's marketing strategies.

My question to the minister is this: will he concede the fact that it was unwise for PCS to put its fortunes in the hands of Canpotex which has seen our market share, Saskatchewan's market share in Brazil, dropped from 38 per cent to 16 per cent?

HON. MR. MCLAREN: — Mr. Speaker, I will not agree whatsoever that the reason that the market share has dropped is due to Canpotex. I'm sure that the share would have dropped if PCS International had been involved with the marketing as well. It's a world-wide problem. We've just returned from a trip and it only confirmed the feelings that we

had before we left.

HON. MR. BLAKENEY: — Supplementary, Mr. Speaker. It's obviously not a world-wide problem for somebody, because our market share has dropped from 37 per cent to 16 per cent, and somebody else's market share has gone up to take into account our loss. So the question I ask is this: does the minister know who took over the markets which Saskatchewan lost, and what steps is the minister taking to regain those markets which were lost because of the activities of Canpotex?

HON. MR. MCLAREN: — Mr. Speaker, I'd like to remind the members opposite that we did not take over the potash corporation until April 26, and if you'd like to review your performance from January 1 to April 26, and you were still in Canpotex at the time, that the 50,000 tonne sale that the Premier has evidently made in Brazil now is four times greater than what you did during that same period in 1982.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. BLAKENEY: — Supplementary, Mr. Speaker. It may well be, as the minister says, that Canpotex was performing badly when we were in government in the early days of 1982, but our action was to withdraw from Canpotex. Your action was to stay in Canpotex. I ask you this: are you now still wanting to stay in Canpotex in the light of the statement attributed to the Premier that 'Saskatchewan wants some changes made in Canpotex's marketing strategy'? Are you convinced that you can get those changes, and should you not now be taking steps to withdraw from Canpotex?

HON. MR. MCLAREN: — Mr. Speaker, nothing to this date has told me that we should make any change in the decision that we made in last April. And the loss of markets to Brazil is the fact that they can't afford to buy the potash in the first place, with an \$80 billion deficit, and the reason that we lost was we were not in a bartering agreement with them. The East Germans sold the first 500,000 tonnes into Brazil; the Germans took — I don't know what — coffee, rubber, tires, whatever, as a barter agreement. We participated in anything over 500,000 tonnes, but the last year Brazil has not bought in excess of 500,000 tonnes. If we got over that we'd be participating.

The only other thing that the Premier is saying: maybe we have to look at some bartering agreements, if that is feasible, but that's a costly venture as well.

HON. MR. BLAKENEY: — Supplementary, Mr. Speaker. Will the minister not concede that one of the difficulties with Canpotex is that they are unwilling to look at other methods of selling, whereas PCs International could have looked at other methods of selling potash so that we could have retained the Brazil market which we have now lost?

HON. MR. MCLAREN: — Mr. Speaker, I'm going to reiterate what I said in the first place. We have every confidence in Canpotex and the fact that the Premier and ourselves are working with them to accommodate and improve our market share in a number of areas. We will see the results very shortly.

2,4-D Spill in Moose Jaw

MR. SHILLINGTON: — Thank you, Mr. Speaker. A question to the Acting Premier, in the absence of half of your cabinet. Have you . . . (inaudible interjection) . . . Mr. Acting Premier, the question to you is whether or not you have received the report on

yesterday's spill of 2,4-D in Moose Jaw. I'd advise the Acting Premier to answer this question with some care, because there's a lot of people in my riding who darkly suspect that this is the government's way of improving the water in Regina — to dill it with 2,4-D.

Mr. Minister, can you report to the Assembly how the spill came about, what chemicals are involved, and whether or not the Department of the Environment officials are on the scene checking to see what damage has been done and what action needs to be taken to rectify the situation?

HON. MR. BERNTSON: — Well, Mr. Speaker, I'm not prepared to report to the House. I know about as much about it as the member opposite. I understand the news report is that it tell of a truck. Naturally those people would report to the Minister of Environment, and he would be looking into it. I will take notice of the question and take it up with my colleague, the Minister of Environment, and in all likelihood he will be making a report in due course.

MR. SHILLINGTON: — Well, will you also undertake to ask the minister to report to the House on the danger to the public living downstream from the spill? Because a fair portion of Saskatchewan's population do live downstream.

HON. MR. BERNTSON: — I'm sure that the minister will take the appropriate action, Mr. Speaker. But I would caution the member opposite not to get carried away with his alarmist-type statements, and to allow the minister to work in the proper environment in protecting our environment.

Uniforms for Western Canada Summer Games

MR. LINGENFELTER: — Mr. Speaker, my question is to the Minister of Culture and Recreation. It has to do with the awarding of a contract to an out-of-province firm to supply uniforms for the Western Canada Summer Games. I wonder if the minister can inform the Assembly and the people of the province how many bids were received for the contract, how many were Saskatchewan bidders, and how much difference there was between the lowest bid out of province, and the lowest bid from within Saskatchewan.

HON. MR. SCHOENHALS: — Mr. Speaker, I don't have the exact numbers on that. I can take notice. I would indicate that there were well over 30 bids for the total package, and in fact a portion of that ward did in fact go to a Saskatchewan company.

MR. LINGENFELTER: — Mr. Minister, then you're saying they reports, the press reports, that say that a Winnipeg firm got the contract are inaccurate? Is that what you're saying?

HON. MR. SCHOENHALS: — Mr. Speaker, no. I'm not saying that. I'm saying that the Winnipeg firm did in fact get part of it; part of it went to a Saskatchewan firm. There were a number of portions to the tender. There are more than one piece of clothing in a uniform.

Accessibility Legislation

MR. SHILLINGTON: — Thank you, Mr. Speaker. It's a question to the Minister of labour. Mr. Minister, we now have two ministers, yourself and the Minister of Social Services,

who have promised accessibility legislation — legislation which will guarantee the handicapped the access to public buildings. If I recall correctly, you promised by a virtual certainty that it would be introduced in the current session.

Mr. Minister, since you people are apparently having trouble keeping the order paper filled with enough work to keep the Assembly going, has your administration considered introducing legislation which will guarantee the handicapped access to public buildings?

HON. MR. MCLAREN: — Mr. Speaker, we have been working diligently on the accessibility standards. There's a lot of areas of funnel through to get comments on from various departments, and I understand that that's the stage that it's in.

MR. SHILLINGTON: — Well, new question, Mr. Minister. I'm having some difficulty understanding all the difficulties that you're having. There are any number of drafts around. Has the minister considered simply introducing the legislation which the member from Regina South introduced when in opposition?

HON. MR. MCLAREN: — Mr. Speaker, we've taken into consideration both acts that died on the order paper a year or so ago, and as I said we're working diligently on it and it'll be presented as soon as we're ready with it and it's not that far away.

SOME HON. MEMBERS: Hear, Hear!

MR. SHILLINGTON: — I'm interested in that last phrase, 'It's not that far away.' Is it the minister's intention to introduce the legislation now and leave the legislation stand on the order paper so that you may receive public comment on the draft before it's passed?

HON. MR. MCLAREN: — Mr. Speaker, I can't answer. It just depends on when it gets all through the various departments that are looking at the act — the clauses in the act — to see if there's anything that is going to cause problems in any other areas. We've been going through the National Building Code, and our own codes, and the acts that were presented before. We've got a rough draft ready, but the other departments are looking at it, as well.

MR. SHILLINGTON: — One final supplementary, Mr. Minister. Do you have a timetable by which you want to introduce the legislation? Do you have a timetable by which you're going to introduce the legislation?

HON. MR. MCLAREN: — I can't set the timetable until I know when it's going to be ready, and as soon as it's ready it'll be tabled.

Designation of Provincial Heritage Property

HON. MR. BLAKENEY: — Mr. Speaker, I have a question to the Minister of Culture and Recreation, and this concerns a heritage property, and it concerns the designation of provincial heritage property. I understand that the Union Station in Regina has been designated, or rather a notice of intention to designate has been given to the owners thereof — CP Rail and/or Via Rail — that this will be designated as a provincial heritage property. I ask the minister whether or not that information is correct.

HON. MR. SCHOENHALS: — That is correct, Mr. Speaker.

HON. MR. BLAKENEY: — Supplementary, Mr. Speaker. Does the minister have any intentions to similarly give notice of intention to designate as provincial heritage property the CPR station at Saskatoon?

HON. MR. SCHOENHALS: — Mr. Speaker, at this tie the CPR station in Saskatoon, I understand, is being considered as a . . . to be a civic designation. We have not, at this time, made any indication of designation on that site.

HON. MR. BLAKENEY: — Short supplementary, Mr. Speaker. Is the minister able to advise the House when his department will be making a decision as to whether, or when, it would likely designate the CPR station in Saskatoon as a provincial heritage property?

HON. MR. SCHOENHALS: — No.

Availability or Orders in Council

MR. LINGENFELTER: — Mr. Speaker, a question to the House Leader. For two days last week I believe — one day last week and one day this week — the minister took notice of a question concerning two OCs dated April 20th, and in light of the fact that he took yesterday evening off. I wonder if he has had time to search the records to find out whether or not those two OCs have been found, or exactly what was contained in them? Can he now inform the House and the public as to the contents of those two missing OCs?

HON. MR. BERNTSON: — Well, I want to tell the hon. member about my last evening last night, Mr. Speaker. It was a very enjoyable evening. I started at the Greek pavilion and we had some very nice Greek pastry, and some white wine, and some red wine . . .

MR. SPEAKER: — I would ask the hon. member to come to the question.

HON. MR. BERNTSON: — I'm trying to explain, Mr. Speaker, that my evening last night wasn't spent in researching the whereabouts of the two missing OCs. In fact, the best part of the evening was taken up honouring an invitation from the ethnic communities in Regina. I, in fact, went to five pavilions, and not one of those pavilions did I see any of the members of the opposition, with the exception of the Leader of the Opposition, and I acknowledge his presence at one of them.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. BLAKENEY: — Brief supplementary, Mr. Speaker. Has the minister found the two missing OCs, and is he in a position to report?

HON. MR. BERNTSON: — I'm not in a position to report, Mr. Speaker, and for that I apologize to the House. I know my staff people were trying to get a hold of me this morning, and I was tied up in another meeting. They may or may not have it; I don't.

HON. MR. BLAKENEY: — Supplementary, Mr. Speaker. In respect of his invitation from the ethnic communities to visit pavilions at Mosaic, is he now advised that the Celtic pavilion which he visited was representing both Scottish and Welsh cultures, and not simply a Scottish pavilions was reported publicly by the member from Turtleford?

SOME HON. MEMBERS: Hear, Hear!

HON. MR. BERNTSON: — I would advise all members of the House and indeed the public through this wonderful media of television, that my darling little Welsh wife also tuned in the member from . . .

Item Pricing in Supermarkets

MR. SHILLINGTON: — Thank you very much, Mr. Speaker. It's a question to the minister of co-operatives.

Our family intend to go Saturday night when the House wasn't expected to be sitting. I spent my evening researching, Mr. Minister.

I assume, Mr. Minister, that you'll now be adding the *Western Producer* to the *Leader-Post* and the *Star-Phoenix* and the other list of media of whom you are complaining. The question, Mr. Minister, rises out of a report in the *Western Producer* in which you advise consumers not to complain to you about the proliferation of electronic price scanners.

My question, Mr. Minister, is whether or not you have any idea of what the function of the department of consumer and corporate affairs is if it isn't to give consumers a place to complain about institutions such as supermarkets with whom they cannot bargain on an equal basis.

HON. MR. SANDBERG: — Well, Mr. Speaker, I do indeed agree with the member from Regina Centre that the Department of Consumer and Commercial Affairs is a department that should receive complaints. I do agree with him whole-heartedly on that point.

We as a government decided that we were not going to legislate the grocery industry in Saskatchewan in matters of item pricing. However, I would agree, but I would advise that for those concerned with electronic scanners, that they register their complaints most vociferously with the industry itself if they want to get some action. We had decided as a government we were not going to legislate them. Now I've advised them, and I think wisely advised them, to take their complaints to the grocery industry itself, either by boycott, by personal complaint to the management or the ownership, and by those methods.

MR. SHILLINGTON: — Supplementary, Mr. Minister. May I suggest to you, and I'd ask you to comment . . . surely, Mr. Minister, the reason why this department of consumer and corporate affairs has been set up is because that is not always realistic to ask consumers to bargain collectively with a supermarket. Mr. Minister, I'd add, you seem to agree, or at least the reporter from the *Western Producer* suggested you seem to agree, because the last paragraph says:

Sandberg agreed that it is time the department, the Consumer Association of Canada, and the industry met to work out a solution to the problem.

So in part at least you seem to agree you have a responsibility, and I'd ask the minister to comment on that.

HON. MR. SANDBERG: — Yes, my department has an ongoing consultation with the grocery industry in terms of shelf-pricing, labelling if you will, and we have an ongoing consultation between our consumers branch and the department with the industry, and we're very cognizant of what is going on between public and the grocery industry in that area.

MR. SHILLINGTON: — Well, a new question, Mr. Speaker. And, Mr. Speaker, let me add by way of background that Ruth Robinson, who is a member of the Consumers' Association of Canada task force, complains that precisely the fears that they voiced last fall have materialized; that is, that consumers cannot tell what the prices of the articles are, and she says it is impossible without body contortions to find the prices of articles on shelves and, further, that there are not alternative for consumers. The same individual reports that more stores have changed to check-out scanners and only one of six in the south-east area of Saskatoon has retained item pricing. Will you admit, Mr. Minister, that precisely the fears they voiced have materialized, and that it is time for your department to take action and to protect consumers?

HON. MR. SANDBERG: — No, Mr. Speaker, I will not admit that at all. I have talked to many women in the province of Saskatchewan, my wife included, who finds it very convenient to shop at stores that have the scanning equipment. They say that they move through the lines much faster; they have the slip that describes the article and the price and the amount and so on. Now, I'm not here to defend the grocery industry. I have said, as a government, we are not going to legislate them into individual item pricing. The consumers that have a problem with this service provided by the co-ops, the Safeways, and some of the other stores in Saskatchewan, should direct their complaints towards them, not towards this government. This is a free-marketing government.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. BLAKENEY: — Mr. Speaker, a new question to the Minister of consumer Affairs, and it deals with the same matter as we were dealing with earlier. And let me make clear to the minister that no one is complaining about electronic check-out equipment; that's not the argument. The argument to him is: does he not assume any responsibility for permitting consumers to know the individual price of commodity when they take it off the shelf?

HON. MR. SANDBERG: — I don't assume responsibility for that personally, no. The department, as I said, is in consultation with the grocery industry on this matter, to see that the shelving — the price marked on the shelving — is of adequate size that anyone can read it clearly. But that is up to the grocery industry.

HON. MR. BLAKENEY: — Further supplementary. If investigation shows that this is not the case, that consumers cannot find on the shelves what the individual price is, does the minister assume that it is his responsibility to take any action on behalf of consumers?

HON. MR. SANDBERG: — Yes.

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Speaker, Mr. Minister, a supplementary. If evidence is produced to the minister that consumers are having difficulty

ascertaining the price of individual items because of the misplacing or the non-placing of shelf prices, will he agree that he will take action?

HON. MR. SANDBERG: — Yes, I would.

Lay-offs at Saskatchewan Research Council

HON. MR. BLAKENEY: — Question to the Minister of Economic Development and Trade, and this concerns the Saskatchewan Research Council, which, I assume, is still your responsibility, sir. Mr. Speaker, I direct a question of the minister responsible for the Saskatchewan Research Council, and I refer to a report of about a week ago indicating that another eight employees of the Saskatchewan Research Council are receiving lay-off notices. This was reported by Dr. Thomas Pepper, the director. Pepper said seven of the eight people are involved in service work for outside clients and business has fallen off, with the eighth is a reduction in internal services. Can the minister indicate what business has fallen off which causes the dismissal of another eight employees of the Saskatchewan Research Council?

HON. MR. SANDBERG: — Yes, the Leader of the Opposition, Mr. Speaker, is correct. There were eight lay-offs. The lay-offs were triggered by a lack of work for analytical chemists in the contractual end of the Saskatchewan Research Council's operation.

MINISTERIAL STATEMENTS

Small Business Employment Program

HON. MR. MCLEOD: — Thank you, Mr. Speaker. Mr. Speaker, I rise under ministerial statements today to inform the House of the positive feedback our department is receiving from the small business employment program that was unveiled in the March 29 budget by my colleague, the Minister of Finance.

In that budget, we recognized the urgent need for generating employment activity in this province and we also recognized the vital role small business plays in our economic growth. It became obvious then that we had to respond to the issue of more jobs in more businesses in the small business employment program. As of late yesterday, Mr. Speaker, 2,243 requests for applications have been received, both through the mail and telephone, from small businesses wishing to become involved in the program. To date, 679 of the application forms which we mailed out in response to requests have been returned to our department for approval. Of these, 650 have been approved with 23 pending, waiting for additional information. As a result, Mr. Speaker, the small business employment program can now be credited with having created in excess of 1,200 new full-time jobs for Saskatchewan residents.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. MCLEOD: — And I might add, Mr. Speaker, at an average wage of \$6.35 an hour.

At the outset of the program, there was some concern expressed by opponents to it that major provincial companies, including multinationals, might be the actual benefactors. This has not been the case nor was it ever intended, and I'm pleased to announce

that in fact not one single application has been received from that particular sector. The actual size of the average business responding is 5.3 employees, representing service industries, manufacturing, transportation, warehousing and retail/wholesale.

The tremendous success of the program to date lies in the basic simplicity of the application form which is so condensed and straightforward that a business literally qualifies or disqualifies itself before submission. For this reason, the small business employment program has proven to be an excellent illustration of our government's dedication to expediting matters of mutual concern between government and business. The days of over-regulating, overburdening and totally frustrating business people ended with the last election.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. MCLEOD: — AS a point of interest, Mr. Speaker, the very simplicity of the application and the quick turn-around on approval has been one of the most positive responses we've received from the business sector, as well as from the various service clubs who are aware of the assertive implications of this program.

As the House is aware, \$20 million has been allocated for the small business employment program. Our financial commitment to date is \$5.38 million. As the first application was received just 30 days and we have already designated better than 25 per cent of the budget allowed for this program, it is obvious that an, objective of creating 4,000 jobs by the expiry date of the program, which is the end of August, will be reached long before then.

For this reason, Mr. Speaker, I would like to advise the House that through our media campaign we are urging potential applicants to submit their requests as soon as possible, and again I encourage all members of the House to assist in the promotion of this program to the small business sector of Saskatchewan.

SOME HON. MEMBERS: Hear, Hear!

MR. SHILLINGTON: — Thank you, Mr. Speaker. I only want to applaud one portion of that ministerial statement, and that is that portion where you indicate that you are conducting a high-intensity media program to encourage more people to apply, because unless you do, you are never going to reach your goal by the end of August. Mr. Minister, you have only got back 600 applications, and you want to save 4,000 jobs. You are a very long ways away from reaching your goal of less than 20 per cent.

So I say to you, Mr. Minister, that this program has fallen well short of its goals, and is likely to. If it had not been so awkwardly constructed, it might have been more successful. If this program had not started out as a tax credit program, and been reconverted, it might have been more successful.

I say as well to you, Mr. Minister, that if this is your answer to unemployment among young people, it is scarcely making a ripple in the problem. The problem in young people getting jobs is universal. There's no question but what it is the over-arching economic problem of our time. The number of young people who can't get jobs and who are frustrated and unhappy and becoming cynical about our society alarms me, and I hope that it would alarm the government. I would have hoped that we would have had from the minister some expression of concern and some statement as to how your government is going to deal with this problem, rather than the silly, trite statement

which crowns about a program which is not succeeding.

INTRODUCTION OF BILLS

Bill No. 91 — An Act to establish a Horse Racing Commission for Saskatchewan

HON. MR. BERNTSON: — Mr. Speaker, I move first reading of a bill to establish a Horse Racing Commission of Saskatchewan.

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

Bill No. 92 — An Act to amend The Liquor Act

HON. MR. BERNTSON: — Mr. Speaker, on behalf of the hon. member, I move first reading of a bill to amend The Liquor Act.

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

Bill No. 93 — An Act to amend The Liquor Licensing Act

HON. MR. BERNTSON: — Mr. Speaker, on behalf of the hon. member, I move first reading of a bill to amend The Liquor Licensing Act.

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

CONDOLENCES

HON. MR. TAYLOR: — Mr. Speaker, before orders of the day I would like to put forth a statement of condolence.

As all members are aware, a tragic accident took place near Strasbourg yesterday. A school bus operated by the Last Mountain School Division was in collision with a farm truck, resulting in the deaths of the bus driver, Mr. Walter Woynarski, and a young five-year-old student, Craig Myers.

It is tragic circumstances like this one that serve to remind all involved in education of the tremendous responsibility we bear for the safety and the well-being of our most precious resource, our youth.

Mr. Speaker, on behalf of the government and all members of the Assembly, I would like to express my sincere condolences to the community of Strasbourg and to the families in their hour of grief.

HON. MR. BLAKENEY: — Mr. Speaker, I would like to add my words of condolence to those of the Minister of Health. Over the years we have been, I think, remarkably fortunate in the number of students who have travelled on school buses, and who have travelled safely. It has partly been the care taken by many, many dedicated school bus drivers; partly, I think we all would have to admit, good fortune. We are now faced with a tragedy in respect of which I think nobody is casting blame. We are, however, very conscious of the fact that there is this heavy responsibility resting upon all who arrange for the conveyance of children by bus to or schools. And I join with the Minister of Health in expressing our sympathy to all those who were bereaved, and the community of Strasbourg who must feel very much involved in this tragedy.

ORDERS OF THE DAY**COMMITTEE OF THE WHOLE****Bill No. 58 — An Act respecting Local Government in Northern Saskatchewan****Clause 1**

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

HON. MR. MCLEOD: — Yes, Mr. Chairman. I would like to introduce to the committee the director of municipal services branch of the Department of Northern Saskatchewan, Gerry Stinson, who is on my right; and over on his right is Russ Hart, who is really a lawyer in private practice now, but was with the department of the Attorney-General and has been working with us diligently on the drafting of this bill.

MR. SHILLINGTON: — Thank you very much, Mr. Chairman. Mr. Minister, if you don't have any objections I and my colleagues intend to deal with a number of general issues under section no. 1 before we move on to the specific sections.

Mr. Minister, I reviewed your legislation in what time was available to us. I won't repeat my litany of complaints about the scheduling of legislation in this session, but I will . . . (inaudible interjection) . . . That's to some extent true with respect to this legislation — it's not a new piece. However, we still didn't know what was in it until we saw it introduced. Mr. Minister, would you outline for the benefit of the opposition what your revenue-sharing concept is? Does it parallel the revenue-sharing concept of the southern municipalities? If it does, that would be one thing. Is it tied to resources, as was suggested by Mr. Justice Bayda some years ago, or have you yet some third formula for the revenue-sharing concept?

HON. MR. MCLEOD: — Mr. Chairman, as the hon. member will know, will be no doubt aware, the revenue-sharing formula, as we know it in southern Saskatchewan, is a formula that comes from . . . is based on the past history of expenditures in terms of where you would arrive at a revenue-sharing formula for the communities where they have not had such a thing before. What we have taken into account, certainly in a very substantial way, is an equalization payment, so it's a per capita payment. The revenue-sharing there is a per capita . . . the formula is made up of a per capita payment plus an equalization to raise it on the basis of the much, much lower tax base that's in northern Saskatchewan. So I guess that's really the most broad statement I can make on it.

MR. SHILLINGTON: — Well, do I take it, Mr. Minister, that it is unrelated to any level of provincial revenues in the sense that the southern, south of the 54th . . . the formula for municipalities south of the 54th parallel is related to provincial revenues? Do I take it that this concept is unrelated to provincial revenues?

HON. MR. MCLEOD: — No. Mr. Chairman, it is not related to any particular aspect of provincial revenues.

MR. SHILLINGTON: — Well, I would appreciate a comment from the minister as to why

that guarantee, the guarantee which is implicit within such a system, was not given to northern municipalities as it was given to southern municipalities. As Mr. Minister will no doubt be aware, the urban municipalities campaigned for a long time and finally got them that as provincial revenues go up so will their revenues. I would think if northern municipalities who often feel that they are forgotten, a feeling which I may say has heightened since April 26 — become much more prevalent since April 26 . . . I would have thought northern people would have appreciated a guarantee that their funding would keep pace with the general increase in provincial funding.

HON. MR. MCLEOD: — Well, Mr. Chairman, as I indicated in my initial response, for this very first time of a revenue-sharing formula being applied to the North. I this first time, there is no real data base to begin from, so there's a certain . . . (inaudible) . . . established and it was put in according to the needs of the communities. But I would say that the escalator that will be applied in subsequent years — and that provides for that — the escalator to be provided will be the same escalator that is, as you have said, tied to certain percentage of revenue, or whatever it is, will be also applied to this revenue-sharing formula in subsequent years, but not in this very first year.

MR. SHILLINGTON: — I'm not sure I know why you didn't include it in this very first year. Are you saying that you are not sure about the appropriateness of the size of the basic fund? I just don't know why you didn't do what the former administration did with southern municipalities, that is set up your pool, set up your escalator — you've got the whole system chugging along.

HON. MR. MCLEOD: — Well, Mr. Chairman, I'm informed that had we applied the escalator that the hon. member is referring to, the pool itself for northern Saskatchewan on this first year would have been substantially less than what it now is. The increase here, compared to the amount of money that municipalities were receiving, is about 18 per cent for northern Saskatchewan right now, and that certainly wouldn't have been there had it been applied as it was throughout the rest of the province.

MR. SHILLINGTON: — Well, what I was suggesting, Mr. Minister, — and I'll drop the subject — but what I was suggesting is: you should have set up the pool this year, without any relation to what was available last year, because last year they didn't have the same municipal structures — set up your pool this year, set up your escalator, which would click in in the 1984-85 fiscal year. I'd appreciate a comment on that, and then I'll go on.

HON. MR. MCLEOD: — Well, Mr. Chairman, and hon. member, in the initial stages of setting up a revenue-sharing pool — and I'm sure you will understand this — you know, there has to be a first year. And you said, well, with no relations . . . You know, in the first year we have to have some relationship to something. Well, the relationship that this pool has . . . the funding that this pool is related to is the funding that was provided to local municipalities prior to this act coming into place, and certainly there were municipal services being provided and all of those kinds of things under different auspices before this bill. Now that the municipalities will have their own priorities and be able to set their own priorities and so on, they will be dealing with more money than what was there for their communities before. So I think that . . .

People in the North, I must say to the hon. member, local governments in the North are pleased with the way in which this pool has been developed. I don't think you, in

fairness, have ever heard anyone say that they're displeased with the way in which the pool is developed, and I know that's the case. So, you know, while you'll say that there's some disappointment being expressed, and going on in a general kind of a way here by a very small minority of people — a very vocal minority, I would give you that — they're the same vocal minority that expressed displeasure many times, you know, when your administration was in, and they expressed displeasure to the former premier when he was, you know . . . They're the same vocal minority that would express displeasure at whatever government and whatever minister was there, regardless of political stripe or philosophy.

MR. SHILLINGTON: — . . . (inaudible) . . . in a year when only eight of his colleagues were elected. Your 70 per cent was accumulated in a year when you got 56 seats. That's something of a triumph.

Mr. Minister, if I may get on to a different aspect of this, does the revenue-sharing compare with similar communities in the South? I no longer know . . . With the Tory wrecking crew in place. I know the population of La Ronge is plummeting, and I no longer know what it is. But let's assume it's 3,000 people. That's just a wild shot in the dark. Would the member compare the funding available to La Ronge and Moosomin, which might be two communities of similar size.

HON. MR. MCLEOD: — Okay, Mr. Chairman, the hon. member uses the example of La Ronge, and I want to make it very clear to him that that's been the case with that former government for a long time, that the concept of the North has always been with La Ronge. Well, I can tell you that the people in northern Saskatchewan don't see La Ronge as being the be-all and end-all of the whole of northern Saskatchewan and the many communities that are there — traditional communities. But I would say that the population of La Ronge now is about 2,560, and to be able to . . . I don't have the figures here how their revenue-sharing formula would compare to a similar sized community in the South, but I can tell the hon. member, just to give him a bit of a bench-mark, there are some communities — and this can't be applied to all communities in the North, nor can it to all communities in the South, because I did explain to you, and I know you understand this as well, that the revenue-sharing base for any particular community in the South is based on some historical facts and data and so on — but I have seen some examples of smaller communities in the South and similar sized communities in the North where the revenue-sharing in the North is about two and a half times what is in an equivalent size community in the South. But I want to caution you that it shouldn't be applied to every community and every example that we could use between North and South.

MR. SHILLINGTON: — This, I suspect, Mr. Minister, is the key to the northern municipal government — if you can settle the money issues to their satisfaction, the rest will all fall into place.

Mr. Minister, is it common ground between us that this revenue will be virtually their only source of revenue? Their sources of revenue apart from the grant would be minuscule.

HON. MR. MCLEOD: — In the case of the smaller communities, the majority of those smaller communities, that's very true. In the case that you mentioned, La Ronge and so on, that's not true, because La Ronge certainly has a tax base. Buffalo Narrows has a tax base; some of those communities that are larger certainly have a tax base, and a fairly good tax base in some of them. But for the majority of the very small communities, that's

the case.

MR. SHILLINGTON: — What process then, Mr. Minister, since many of the communities are wholly dependent on your largesse — and I suspect most of the others are largely dependent on your largesse, although there may be some with some additional revenue — I would appreciate if the minister would outline for my benefit the process involved in deciding on the funding for another year with no escalator in place which will click in. How are you going to go about drawing up the budget? Because your budget is their budget, and they don't have any options but to spend what you give them in the majority of cases. So I ask the minister to outline for my benefit the process involved in preparing and deciding upon the level of grants.

HON. MR. MCLEOD: — Well, Mr. Chairman, I would remind the hon. member what communities in the North, through this bill, through this structure . . . This bill will be the structure and the framework around which local government and autonomy in the local government situation will be based. What we can foresee . . . the local governments in northern Saskatchewan will be faced each spring with the same situation that local governments everywhere are faced with. They must look at what their revenues are; what the amounts that are coming to them. As I indicated to you first revenue-sharing pool will be. And as I also indicated to you, there will be an escalator which will be the same escalator as is applied in southern Saskatchewan . . . (inaudible) . . . throughout the rest of the province.

So for the community — let's take an example, the community of Beauval — to work out their budget for the following years and subsequent years, they will be able to anticipate what their grant from the provincial government will be. They will be able to anticipate, as all other local governments must do, as what will the escalator be, and so on. And that's a guessing game going on there. And then they'll have to budget accordingly. And that is something that really they've been looking forward to is the opportunity to do that budget.

MR. SHILLINGTON: — The point though that I was trying to make to you, Mr. Minister, is that southern municipalities have other options. If their level of grants from the provincial government drops in absolute or in constant terms, there is other options to them. They can increase revenue for elsewhere, although that's limited. But what I was suggesting to the minister is that some special guarantees need to be given to northern municipalities that they will be consulted before the level of grants will be drawn up, because they are largely client states.

You know, you can talk about autonomy. They are largely client municipalities. You can talk about autonomy, but if all your source of revenue comes from the provincial government, the level of autonomy can be somewhat ephemeral. You know, I suggest — your background is education — I suggest you go to the trustees, and tell the school trustees that if they got all their money from the provincial government they'll still be autonomous. You'll get a pretty spirited argument. That's virtually the position that many of those northern municipalities are in.

What I'm suggesting to Mr. Minister is that you need to provide, perhaps even in a legislative framework, you need to provide guarantees to those northern municipalities that the consultation will be full and complete before the level of their grants is determined. They should not have to depend upon the personality and whims of the minister, and I'm not being personal. You may be the most accessible minister under

the sky, but your successor may not be. Your successor, Mr. Minister, may not be. I'm suggesting to you that some guarantee needs to be given that if their revenue is going to be wholly or largely from the provincial government, the consultation process will be full and complete.

HON. MR. MCLEOD: — Well, Mr. Chairman, you know, to give such a guarantee, you know, to use the word 'guarantee' would be a little bit strong, but I would say to the hon. member that in this business that we're in, and you understand it as well (I think you do anyway), there is consultation. There is no written guarantee or any ministerial statement of guarantee to SUMA, for example, that there will be consultation with SUMA and ongoing dialogue throughout the year as those grants are being determined. There's no guarantee of that, but that certainly takes place, certainly takes place. And the same kind of thing certainly will take place here — dialogue and so on in terms of where the grant structure will be. But all local governments in northern Saskatchewan will know the guarantee that they will have, if you want to use that word, is that their revenue-sharing pool will not be reduced from what it was last year, as the escalator is applied as it is in the South, and so on. So they will know at least at what stage they can begin their budgeting process from.

MR. SHILLINGTON: — But, Mr. Minister, the reality of it is: their only guarantee is their political importance to the government in office. That is their only guarantee that they're ever going to be consulted.

I ask you to ask yourself how much the non-government organizations who relate to the Minister of Social Services, how much consultation took place with them before their level of grants . . . before their grants were virtually swept from the scene? There was very little consultation because their political importance to this government was not seen to be very high.

Mr. Minister, there are Northerners who fear that their political importance to this government is not very high, Mr. Minister, without being provocative, and perhaps I am, let me suggest to you, Mr. Minister, that these people, because they have virtually no alternatives . . . Unlike SUMA (Saskatchewan Urban Municipalities Association) who have other alternatives — they have other sources of revenue; so do the school boards — these people have virtually no other source of revenue, most of them. What I'm suggesting to you, Mr. Minister, is some special guarantee that they will be fully consulted before the level of grants is drawn up needs to be set out. And I would encourage the minister to do that in legislation.

HON. MR. MCLEOD: — Well, Mr. Chairman, what I would say to the hon. member . . . First of all, it's clear now, from those comments, that the philosophy of the hon. member opposite and the philosophy of this minister and these colleagues of mine is very different. And it's very different in the sense of how that member thinks about how we would deal with certain groups of people or certain areas of the province or so on in terms of — and I think his words were 'political importance to the government.' That's not how we've been dealing with northern Saskatchewan or with any part of or any segment of the society in Saskatchewan. Not at all, and there is no evidence of that.

And you mentioned something from the Department of Social Services — the non-governmental agencies. They did know what was happening, and they had been talking

to my colleague, the Minister of Social Services. And it has nothing to do with what you call political importance. It's nothing to do with that. And that's not how we intend to, not how we have in this first year dealt with people of Saskatchewan, nor is it how we will ever deal with the people of Saskatchewan in terms of how their area stacks up, to use your thinking, in terms of political importance. That's not the case.

And if you want to go back into . . . You said some people in northern Saskatchewan have this fear, or have been expressing this fear. I can tell you that the people of northern Saskatchewan . . . I agree with you. When I was first appointed to be Minister of Northern Saskatchewan, went into northern Saskatchewan, there was a certain fear there that had come from the election campaign. I was perpetrated by members of your group that had run around and told them all of the terrible things that were going to happen. And I can tell you that none of those things happened, none of those things happened.

This bill that we're dealing on here now in third reading is good evidence of just what we have been doing in northern Saskatchewan. In a very straightforward and methodical way we're dealing with the problems of northern Saskatchewan. This bill will deal with the problem of local governments, something that was undertaken, I will admit, under your government, at the beginnings. We changed to a great extent the kinds of directions and thrusts that were coming from your former administration. We've changed those. We've presented the bill in good faith.

The people of northern Saskatchewan — the vast majority of people in northern Saskatchewan, those that are in the communities and are involved in the local government process — have applauded this bill; have applauded the way in which we have carried it out; have applauded the way in which we've consulted; have applauded the way in which we have listened to them when they said, 'Get rid of the regional government concept; get rid of all of those things. Let's give us some autonomy. Let's talk about a revenue-sharing pool that's reasonable,' which we have done, and which they have said, 'Thank you' for.

I will say once again, there are a small group of very vocal — but there are a very small group as well — who suggest that they speak for all northern people and that they are the spokespeople for the North. I can tell you that they aren't now any more spokesmen for the North than they were when your government was in and they were criticizing you. And whoever they following government is 20 years from now, those same people if they're still there, will be criticizing that government. It wouldn't matter, because that's the nature of the folks that we're talking about . . . (inaudible interjection) . . . That's the nature of the folks that we're talking about.

But I would say to you: don't worry. We don't deal with northern Saskatchewan or any part of Saskatchewan on the basis of your terminology, 'The political importance of this government.' That's not how we think.

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, I wanted to ask a few questions just to clear up some of the confusion in my mind about the scheme of the bill. I ask the minister whether the northern administration district . . . whether the boundary lines of the northern administration district are in any way changed by this bill. My understanding is that at least so far as the North-South boundary line, there is no change.

HON. MR. MCLEOD: — That's right, there's no change.

HON. MR. BLAKENEY: — Then I'm curious to know what municipalities are excluded from the definition of district. I am puzzled by a couple of the definitions. Let me try to illustrate what I think are some of the problems, and perhaps they're not problems at all. 'District' means the whole northern administration district, excluding towns and villages. So I take it then that towns and villages are not within the northern administration district, but hamlets and northern settlements are within the district.

HON. MR. MCLEOD: — Okay, Mr. Chairman, I'll try to clarify that for the hon. member. The northern administration district, as was defined in, I believe, 1948 when it originally came into being, will be that same district, and the exception will be the corporate boundaries of towns and villages. Once those corporate boundaries are established, within those corporate boundaries the Minister of Northern Saskatchewan will not have jurisdiction over the operations of those towns and villages. As it relates to hamlets and settlements, which are the smaller communities, the reason that they're not specified is because the minister, according to this act will have certain responsibilities as it relates to hamlets and settlements. And so they are included in the district, in the small 'd' district, if that's clear enough.

HON. MR. BLAKENEY: — Then I next a really coming to my areas where I need some clarification, and I think it has to do with hamlets. Hamlets are said in the act to be municipal corporations, and so are towns and villages. Now, towns and villages are straight going. The towns and villages will elect their councils, and the minister will not have direct responsibility there, as he does in the remaining district, if I will call it 'the remaining district.' And I understand that.

I then come to hamlets, and I note that hamlets are corporations; a hamlet is a municipal corporation. Yet, a hamlet is part of the district. Why are we having hamlets as corporations, but still have the minister have responsibility over them? And clearly I'm confused about what status these hamlets have.

HON. MR. MCLEOD: — Okay, to clarify that, the hamlets . . . the corporate status is as it is for the villages, that's true, but the corporate status for the hamlets and the settlements will be a very new sort of thing. But they will have corporate boundaries established, and they will have the same types of powers as the towns and villages have, the councils there, with the exception of for taxation and assessment, and that's where the minister who has responsibility for the remaining district will have some responsibility there, and that's why they are not specified with towns and villages — it's taxation and assessment.

HON. MR. BLAKENEY: — I noted . . . I thought that that might be the case, but then I noted that a northern settlement is not a municipal corporation. And I'm jumping around a bit here, I'm reading section 5 which tells me that a northern settlement is not a municipal corporation, and section 6 tells me that a hamlet is a municipal corporation, and another section tells me that both of them are part of the district, but towns and villages are not. And I saw why the northern settlements shouldn't be a municipal corporation, because I said 'That's simple enough, because it's part of the district and the minister is going to look after the district.' And the towns and villages are corporations, and that's straight going because the minister isn't going to look after them. And then I came to hamlets and said, 'Oh ho, they're a corporation, but they're part of the district.' And that's why I ran into confusion and am asking the minister to clear up for me a little more clearly what the functions of the organized hamlets are, which, I am told, are municipal corporations but which, I am told, are part of the district

over which the minister has jurisdiction.

HON. MR. MCLEOD: — Well, then the jurisdiction, just to differentiate between the hamlets and the settlements, the settlements are the very, very small communities under 50 people and will just be a part of the district, that's true. The assessment is right on. The hamlets, while they will be corporations for many of the aspects of the act, their by-laws, for example, will have to be approved by the minister and so on, and they are also very small communities, really. So I think that explains it.

HON. MR. BLAKENEY: — Mr. Minister, as I read this bill, while it says that it is a bill respecting local government in northern Saskatchewan — and we might call it dealing with northern municipalities — in fact it establishes only northern urban municipalities and there are no rural governments — nothing like an RM, no regional governments, no governmental structure other than the straight urban ones of cities, towns, villages and towns, villages and hamlets, is in fact not receiving any northern local government but is all run from the department. Am I correct in that?

HON. MR. MCLEOD: — Well, what you say is true, that there's no sort of rural structure of what we know as rural municipalities, but it's for a very obvious reason, as well. About 99 per cent of the land is Crown land, for example. the whole structure of rural municipalities just wouldn't apply to that area. Well, as the best analogy, I guess, is what I'll call the 'near North' — the Big River, and the area that I'm from in Meadow Lake, and that kind of area where there used to be LIDs — local improvement districts — which were basically much different than rural municipalities as we know them, as well, for an awful long time, until the tax base and so on reached the stage where they could become municipalities in the commonly known sense. So in northern Saskatchewan, like I say, with about 90 . . . where a high 98 or 99 per cent of the land is owned by the Crown, it would make no sense to have any kind of a rural structure of local government.

HON. MR. BLAKENEY: — True, Mr. Minister, and Mr. Chairman, it wouldn't make any sense to have any rural municipalities of any rural government separate from the urban government. It would have made no sense to have regional government where the people in an area who, whether they lived in the village or town, or lived in an isolated settlement, would have together had jurisdiction over a fair area of the land around them which was their economic base. I'm not saying that's the only structure. I am saying that that would have been a logical structure. What caused the minister to avoid — I would say 'abandoned' but I'm trying to pick words which are strictly non-emotive — to avoid setting up any structure which would have involved any regional government or any control by the residents of what is basically their economic base around their communities, whether it be fishing, hunting, trapping, or mining?

HON. MR. MCLEOD: — Well, you know, the reasons for avoiding it . . . Upon looking at it, can we honestly say that we didn't see it if there was any real sense to it? And if you look at the structure of northern communities and their locations and the way in which they . . . And in, well, the vast majority and if not all cases, the communities are established on the basis or very . . . They've been traditionally located there. And where do you start to draw lines in terms of what will be this region, and which communities will band together over here in district no. 1, or region no. 1, and which communities will be in region no. 2? You could draw some very arbitrary lines that would bear no relationship to the traditional relationship between some communities. It was just a

great problem, and it just wasn't something that we saw was reasonable.

In fact, northern municipal council, for example, existing . . . northern municipal council, their advice to us was: abandon that idea, to use their word 'abandon.' They wanted us to abandon it. And they had been basically the council that was to be replaced by the regional concept. They said it wasn't a reasonable idea, because basically all of their work had been in dealing with the various communities that were within their districts as northern municipal councillors. So they said, get rid of that. And we saw that the best way for people to have input in terms of the activities surrounding the communities would be as it is in southern Saskatchewan, through The Planning and Development Act, and they will have that, you know, with more of a consultative role than with a jurisdictional role.

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, that is pretty key to the philosophy of this bill — and I'm not now talking about the political philosophy in a capital 'P' sense. But just what is the best way to give northern people a little more voice over their own affairs? Certainly there were two theories about, one of them that we should provide for local administration of the local communities, which this act does, and that that was the sensible way to go, since it was unreasonable to expect the people of Patuanak to be making judgements on how the resources of one-fifth of northern Saskatchewan ought to be deployed and used the best, and therefore that the control of that entire area outside the settlements . . . And it will now be true that, to use your language, the minister will have control of 99 per cent of the geographic area of northern Saskatchewan after we pass this bill, and has now. And the question is whether or not that should be changed. So one theory was: just provide local government for the residential communities, and leave the rest in the hands of the minister. The other theory was: to provide control of garbage collection and street gravelling in Beauval was a step forward, but hardly gave the people of Beauval much of a voice in controlling their destiny if they lived by fishing, trapping, hunting, or mining; all of which was done in territory controlled by the minister under rules dictated by the minister. And accordingly there were proposals advanced for some sort of regional government, and sometimes two-tier and sometimes just one-tier.

I'm wanting to know . . . I'm asking the minister whether or not he felt that there was any merit in a proposal for at least the second tier of regional government, where the people of the North could have some say other than through this legislature in the way that trapping is managed, and fishing is managed, and hunting is managed, and northern mining is managed — in fact, all the decisions which affect their lives.

HON. MR. MCLEOD: — Well, Mr. Chairman, the Hon. Leader of the Opposition mentions the two concepts that have been around for a while, and they certainly have. The regional government concept as was proposed didn't give jurisdiction to anyone but the minister or the provincial government in any case. So I don't see that there's any real change in that. It gave some input — or theoretically some input — to communities that were within whatever arbitrary district might be established and called a region.

But it certainly didn't give them any control over it, in the sense that it's Crown land in any case, and I don't think it was ever suggested by your government or by ours that Crown land should go to the complete jurisdiction of the communities. I don't think that was suggested, so what we're really saying is: we just have got away from one more tier of the structure. And you've expressed that, and that's true. I'll agree with you on that. We did avoid it, and we believe that it's the wise choice.

HON. MR. BLAKENEY: — Thank you, Mr. Minister. Mr. Chairman and Mr. Minister, I think we have to understand the difference in the North from the South. In the South the great bulk of the wealth comes from farming, and the people own the farms and thereby direct a fair amount of how their life goes by the fact that they own the farms. They may live in the town or the village, but they own the farm and they operate the farm on that basis.

Up in the North, the same person who is a trapper or a hunter lives in the village, but when he goes out to trap and hunt, which are his livelihood, he's out into land which he doesn't own and which is in effect controlled by the minister. And that makes his life a good deal more dependent upon the decisions made by the minister. I think the thought was that while the land would undoubtedly continue to be owned by the Crown, that rules with respect — and this would have to develop over time — to fishing, hunting and trapping, and perhaps taxation of mining ventures, would at least in part accrue to the region, and then they would have some of their own money.

The point made by the member for Regina Centre is still pretty valid: that these communities, while they are going to be able to meet and to pass resolutions for things to happen, are going to be very, very heavily dependent upon their flow of cash from the provincial government. They are going to be LIDs with a vengeance, since they will have a very small tax base of their own and a very large grant base in proportion to the total amount of money they spend. As I gather that the minister just feels that that would not be workable at this time, to have some sort of a regional government whereby the people of Patuanak and the people of Buffalo would some way of expressing their views as to how the fishing, hunting, trapping and mining at the west side ought to be handled, other than through their representatives in this legislature. You don't think that would work?

HON. MR. MCLEOD: — Well, Mr. Chairman, in fact a good number of trappers, fishermen, hunters — people who do carry on those traditional pursuits and who do live in those communities — would be far more concerned individually, they would be far more concerned — and they've expressed this to me, and I know many of them, especially on the west side, as you mentioned, is where I know the people better than the east side, certainly — but they have said to me the last thing that they would want is for the communities — you know the community that they live in — whose councils many times are made up of people who are not in the traditional pursuits, they don't really want them to have jurisdiction. And they have said that clearly and that's what they have said to us clearly: they didn't want the regional concept incorporated.

So to say that they would have no input, I think that over a good number of years, trappers, fishermen — people who carry on those traditional pursuits — have had a reasonable input in terms of the management of the resource which is carried on through what's now Parks and Renewable Resources, or whether it was DNR days or DTRR days or now Parks and Renewable Resources. So I guess what I'm really saying is yes, we believe that those kinds of concern are covered adequately by the traditional ways of doing it.

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, I don't want to pursue this further. I think it's a judgement call, in my opinion, as to whether or not we should have tried some form of regional government at this time. I think it's not a judgement call but one which will be widely accepted that we should provide for local government in the settled areas, and this is what this bill does and I am not in any way opposing the concept of this bill. I have obviously been raising the question as to whether it goes far

enough, and whether or not there shouldn't be either another kind or another tier of government which offers the people in the northern communities some voice. I concede that it's judgement call. The minister has made the call, and I'm not necessarily saying he's wrong. I think it might have been called differently, but no one, I think, can state with conviction which would be the right way to go on that score.

With respect to the . . . this is not unrelated but not strictly the same question . . . With respect to the area which seems to be left open, and that is the definition of boundaries of the communities, and we will all be aware of the fact that there are many statements about the desire of northern people to participate in the drawing of the boundaries — is it anticipated, Mr. Minister, that the boundaries will be, by and large, the boundaries of the settled community? If I go to Pinehouse — or perhaps I'll leave Pinehouse out of it because that may get us into a discussion, but on that particular community — but if I went to La Loche would it be more or less the defined boundaries of that community? Is it likely that any point 10 miles from the school in La Loche or the Hudson Bay Store in La Loche would be part of the boundaries of the town? La Loche would be a town.

HON. MR. MCLEOD: — No, I would say that's not likely, no. What the intention is to establish corporate boundaries for the various communities, and as you've said, the settled areas with, you know, some certain reasonable area for future expansion into the immediate future, let's say. And it isn't likely that we would be expanding corporate boundaries, you know, let's say 10 miles away or anything, no.

HON. MR. BLAKENEY: — There will obviously again be some judgement calls. There's that little community south of La Loche of Silver Point . . . (inaudible interjection) . . . Whatever the one is south — or let's take Cumberland, the Pemmican Portage. That's probably a good example. Is it likely that that would be two communities or one?

HON. MR. MCLEOD: — Well, you know, rather than get into the specifics, the example you used at Cumberland, the Pemmican Portage, is not a community now. It, I guess, would be, under this act, a settlement. The provisions of the act provide for them to be able to — for any community, smaller settlement, or whatever — to apply for annexation should that be the wishes of the people and so on, as it is in the urban act that we are much more familiar with.

So, those things are provided for as things change in the area. I guess, certainly you're right; there are many judgement calls. Those corporate boundaries and the establishment of those corporate boundaries will be the subject of negotiations obviously with the particular community.

MR. SHILLINGTON: — I wanted to raise with the minister the establishment of corporate boundaries. I gather this is a current issue of some interest to northern people. The over-arching criticism through the years of northern people is that decisions are made and they are not fully consulted, and that they have operated as something of a colony. Notwithstanding that, they are not, either geographically or legally and certainly morally, should not be treated as colonists; that's the way they often feel.

With respect to the establishment of corporate boundaries, as I understand it, I note, at least it's done by order in council. What mechanism does the minister intend to establish, if any, to assure that their views will be known? Do you intend to establish a northern corporate boundaries commission, or something with in fact a less awkward name? Do you intend to establish some commission which will represent them and

either make the decision or act in an advisory capacity to yourself as the responsible member for cabinet?

HON. MR. MCLEOD: — Well, Mr. Chairman, yes, there will be no corporate boundaries established without having carried out consultation with the council of that particular community. There's no question about that. There will be — you say the ultimate — a way in which corporate boundaries are established — is by order in council. That's true. But it's not out intention to go in and draw lines and establish corporate boundaries without ever having talked to the community councils. That will take place.

And as far as your question regarding a commission or a commissioner, or whatever, but there will be some structure established very soon to go around. And I think there are 36 communities that need this negotiating process to take place and it will be taking place.

And I have assured members of northern communities and elected people in the North and people throughout the North that that would be the case for months now.

MR. SHILLINGTON: — And I gather that this body, whatever it is called, will act in an advisory capacity to the minister.

HON. MR. MCLEOD: — Well, I suppose it would be an advisory capacity. The mandate they would have would be to go out and negotiate corporate boundaries, but I suppose, because the ultimate corporate boundaries are established by order in council through my recommendation, I suppose you could say they would be advisory, but their mandate would be to go out and negotiate and determine some corporate boundaries for the various communities.

MR. SHILLINGTON: — Mr. Minister, one wonders about the future of the Department of Northern Saskatchewan. The specific question is: will these municipalities, will they relate to or become responsible to the Department of Northern Saskatchewan or the department of municipal affairs? My reading of the legislation left that open to the Executive Council by regulation to assign this legislation to any minister of Executive Council, and I wonder what the plans of the government are. Is it your intention that they shall relate to DNS? Is it your intention to decamp the Department of Northern Saskatchewan entirely and have them relate to the department of municipal services? Or is there some other alternative?

HON. MR. MCLEOD: — It is our intention that this act will come under the jurisdiction of the Department of Northern Saskatchewan and therefore the Minister of Northern Saskatchewan. I believe the wording is something like: to the minister to whom it's assigned. I don't think that's wording that's unique to this particular act. I think many acts have that similar wording. Right?

MR. SHILLINGTON: — Yes, it's a standard phrase that was developed, I may say, when I was on that side of the House and responsible for legislation that phrase was developed, and so sophisticated was the phrase that it has been used ever since without change.

Mr. Minister, let me ask you about those municipalities which — the Creightons, La Ronge — those which are either cities or towns and have been separately incorporated. Uranium City has a special charter, but I think there are three — Creighton, La Ronge and Uranium City — if I'm not mistaken. Do I take it that those will continue to operate

outside this legislation entirely?

HON. MR. MCLEOD: — I'm not sure if I got your question directly, but you're speaking to the incorporated towns of La Ronge and Creighton, and what Uranium City used to be; there used to be the three incorporated communities. I guess Uranium City is still incorporated, but its future, as you will know, is clouded, let's say. La Ronge and Creighton will come under, as they do now and as they have for some time provisions of the urban act, many of the provisions of the urban act. So that's part of the transitional process. Those communities certainly are ready to be dealt with, as they are dealt with as towns are in the rest of the province.

MR. SHILLINGTON: — So their status won't change? They will not come under this legislation at all? I didn't quite follow the minister's comments. Will they continue to be governed by the provisions of The Urban Municipality Act, which I understand to be now the case, or is there some transitional intention that these communities should now come under the northern municipal act?

HON. MR. MCLEOD: — Well, the towns that we refer to come under this act really, but they've been used to working under the urban act, and basically the two are the same in most those things. And section 8(6) says:

Where there is a conflict between the provisions of this Act applicable to a town and The Urban Municipality Act, the provisions of this Act will prevail.

If there's a conflict between the two. So, in other words, those areas in which this act is different from The Urban Municipality Act is because of particular northern concerns, so they will come under this act.

MR. SHILLINGTON: — Okay. With respect to the northern municipal council, my understanding of that body and its intention was that it would act as a kind of a rural municipality for the North. Does that continue unaffected, except for those municipalities which you incorporate? Does that continue unaffected, except for those municipalities which you incorporate? Does the northern municipal council continue unaffected, except that it will lose some of its geography and obviously some of its people?

HON. MR. MCLEOD: — No, Mr. Chairman. By agreement with the northern municipal council, as a matter of act, the northern municipal council will no longer exist six months after proclamation of this act, and that's part of it. so, six months following the proclamation of this act, the northern municipal council will be out, and there's a phase-out period.

MR. SHILLINGTON: — What then will be the governing municipal body in areas that aren't incorporated? I'm not sure I know what's going to replace it, Mr. Minister.

HON. MR. MCLEOD: — This is a similar point to what we were just through with the Leader of the Opposition. The governing body in that area outside of incorporated communities will be — because about 98 or 99 per cent of all of the land is Crown land — the provincial government under the jurisdiction of the Minister of Northern Saskatchewan or in some cases, well, parks and Renewable Resources, or whatever minister has control over those lands.

MR. SHILLINGTON: — A question, Mr. Minister, with respect to planning and

development. What are the provisions of this legislation, if any, with respect to planning and development?

HON. MR. MCLEOD: — The whole of The Planning and Development Act will apply to these communities, because under this act, once it comes into effect, they will fall into the definition of municipality under The Planning and Development Act. So the provision of The Planning and Development Act will apply to those communities.

MR. SHILLINGTON: — That was my fear, Mr. Minister, because that was my understanding of the legislation too. My fear is aggravated by the repeated comments of the Minister of Urban Affairs that he is going to streamline the new Urban Municipality Act to get government off the backs of the developers. I find that objectionable in southern municipalities. Our cities, to put it mildly, do not suffer from too much urban planning, but I fear it even more in the case of the northern municipalities.

I refer the minister, rather, to the Key Lake board of inquiry in its January, 1982 report. It stressed that the social and economic impacts of a particular project can't be assessed in isolation as if it were only an economic development that had never happened, or would ever happen, in northern Saskatchewan. And the board there stressed that northern Saskatchewan was in a key phase of its social development, and I wonder, Mr. Minister, if the views of Northerners have been solicited by the Minister of urban Affairs. And I'm not sure, even if they were, they would appreciate what is happening to The Planning and Development Act.

As the Minister of Urban Affairs — I'm expressing this poorly — explains it to me, and as I understand it, it's going to make it more difficult for the Northerners to control those developments up there. I'd be surprised if that's what they wanted. I'd be surprised if Northerners wanted their municipal governments to play a smaller role in controlling developments. I really wonder, Mr. Minister, if the act has been explained to them and if their views have been fully solicited, because I'd just be surprised if that's really what they want.

HON. MR. MCLEOD: — Yes, Mr. Chairman, the hon. member is right when he says that there is a streamlining process going on in The Planning and Development Act under my colleague, the Minister of Urban Affairs. The Minister of Urban Affairs and his department, the Minister of Rural Affairs and his department, and myself as Minister of Northern Saskatchewan and our department have been very much involved in this process in terms of developing a streamlined Planning and Development Act.

The communities of northern Saskatchewan, all of them, have been asked for input, and many of them have given input in terms of The Planning and Development Act in how they see themselves fitting into the whole scheme of things there. So, yes, there has been consultation, and, yes, they have responded. The Department of Northern Saskatchewan's staff and the municipal services branch, whose members are very familiar with northern communities and so on, have been very active in their whole process of the development of the new Planning and Development Act.

MR. SHILLINGTON: — I hear the minister who says they have been consulted. I frankly wonder if the bill though was tailored to meet the needs of Northerners — The Planning and Development Act. They seriously question whether or not it was. This bill doesn't appear to meet the needs for planned development in the North. It appears that Northerners are denied a voice in the development decisions outside those corporate

boundaries, whatever they may eventually wind up being. They're left at the mercy of your government's open for business philosophy, and it has been the subject of complaint over the decades that northern Saskatchewan existed for the swashbuckling southern developer without any consideration for the needs of Northerners. And what haunts me, Mr. Minister, is a return to those days when the decisions of northern Saskatchewan were made by Southerners for the benefit of Southerners, and Northerners were treated as a colonial people. And I fear that this bill may be returning us to that day.

HON. MR. MCLEOD: — Well, first of all this bill, Mr. Chairman — it should be clarified, that what the hon. member is talking about is The Planning and Development Act or a contemplated change in The Planning and Development Act. And as I've said, the northern people have been very involved in that process, as have officials from rural affairs and from Urban Affairs and so on. So we're talking about two different things here. This particular bill — for the hon. member to say that decisions made in the South by Southerners for Southerners on behalf of Northerners or something — this bill is just certainly the opposite of that. The bill that we're presenting here today is a very substantial piece of legislation — 300 and however many sections. 302 sections — a substantial piece of legislation after long consultation with northern people. Now for you to say southern people are making decisions for Northerners, and we have a bill of that size, it's totally misleading.

That is not the case, and all I can say to the hon. member is we have taken northern concerns into consideration to a great extent. This bill was well received by northern people. This bill provides for The Planning and Development Act — its provisions — to take effect, and it applies to that as well. The Planning and Development Act as I have said has had input from Northerners, and what more can you ask? I mean I think it's . . . it shows just the opposite of what you people were saying that we would do in northern Saskatchewan, and we have done just the opposite of that, and in fact have been consulting with northern people and have been dealing with northern concerns.

INTRODUCTION OF GUESTS

MS. ZAZELENCHUK: — Thank you, Mr. Chairman. It is indeed my pleasure to introduce to you and through you to my colleagues in the Assembly, three gentlemen visiting us seated in the Speaker's gallery. With us we have Dr. Yuri Makar, dean of history at Chernewtsi State University in the Ukraine. And accompanying him are Mr. Tony Harras and Mr. John Melnyck, both of Regina. Professor Makar will be spending approximately three months in Canada touring various parts of Canada, and working on a study on the contributions of ethnic people to a country. On behalf of the Assembly, I would wish you a pleasant stay in Canada, and I would like all members to join with me in welcoming you here today.

HON. MEMBERS: Hear, Hear!

MR. SHILLINGTON: — Thank you, Mr. Chairman. Without commenting on the latte pat of you remarks — I'm not going to do that, Mr. Chairman — I do want to welcome you to Saskatchewan, and Regina in particular. One of the many benefits of Mosaic is that it often brings to our communities some very distinguished visitors, particularly from eastern Europe. We have, for the last several years, enjoyed such visits. Members of the Legislative Assembly have enjoyed visiting with you and exchanging experiences, and the cross-fertilization of our cultures is very worth while indeed. So I want to welcome

you to Regina, and I hope as many members of the Assembly as possible will take the opportunity to get to know you and your land better.

HON. MEMBERS: Hear, Hear!

COMMITTEE OF THE WHOLE

Bill No 58 — An Act respecting Local Government in Northern Saskatchewan (continued)

Clause 1 agreed to.

HON. MR. MCLEOD: — Mr. Chairman, I would ask that in passing the bill we go page by page rather than section by section.

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, I think we have covered many of the items in the original discussion on section 1, and it seems to me that it will expedite matters if we go page by page, and we'll support the motion.

Pages 5 to 10 inclusive agreed.

Page 11

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, I would ask it on any one of these, but I think this is really the area.

I want to ask the minister again why he feels it is not a good idea to have any body which is elected generally by the people of northern Saskatchewan, whatever its function may be . . . the northern municipal council had a comparatively restricted function from the point of view of government, since it did not include La Ronge, Cumberland House, and a good number of the other communities, yet it served as a forum for people to make arguments of a generally northern nature. I'm asking the minister whether or not he sees anything replacing the northern municipal council. Do you think, for example, Mr. Minister, there will be any organization of northern local governments which will have some status to speak in general for the North?

HON. MR. MCLEOD: — Well, the simple answer is that the northern municipal council as we now know it, those members of that particular council, really asked to be phased out and in the communities as well. The communities as well asked that the northern municipal council concept be phased out. So, with those two things in mind, and as I've stated earlier, with the belief that the individual municipalities could well deal with their own affairs for their own community, it was determined that they should be phased out, but it wasn't consultation with them, and in fact, they asked for this to take place.

HON. MR. BLAKENEY: — I don't think I'm making myself clear, Mr. Chairman, and Mr. Minister. I would see why the northern municipal council would be phased out. There would be virtually nobody left to elect it — if everybody is going to have a vote in every town or village, or perhaps even hamlet, since they are corporations — only people other than in towns, villages, and hamlets were going to vote there wouldn't be much of an electoral base.

The council came into being at an earlier stage when it had some status to be the voice

of the North in the days when there were no local governments up there . . . during the period of development of local community authorities, local advisory councils, and the rest. And for that reason I think the northern municipal council, as currently elected, no longer has status to speak for the North. If it's going to have local government functions, then it's not going to have a big enough electoral base. My question is whether or not the minister believes that there will be any organization of northern local governments which will indirectly represent 90 or 95 per cent of the people in the North, which will be able to act as a body that can speak in a general way for the North in the way that SUMA does for southern urbans.

HON. MR. MCLEOD: — I could say to the . . . What has been taking place just as this act has been contemplated, and as local government has been looked forward to . . . Some communities in the North have now indicated to SUMA that they would like to be members of SUMA. There is an organization now called the Association of Northern Local Governments, which . . . It is a lobby group or is setting itself as a lobby group. There is another organization called the Association of Northern Communities that — I believe that was La Ronge, Creighton, and some of the larger communities. So that as well — the way in which northern municipalities did with SUMA (Saskatchewan Urban Municipalities Association) over a period of time. It wasn't just . . . I don't believe . . . SUMA and I don't go back that far — certainly none of us do — but I don't believe SUMA was something that started overnight either. It was something that evolved. And I can see an evolutionary process here in terms of local governments organizing themselves into a lobby group that can speak for all of them. And that process is ongoing and I expect will be ongoing for some time.

Page 11 agreed to.

Pages 12 to 23 inclusive agreed to.

Page 24

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, I note in looking at these provisions, and I'm referring now to sections 32 to 36 on pages 24, 25, 26 and 27, roughly part V under conflict of interest, these are much more extensive than the provisions which were in Bill 61, your earlier one that you introduced last December, and I'm asking the minister why he felt that the much more extensive provisions were to be preferred over the ones you put forward last December.

HON. MR. MCLEOD: — Well, Mr. Chairman, these provisions . . . There are several provisions here that are different in the act that are different from Bill 61 that was presented in December. The idea behind it is to dovetail this act with the new urban act which will be coming and so I guess what you're seeing is a little prior look at the new urban provisions. These provisions are contemplated for the new urban act as we thought it would be reasonable to come with these two acts and have them have the same provisions.

Pages 24 agreed to.

Pages 25 to 95 inclusive agreed to.

Page 96

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, I'm looking at section 151 which says in effect that the minister may in effect bring local government to a halt by asking that the northern municipality submit for approval the budget, and for any additional number of years that the minister may require. And where the minister asks for this, no by-law or resolution of a northern municipality respecting the budget, the mill rate, or the capital works plan has any force or effect.

I think if the minister of municipal affairs did that with respect to some southern municipalities, particularly a request for a capital works plan for an additional number of years, you could, with great ease, bring a large number of local governments to a grinding halt, since a goodly number of them would not be able to submit very quickly a plan — a capital works plan — for many years in advance. And I'm asking whether or not the minister feels that he needs these pretty, pretty vigorous powers. It's not simply a case of being able to call for the information. Certainly that ought to be able to be done. It's not any case where the minister, if he feels that there's something amiss, shouldn't be able to say, 'I think there's something amiss,' but all you have to do is say that you want to look at some material and the system comes to a halt. Without your indicating that you think there's anything wrong. Then we have to be able to commit himself to anything except that he'd like to look at a budget, and having done that then the system stops. I thought that a strong power and I ask the minister why he feels he needs quite that extreme a power?

HON. MR. MCLEOD: — Well, Mr. Chairman, it's my understanding that the same power exists in the present urban act. But this provision that the hon. member refers to is there and it's the same as it's in the urban act, except for the capital work plan and so on that you referred to. But that power of proposal that requires a council to prepare a yearly capital works plan for a five-year period is a new provision that's been recommended by the urban law review committee. SUMA (Saskatchewan Urban Municipalities Association) are very much involved in that, agreeing with it and so on, so it's not something that's . . . It's not some new provision that was placed only in this municipal acts throughout the province.

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, it was in fact the capital works plan that I made my particular point of. I would expect that any municipality ought to be able to give you its budget for the current year and how it works out its mill rate fairly promptly. After all, that is not too much to ask of the municipality that it tell you what its budget is for the year and what the mill rate is for that year and how it proposes to spend that money for that year. Capital works plans for five or ten years in advance may be asking quite a bit.

We in this legislature say, I think with some confidence, that we can tell you what our plan is for the current year and raising money and for spending it. If you asked us to detail our capital works plan for the next five years we may want to increase a goodly number of qualifications before we committed ourselves. I think that municipalities are not much better shape.

I note that you indicate that this is something that is likely to be introduced in other urban acts. I thoroughly agree with the idea of urban municipalities working out a three- or four- or five-year capital works plan. It assists enormously in rational planning and therefore rational dollars.

It strikes me, as I say, a vigorous power for the minister to be able to say, 'If you don't have a five-year capital works plan, that's it; you don't pass any more by-laws or anything.' And perhaps it will be used sparingly. No doubt it would be. I thought it a vigorous power.

HON. MR. MCLEOD: — Well, I can say that it would only be a very exceptional circumstance where that would ever be implemented — that power. I could also say, you know, while it's a plan, it's certainly not a five-year capital works plan for any municipality. It isn't cast in stone; it's something that's there for the purposes of budgeting and for an expeditious way to spend taxpayers' dollars, and so on.

But I agree with you, it is important to have that sort of a planning process go on in municipalities. You know, if we want to relate it directly to the North — and we're talking about an evolutionary process, and it's a new thing for northern municipalities — it seems to me reasonable that it should be in this act as well as in the urban act because these municipalities need to start off on the right foot with some long-term planning.

Page 96 agreed to.

Pages 97 to 158 inclusive agreed to.

Page 159

HON. MR. BLAKENEY: — Mr. Chairman, I want to ask a couple of questions on this section of northern revenue sharing and the northern revenue sharing trust account. And I'm not sure whether I fully understand its operation. There will be a northern revenue sharing trust account into which will go 'all municipal revenues relating to the administration of the district including . . . revenue from business and property taxes.' Now, let me ask a question there. Will the revenue from business and property taxes in . . . Let's pick just a settlement: we have Pemmican Portage, which is a simple settlement; Beauval, which I assume will be a town; and La Ronge, which is a different kind of town. I'm asking about those three communities, and see whether I understand what you're going to say.

HON. MR. MCLEOD: — Okay, the three examples you use — the settlement of Pemmican Portage, or Sled Lake, or those types of settlements, the taxes will be collected by the minister, or by the trust account, and put into the trust account for the purposes of Pemmican Portage, and will be expended in Pemmican Portage. The northern village of Beauval — the taxes will be collected by the northern village council of Beauval and expended by the northern village council of Beauval in Beauval. And the town of La Ronge in the town of La Ronge, as is the case in other communities.

HON. MR. BLAKENEY: — So let me ask a question that perhaps is clear. But does this act apply to La Ronge and Uranium City?

HON. MR. MCLEOD: — Yes, it does.

HON. MR. BLAKENEY: — But money collected by those towns and northern villages

that are corporations, for business and property taxes, will be collected by them and spent by them in the way that would be true of a southern town or village, and they will not become part of the northern revenue-sharing trust account. Is that correct?

HON. MR. MCLEOD: — That's correct.

HON. MR. BLAKENEY: — Is it true that the money appropriated by the legislature for grants for northern municipalities, and I take it . . . If money is appropriated by the legislature for grants for northern municipalities, which I assume it will be under the scheme of the act, will all of that money be deposited in the northern revenue-sharing trust account — both the money for Pemmican Portage and the money for Beauval?

HON. MR. MCLEOD: — Yes, it will, and it will be paid out to communities on the basis of the formula that's established.

HON. MR. BLAKENEY: — I was curious to know why you wish to have this northern revenue-sharing trust account set up this way. I noted that its fiscal year was the calendar year, which will be the fiscal year of the communities, and not the April to march, the fiscal year of the government, so that it's going to be a shade tricky to know what . . . For southern municipalities we do it that way; let me put it that way. For department of municipal affairs and the money then is dispensed by the Department of — I should say Urban Affairs for these purposes — during the fiscal year of the government. And we can match the grants with the fiscal year of the government and we don't try to match them with the fiscal year of the government and we don't try to match them with the fiscal year of the town of Meadow Lake.

You have opted the other way here. You have opted to have the money appropriated by the legislature be deposited in the northern revenue-sharing trust account which will have a fiscal year the same as the northern village of Beauval, but a different fiscal year than the government. And I was curious to know why you are handling that flow of grants in a different way. And I'll ask another question in a moment.

HON. MR. MCLEOD: — Well, the best explanation . . . I guess the trust account that we're referring to is sort of an offshoot of what was the northern administration district trust account that was there before. The grants that will be going out from that trust account to the various communities, and in the case of the settlements where taxes are collected on their behalf and then given back to them those obviously — the taxes collected there — will be on the basis of the calendar year. The fiscal year of the community is the calendar as well.

So we don't see a problem with it in administering it in the sense that the money can go to the trust account from this legislature. It can go to the trust account on the basis of the fiscal year of the province. So the money accruing to the settlement of Sled Lake will come on the basis of how much comes from the provincial grant which goes to the trust account, as well as whatever is collected, if anything, in the form of taxes. And all of it will go out in one lump sum to accommodate the fiscal year of the community, which is the calendar year. So certainly there is a difference there, but we think that the trust account can handle that well.

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, why was it felt desirable to have the grants for these towns and villages go through the trust account at all? Why was it felt that they shouldn't simply go from the Department of Finance or Northern

Saskatchewan to the communities, rather than set them up in this special trust account arrangement?

HON. MR. MCLEOD: — Well, as I have said, the taxes — and this is something that really should be clarified — there are taxes collected in the northern administration district; taxes collected by that trust account, from mining companies and whatever. And they're not royalties, but taxes. And those taxes are collected and they go into that trust account. So part of the money that goes out to the particular community is made up of — if it's a settlement — is made up of taxes that we collect on their behalf from their own community. It's also made up of whatever portion that community would have from the taxes that are collected throughout the northern administration district, as well as the component that's made up of their share of the revenue-sharing pool that's voted by this legislature.

HON. MR. BLAKENEY: — Mr. Chairman, and Mr. Minister, one other question. The minister will be aware of the fact that various people, including some royal commissions that have dealt with mining in the North, have suggested that there ought to be some royalty sharing — that royalties paid by mines in the North should be in some way directly shared with northern people as grants to their communities.

I'm aware of the fact that the scheme offered by the minister in this act involves the voting by this legislature of money. And in all likelihood, in the next short period of time, at least, the money we vote is going to substantially exceed any royalties from, let's say, uranium mining or any other mining in northern Saskatchewan. So that in terms of money the question can easily be answered. In terms of the perception that some of the money that's coming from the mining operations — from the royalties from the mining operations — are going to northern communities, that cannot be answered. And my question is: was any consideration given to providing that X per cent of the royalty and like revenues for mining in the northern administration district should flow to the northern revenue-sharing trust account for distribution? Was that concept considered and rejected?

HON. MR. MCLEOD: — Well, let's put it this way. It was rejected. If it was considered, it wasn't for a very long time. You know, I believe strongly . . . I think it's the perception of this government that the royalties from forests and from the mining royalties and those kinds of things are provincial revenues, have been traditionally, and should continue to be. And as you have said, those revenues go into the Consolidated Fund, and from that Consolidated Fund comes the money that's voted from this legislature and the revenue-sharing pool, and so on. And as you have clearly stated and as I would like to reiterate, there'll be more money coming to northern communities from the Consolidated Fund than would come to them if they were an integral revenue-sharing pool, and especially in a time like the present.

Pages 158 to 165 inclusive agreed to.

Clause 302 agreed to.

The committee agreed to report the bill.

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

Clause 1

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

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

MR. SHILLINGTON: — Mr. Minister, I specifically wanted to raise with you the comments of the member from Prince Albert and P.A.-Duck Lake yesterday in public accounts . . . (inaudible interjection) . . . Well, but the issue is the same. The issue is the same, Mr. Minister, and that is: what is the role of the penal system, if any? The suggestion that . . . the suggestion made by the members from Prince Albert was that any institution is inappropriate unless it's painted a flat black and draped in barbed wire, and that any approach to corrections which suggests a rehabilitative role is inappropriate. And I wonder, Mr. Minister, in light of this interesting comment by the member from Prince Albert as supported by the member from P.S.-Duck Lake in his complaints, whether or not, Mr. Minister, we could have your view on what the role of the penal system is?

HON. MR. ANDREW: — Well, I haven't had an opportunity to read the verbatim from the public accounts committee as to exactly what is said, and I tend to be rather reluctant to comment on the accuracy of any statements in the *Leader-Post* or the Saskatoon *Star-Phoenix* until I've had an opportunity to in fact read that. I think, as I understand, the . . .

AN HON. MEMBER: — Ask a question and then run out.

HON. MR. ANDREW: — The hon. member must not have wished to hear the answer, but I think the hon. member from Prince Albert was making reference to a commonly held view across this province and that is that, by and large, our penal system has not maybe performed the way it should have been performing. And that many, many people see the corrections systems and the penal institutions in this country, not only this province but this entire country, as being not perhaps a little bit Cadillac-y in service from what they would normally see. I don't think the member for a minute suggested that you go back to what you suggest — with barbed wire, etc. — but it's a view held by a lot of people across this province and across this country.

It seems to me that what we're talking about is not so much the penal system, but do we have a political system, do we have a legislative system here where the views of the people are to be heard and are to be raised. And that's what we're really talking about. I think that if we as politicians shy away from raising questions that are on the minds of people — you talked about cynicism — that's exactly why the general population develops that cynicism about the politician, because he's afraid to raise and talk and deal with those particular issues.

My personal views with regards to the penal system in Saskatchewan, the corrections systems in Saskatchewan is probably . . . I've never been there to look at them, to study them, but say it's been an area that has been studied by a parliamentary committee recently, the last couple of years — it's been an ongoing thing that has been looked at, and I think that as a forum, the ultimate forum for political debate in this province, to suggest somehow that the hon. member does not have an opportunity or a right to raise an issue that people think about, that people raise. And I'm sure the member from Shaunavon has heard the same thing raised by many people in his constituency.

AN HON. MEMBER: — Not in my constituency.

HON. MR. ANDREW: — The member for Shaunavon says there is not one in his constituency that would raise a similar type question. I quite frankly don't believe that. And if he says not, he's not talking to the people out there, because clearly it's an issue that people are talking about. It's an issue that seems to me is proper debate. It's something that should be discussed, something that should be studied.

And I don't for a minute suggest that the member from Prince Albert who probably has as much knowledge as any of us with regard to that subject matter . . . is an area that we should look at — that we should look at within our system . . . As I understood one of the statements of the hon. member from Prince Albert was as follows: it seemed to him that there should be probably better facilities being built for the senior citizens as opposed to better facilities being built for the inmates in penal institutions. And if that's the statement he has made, I can assure you that I whole-heartedly agree with the statement — that type of a statement made by the hon. member from Prince Albert.

MR. SHILLINGTON: — I've been trying to find the comments in the transcript of the public accounts. Mr. Minister, what he was quoted as saying — the member from Prince Albert may disavow his statement; he may recant if he wishes, and I would welcome the member recanting his ill-advised comments — but what . . . (inaudible interjection) . . . I can see I've hit a score spot. Nothing disturbs this government as much as their loose-lipped members who continually get them into trouble. You can tell when you're quoting one of their members. They're all yelling at once trying to drown you out.

I may say, when the comments were made, I was absent from the room. So I'm relying on the media. And I'm trying to find it in the transcripts. What he was quoted as saying was, he thought that the government should dispense with rehabilitation and all the other hare-brained schemes and get back to deterrence as a primary function of the penal system. And I say to the Acting Minister of Justice that if you've got a problem with rehabilitation as a prime function of the penal system, then you're going to have an awful problem with this bill — one awful problem with this bill.

So I'd ask you to address your self not to what the people out there may think but what you view as the function of a penal system. I'd remind the member of the words of your mentor. Edmund Burke, who said that an elected person owes the public not his obedience, but his judgement. So let us talk, Mr. Minister, about what in our judgement is the appropriate role of a minister and dispense with trying to collect what may be the sort of the lowest common denominator of public opinion.

HON. MR. ANDREW: — Well, I would tend to . . . If the hon. Member as the chairman of the public accounts was not in the public accounts to hear what the debate was, that if he, like me, has not read the verbatim to know that was said, it seems rather difficult that I am going to run what the *Leader-Post* says. And I would, following my comments, invite a statement by the hon. member from Prince Albert, who is in the House today, and perhaps he can state what his view is with regards to it.

What I can indicate to the hon. member: I think the view of government — the view of this government — is that rehabilitation is obviously a part of our penal system. But so is deterrent, and sometimes as a dirty, nasty word. And, quite frankly, I believe that a government, perhaps differently from you, that when you are elected here you bring

forth the views of your constituents, and if you bring forth the views only of yourself, only of yourself, then you don't last very long, and well, you shouldn't last very long in an Assembly like this. Because I believe that we as a government, quite frankly, were elected to represent many of the views of the population that we come from. And that's the way we will continue to run the government, and I'll tell you we'll be here a long time to run it that way.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. ANDREW: — but don't for a minute suggest that any statement that we make, that we don't undervalue the importance of deterrents. We believe that a deterrent is an important part of any judicial system, and too often we have forgotten that as a society. Too often people are allowed under our system to damage property or to damage with personal injury. And too often you see people getting away with a fine that I think is too small, and I believe the population believes is too small. Too often it is the criminal or the quasi-criminal that somehow seems to be getting the best end of the legal stick, and I believe that's the system that we are going to look at, we are going to address, and we can address that question without coming to the exact extreme opposite of moving away completely from rehabilitation. We are committed to rehabilitation as much as anyone, but we are going to do it in a reasonable and common-sense way.

And I would simply now ask the Assembly to hear the views of the member from Prince Albert, and perhaps we can clear up the statement that very often is conceived from the newspapers.

SOME HON. MEMBERS: Hear, Hear!

MR. CHAIRMAN: — Order! Order! Order! This is quite unusual, because the item before the committee is Bill No. 68. But the minister has asked for leave for the member from Prince Albert to make a statement. Is leave granted?

MR. MEAGHER: — Thank you, Mr. Chairman. I feel obligated to report to the House on the accuracy of the comments made by the member opposite with respect to items that were brought up properly in public accounts a couple of days ago. This is not the first occasion that the member misused his responsibility as the chairman of the public accounts to raise things in the House. In this particular case, he has elected to read into the record things that were not said, and I see that he has a copy of the verbatim in front of him and I challenge him to read what in fact was said in public accounts.

We were examining the costs of buildings in the city of Prince Albert. One of them . . . For the benefit of the members of the House, I would like to point out that one of them is a new jail, a corrections centre built and completed in the year under review by the previous administration. It's a \$12 million edifice, designed to accommodate 120 inmates to replace a facility that was built to accommodate 250. We were immediately presented with what everyone knew would be a problem with overcrowding. It is right now overcrowded, and they're accommodating inmates in the recreation centres.

The point that we were trying to raise in public accounts in that — and I think a good one and, as is pointed out by the Minister of Finance, it is a question that is raised by my constituents in Prince Albert often — the priorities of the previous administration were pretty badly twisted when they could allocate those enormous sums of money to build air-conditioned, luxury hotels for inmates in our corrections system, but our senior citizens weren't allowed the benefits of that kind of allocation of funds. I think that a

society that is that twisted in its priorities, it's altogether appropriate for a member of the public accounts committee to ask those questions.

I challenge the member opposite to read from the verbatim and demonstrate to this House that anything along those lines of black cells or black-painted facilities was ever suggested by myself; it was not. Questions along those lines were made by members of the press. I feel that those kind of questions are trying to create the impression that any person who raises a question regarding the priorities of the social services department that operated our corrections facilities is immediately advocating dungeons for prisoners.

As I pointed out to the press after that public accounts meeting, any common-sense person in this province knows there's a difference between dungeons and air-conditioned palaces. And people with common sense recognize that there is an acceptable level of corrections that does the job, without 600 square feet per inmate of air-conditioned splendour. I challenge the member opposite to either quote from the verbatim of the public accounts those comments he made, or apologize in the House for making the suggestion.

SOME HON. MEMBERS: Hear, Hear!

MR. SHILLINGTON: — Mr. Chairman, this morning we had what is the penultimate complaint by this government of bad press when you get the minister of co-operatives, who is slandered by a headline in the *Western Producer*, a co-operatively owned newspaper. It's the refuge of every club-footed, awkward, clumsy politician to claim he was misquoted. Let us, Mr. Chairman, with your permission, get back to the bill.

Mr. Minister, your member was quoted . . . (inaudible interjections) . . . Can the minister hear me? Your member was quoted as calling into question the emphasis put by the former government on rehabilitation. Mr. Minister, I want to know your view of the rehabilitation when we are dealing with young offenders. And I would want to know specifically what your view as the role the deterrence plays in dealing with young offenders. I would suggest to the minister that the role played by deterrence in dealing with young offenders should be minimal, very, very minimal, when dealing with young offenders. The deterrence does not have a major role when you're dealing with young offenders. And I'd ask the minister for a statement on that.

HON. MR. ANDREW: — Well, I want to go back to an issue raised by the hon. member, and the issue is basically this: he is the chairman of the public accounts committee. He has the verbatim sitting before him in his desk right now, and he chooses to refer only to an article in a newspaper, when the real thing is there, when he has been challenged by the member of Prince Albert to put it on the record as to what was said, and he seeks to go around him. He seeks to sensationalize. And I suggest to the member opposite, before we deal with that subject matter, let's clear up exactly what the member from Prince Albert said. Let's deal with that first.

SOME HON. MEMBERS: Hear, Hear!

MR. SHILLINGTON: — I stand, Mr. Minister, by . . . I stand by exactly what I said. He was quoted in the newspaper as calling into question the emphasis put by the former government on rehabilitation. And stand by that because he was; he was. And I asked you to comment on that. You have yet to do so. I invited the member from Prince Albert

to comment on it. He says he didn't say it. He says he got bad press. I hear that so much from the members opposite I'm beginning to distrust it, but I take his word for it as an hon. member that he was misquoted.

I do, Mr. Minister, ask you for your views, as Acting Minister of Justice, on the role of the deterrence should play when you're dealing with young offenders.

HON. MR. ANDREW: — I simply say this, I simply say this, that the member opposite has made an inflammatory statement with regards to what the member from Prince Albert said. I disagree with that statement made by the hon. member and made by the *Leader-Post*. So does he. So does the rest of the Assembly. You premised your question with regard to a statement that we say is wrong, and until such time as that is cleared up, I don't think that's worthy of comment.

SOME HON. MEMBERS: Hear, Hear!

MR. SHILLINGTON: — Point of order, Mr. Chairman. I'm prepared to stand by the comments that I made in the transcript. If the member from Prince Albert feels it is a point of privilege, I invite the member from Prince Albert to raise it in a proper fashion. My point of order is that I thought we were dealing with the Young Offenders Act. I thought it was the responsibility of the Minister of Justice to deal with questions put to him by the opposition on the Young Offenders Act. I have put a question to him. I suggest to Mr. Chairman that the Minister of Justice, Acting Minister of Justice, is out of order in continuing to deal with what he believes is some sort of a slight to the member from Prince Albert.

MR. CHAIRMAN: — I find that the member from Regina Centre has no point of order, but the item of business before the committee is Bill No. 68, An Act to amend The Summary Offences Procedure Act. We should go back to the bill and deal with it clause by clause.

MR. SHILLINGTON: — I'm going to try one more time and I'm only going to ask it once more. If the minister wants to get up and talk about something else, I'm going to drop it because I think I know the answer, but I would like to put it in the record. Mr. Minister, may we have the position of this government on the role that deterrence should play in dealing with young offenders? And I say apart, Mr. Minister, from the . . . apart, Mr. Minister, from what has preceded us for the last 15 minutes. It is a subject of serious concern to the public that deterrence may play too small a role in the Young Offenders Act, and I'd appreciate the views of this government on what role deterrence should play in dealing with young offenders.

HON. MR. ANDREW: — Well, obviously I understood the statement of the hon. member from Prince Albert to be as follows: he was concerned about the expenditure of \$12 million to build a corrections centre that housed 120 people, and that was in the public accounts committee. And I think that, quite frankly, is a very legitimate complaint or question to be raised in the public accounts committee. Now that seems to me what he was saying; that's indicated to me what he was saying. I've indicated to you that I believe that deterrence is an important part of our whole penal system. I don't suggest for a minute that the member from Prince Albert was talking about the Young Offenders Act when he raised that question. He was raising a question about the personal system in the province of Saskatchewan — not about the Young Offenders Act.

Now the Young Offenders Act, as we all know, is an act that has been brought in by the

federal government. It's changing the rules that were in place in this particular province, a trend that was, I think, resisted by you when you were in government and by us when we were in government, because what it's basically doing is moving away from the 16-year old limit, moving it up to an 18-year-old limit, and we felt, I think, as you felt, that 16 was perhaps a more appropriate age. It fitted into our system, that people under 16 obviously should be dealt with differently than the people over 16. You never heard this government suggest for a minute that we were going to use a system on 18-year-olds or 17-year-old kids that we were going to put a whip to them and put them in black dungeons. And that's the type of statement you like so that you can get our friends in the third row to give you another headline; the Tories support black dungeons for 16-year-old kids. We will do a, obviously . . . (inaudible interjection) . . .

Well, now the hon. members opposite are being clumsy. That has got to be the ultimate in the statement for being clumsy. They are being clumsy . . . (inaudible) . . . about being clumsy. I sat through this Assembly yesterday and I've been in this Assembly for six years now. I've been in this Assembly for six years, and yesterday's question period was the worst demonstration of parliamentary form I have ever seen.

MR. CHAIRMAN: — Order, order!

MR. LINGENFELTER: — Mr. Chairman, I wonder whether you could tell me, Mr. Minister, on your last answer whether or not you think it was the worst question period because it was the day that government members asked . . . (inaudible) . . .

MR. CHAIRMAN: — Order, order! I find this question out of order.

HON. MR. ANDREW: — I'd sure like to answer that question.

MR. CHAIRMAN: — The item of business before the committee is Bill No. 68, clause 1, short title. Agreed?

MR. LINGENFELTER: — Just a couple of short questions. I'm certainly not going to be provocative because it's late in the day and we would like to get through this and one other bill I think we have in committee on the corrections. But I am wondering about the rationale behind the increase in the penalty. I don't know exactly what clause that it is, but where it is increased from \$100 to \$500. Can you give the rationale for that, Mr. Minister?

HON. MR. ANDREW: — I'll tell you, one of the rationale behind this is that we have had calls from many people, including the hon. member from Regina Centre, questioning the whole structure throughout all of the bills with regard to the levels of fines. They were frozen at a minimum of \$100. I think you, and all, understand that the discretion always remains in the hands of the court system, who are not imposing minimum levels of fines of \$500 but the range of fines up to \$500.

And what you see in today's world very often is young people — 17-year-olds, 18-year-olds, even 15 and younger — where \$100 is nothing. They pull out a wad of dollars out of their pocket and \$400 and \$500 in it. They often, many times they have a lot of that money, and that's the reason for it, is that it gives the discretion of the court to impose higher fines. When courts impose fines, they take into account such things as the higher fines. When courts impose fines, they take into account such things as the economics of the particular family from which the accuse comes from, the seriousness of the crime, but it gives the court latitude to be able to properly impose a situation

where they see it warranted for that extra penalty. And that's all it is for.

You don't want to be coming back each year and saying, 'We're increasing it from 100 to 150, and next year from 150 to 200.' Leave that discretion in the courts. I am convinced and I am satisfied that the court system can do a good job in apportioning fines out and, simply, I don't think it's anything more than a corrective measure to give them that discretion I think they probably need.

MR. LINGENFELTER: — I think that it's fair to say that the increase from 100 to 500 is drastic by anyone's terms, and in looking . . . I'm not disagreeing that possibly an increase wasn't in order, but I'm just saying that that kind of an increase is very great and that many people, many young people, in fact, don't have reams of dollars in their pockets. And in fact in today's economy where the youth unemployment is extremely high, I find that hard to believe that this would be the time that we would choose to charge, to increase that option — and I agree with you, it is an option of the court — to \$500.

The other issue in the same section is the increase in penalty, which doesn't make any sense to me, because you can talk about inflation and that in money — and maybe you can make some sort of a rational argument — but can you explain to me why the penalty for non-payment of fines ends up with people in correctional centre. It's not because they're a threat to society; it's because they don't have money. I think that that, Mr. Minister, is a mistake — in increasing from 60 days to 90 days because of a lack of payment, after you have just increased it from 100 to 500.

I think that what we are then talking about is not less people in correctional centres, to deal with the member from P.A.'s problem of overcrowding, but you will have more people in correctional centres, and again, not because they are a threat to society but because they don't 'have money. And that's a sad reason — a sad reason, I believe — and is the reason that many programs — like the fine option program, like the mediation diversion program — were brought into place in other areas. It was to avoid sending people to the jail or to the penitentiaries simply because they did not have the dollars to pay their fines. I'd like to know why that increase in that area?

HON. MR. ANDREW: — Okay, the first point raised is the increase of \$100 to \$500. That's not for all offences across the board, where some fellow or young person could get into a problem, as anybody can. It only covers the situation where a person has wilfully failed or refused to comply with the conditions of a probation order. So what has happened is the person has been to court and the court has basically said, 'Okay, we're going to place you on probation. We give you that option. You made a mistake. We're not going to impose a fine. We're going to place you on probation and give you another change. In lieu of that, if you don't, the previous law said, 'you're subject to a fine of \$100.

What this law is give teeth to the probation order so that when a young person comes before the court and he is given the benefit of the doubt by the court and placed on probation, as opposed to incarceration or to a serious fine, you place him on probation and give him a chance. But surely, we have to have a system, whether you put someone on probation it means something to him or her, and not simply, 'I just got off.' And that's why you put a few more, a little more weight onto that penalty at that particular

time. Again, the discretion is in the courts. So if someone wilfully, basically, just says . . . the court says: 'Okay you have done wrong; we're going to put you onto probation for six months to keep peace and be of good behaviour.'

And the young person, 17, 18 years old walks out and says, 'Ha, I got off that okay; I don't' have to worry about that.' Now if that system exists, surely we have to give the judge some discretion to say: 'What you did was abuse that opportunity that this court gave you. If you have the economic wherewithal, then we are going to impose a fine on you, and it's going to be a serious fine on you.' I don't see anything wrong with that at all. We're not putting minimum sentencing on him; we're certainly giving the discretion of the court to do something.

With regard to the 60 to 90 days, it was explained in second reading. What we are doing is moving from the procedure of the Criminal Code to this new procedure under summary offences. You know what it is under the Criminal Code onto the new section in summary offences act that is doing it. so in fact, it's not going that way at all, but coming down from six months down to 90 days or three months. So it's cutting it in half from what the federal Criminal Code says, dealing with these particular type of people.

MR. LINGENFELTER: — But in that section where you're changing it, there will also be people — will there not? — who will be affected the other way. Like it's not clear-cut that everyone who was affected by a six month under the Criminal Code — a penalty of six months under the Criminal Code — will now have 90 days. Because the act very simply stated: it says in that section, prior to this amendment, that it was 60 days. And a point of clarification on that: whether or not there are individuals who will be affected negatively — I suppose depending on how you look at it — by the increase from 60 to 90 days.

HON. MR. BLAKENEY: — What it does is it takes away, number one, from the Criminal Code that used to apply, *mutatis mutandis* to this particular section. And what it reads now: The court may direct imprisonment for a period not more than 90 days . . .

Not more than 90 days — and that's across the whole board.

. . . of a person who fails to pay a fine . . .

That doesn't mean if he fails to pay a fine of \$50 that he gets 90 days in jail. It gives the judge the discretion in a given case.

. . . or fails to satisfactorily complete the fine option program . . .

In other words, the person who can't afford it has the other option that's used very often. It's a good program — the fine option program. Those that can't afford it, instead of not being able to pay and having to go to jail, in lieu of that they can work it off under the fine option program. So if the person refuses . . . Let's say he's put onto the fine option program and he refuses to participate in that, then he has to be brought back to the court and the judge will then say, 'Okay, in view of failing to pay your fine, in view of the second option — and that being the fine option program — and you failed on both of those . . .' Then you're going to have to use the ultimate weapon of putting them in jail. Now, from 60 days to 90 days the court is still going to determine on a \$100 fine

that . . . What are we talking about in terms of — a week — something like that — three or four days? What you're doing is allowing again the discretion to apply it at simply across the board.

The fines are going up, and I think most people support that fines do have to, in fact, increase if they're going to act as a deterrent . . . (inaudible interjection) . . . Well, the upper limits have to be increased. Whether you apply that to a given case or not becomes the discretion of the court, and I don't think anyone would ever want to take that discretion away from the court. It does allow it to increase; it does allow it to build a deterrent, and it tends to be a policy that wants to go across the whole field in that regard. I don't think it's a big issue in the sense that the Magistrate's Court are still going to deal with that sentencing the way they always have.

The committee reported progress.

The Assembly adjourned at 1:03 p.m.