

LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
May 30, 1983

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

NOTICE OF MOTION

HON. MR. MCLAREN: — Mr. Speaker, I give notice that I shall on Wednesday next move first reading of a bill, An Act to amend The trade Union Act.

SOME HON. MEMBERS: Hear, Hear!

WELCOME TO STUDENTS

HON. MR. DIRKS: — Mr. Speaker, it's my pleasure to introduce to you and to the members of the Assembly today, a group of 19 grade 8 students from one of the finest schools in Regina, Dieppe School, located in my constituency. They are seated in the Speaker's gallery and are accompanied by their teacher-chaperons, Mr. Dick Lupastin and Bonnie Jones. I will have the privilege of meeting with them at 3 o'clock for pictures, and then for some refreshments after that. I would ask all members of the Assembly to join with me in welcoming them to the Assembly proceedings this afternoon.

HON. MEMBERS: Hear, Hear!

MR. KLEIN: — Thank you, Mr. Speaker, I would also like to introduce to you and through you to this Assembly, 17 young people from my constituency of Regina North. They're up in the Speaker's gallery. They are grade 8 students from St. Anne School. They are accompanied here today by their teachers, John Stochmal and Mrs. Procyshyn. I'm delighted to remind them that they have a choice of four high schools in Regina North to choose from next year, but hopefully today they will enjoy their visit to our legislature, enjoy the question period. I look forward to meeting with them a little bit later on and have a little visit with them. I ask members to join with me in welcoming them here today. Thank you.

HON. MEMBERS: Hear, Hear!

INTRODUCTION OF GUESTS

MR. MAXWELL: — Thank you, Mr. Speaker. It's my pleasure to introduce to you and the other members of the Assembly a couple who are here on vacation from Edinburgh, Scotland, seated in the front row of the Speaker's gallery. The gentleman in question is a well-known national union leader in Scotland, being the immediate past president of one of the major industries in Scotland, the pub industry, Mr. Speaker. And they are testimony to the fact that at least one of the names that perhaps the opposition might like to call me is without foundation. I'm proud to present my parents, Bud and Molly Maxwell.

HON. MEMBERS: Hear, Hear!

WELCOME TO STUDENTS

MR. DOMOTOR: — Thank you, Mr. Speaker, I'd like to introduce to you and through you to this Assembly a group of grade 7 students from Watrous Elementary School in Watrous, Sask., part of my constituency. They number 35. The teachers accompanying them are Vern Rudneski and Larry Orth and the bus driver, Peter Gaulie. I'd like to have the members of the Assembly welcome them here today. Thank you.

ANNOUNCEMENT

Winners of Shell Fuelathon

MR. FOLK: — Thank you, Mr. Speaker. I'd like this Assembly to join me in congratulating students from the University of Saskatchewan's mechanical engineering college, who placed first out of 16 universities at the Shell Fuelathon held last Thursday in Oakville. Their ultra car achieved mileage records of 1,353 miles per gallon. The car was designed by Darcy Thomson, Jim Spetz, and Brawney Ewanchuk, who drove the car in the race. Professor Barry Hertz was their faculty adviser.

This was the second time that the U of S placed first in this competition. Later this week they will be competing in the Society of Automotive Engineers competition in Michigan. They've won that competition every year for the last three years, giving them the North American mileage record.

Please join with me in wishing them every success in their upcoming competition and extend, once again, our best wishes for their victory last week.

HON. MEMBERS: Hear, Hear!

QUESTIONS

Sale of Liquor at Taylor Field

HON. MR. BLAKENEY: — Mr. Speaker, I would like to direct a question to the minister in charge of the Saskatchewan Liquor Board and the Liquor Licensing Commission.

Press reports indicated that the minister had advised the press that the amendments introduced into this House would permit the sale of light beer in Taylor Field, subject to a referendum of the citizens of Regina. My question to the minister is this: will he agree that the amendments introduced to the house allow the Liquor Licensing Commission to authorize the sale of all alcoholic beverages — beer, wine and spirits — in Taylor Field on all days of the week, Sunday included, without further action by this legislature, or by the city council of Regina, or the voters of Regina, or even by the Lieutenant-Governor in Council?

HON. MR. SANDBERG: — Mr. Speaker, the amendment that we are introducing to the Liquor Licensing Act states quite simply that the citizens of Regina will be given the opportunity to vote in the form of a referendum. They will indicate their choice through a referendum whether they want the sale of light beer at Taylor Field or not.

This is what this government has been saying all along. I think it is the most democratic method that any government could choose by lettering the citizens of this community make the choice. The government is not making the choice for them.

HON. MR. BLAKENEY: — Mr. Speaker, a supplementary. Does the minister deny that

the amendment which he introduced into this House permits the Liquor licensing Commission to authorize the sale of all alcoholic beverages — beer, wine and spirits — in Taylor Field?

HON. MR. SANDBERG: — That is not the intent, whatsoever, Mr. Speaker, of the legislation. The intent of the legislation is that we will allow the citizens of Regina, through a referendum, to vote as to whether they want light beer, and that is all, low-alcoholic beer, at Taylor Field — nothing else in the stands but low-alcoholic beer. Not wine, not spirits, not anything else, just light beer.

HON. MR. BLAKENEY: — Further supplementary, Mr. Speaker. Does the minister deny that the legislation which he introduced allows the Liquor Licensing Commission to authorize the sale of alcoholic beverages on Sunday?

HON. MR. SANDBERG: — that is at the discretion, Mr. Speaker, of the Liquor Licensing Commission. If the voters of Regina, through referendum, do indicate that they want the sale of light beer at Taylor Field, it will be at the discretion of the Liquor Licensing Commission as to whether beer will be sold on Sundays or not.

HON. MR. BLAKENEY: — Mr. Speaker, a further question, In view of the statement by the minister that the intention of the government is to authorize the sale of light beer only, will he agree to a House amendment to the act which would limit the application of the act to light beer only?

HON. MR. SANDBERG: — I will not entertain that amendment, that suggestion, at this time, Mr. Speaker. The Liquor Licensing Commission is a responsible body, and as far as this government is concerned, and this caucus is concerned, light beer will be the only beverage allowed at Taylor Field.

HON. MR. BLAKENEY: — Further supplementary, Mr. Speaker. Do I understand the minister to say that it is the policy of his government to leave with the Liquor Licensing Commission the decision as to whether or not the alcoholic beverages sold will be restricted to light beer?

HON. MR. SANDBERG: — I would expect that these questions, Mr. Speaker, would be answered quite adequately, and in detail, in committee of the whole, but as I mentioned earlier, it is the discretion of the Liquor Licensing Commission as to what days light beer could be sold at Taylor Field, and as to what types of alcoholic beverages can be sold at Taylor Field.

MR. SHILLINGTON: — Thank you very much, Mr. Speaker. Will you, Mr. Minister, give your undertaking that if the citizens of Regina authorize the sale of light beer on days other than Sunday, that no extension of that will take place without a further referendum?

HON. MR. SANDBERG: — I don't know what form the question on the referendum, the so-called referendum, will take. That will be up to the city of Regina to decide that. This legislation simply says — and I can read it to you if you like — but it follows The Local Government Election Act, part V of The Local Government Election Act. It will be up to the city of Regina what form the question will take, and indeed it's up to the city of Regina whether there will be a referendum at all — whether there will be a referendum

at all. The city of Regina has indicated through a recent vote, five to four, that they wanted the sale of light beer at Taylor Field.

Now, all this legislation does is to provide them enabling legislation in the act in the event that they should decide through a referendum that they want the sale of light beer at Taylor Field.

MR. SHILLINGTON: — Well, new question, Mr. Minister. The spectre of course is that this is the nose of the camel, and that once light beer is sold on days other than Sunday, you're going to have the entire camel inside the tent rummaging around.

My question, Mr. Minister, to you is: if it is your intention that only light beer should be sold, and only on days other than Sunday, why don't you put that in the legislation if that's your government's intention?

HON. MR. SANDBERG: — That is a matter that can be adequately determined by the Liquor Licensing Commission, Mr. Speaker. I don't intend to get into that at this point.

MR. SHILLINGTON: — Well, Mr. Minister, let me deal with a peripheral issue, the referendum itself. New question, Mr. Speaker. Referendums of course, Mr. Minister, are not new in dealing with liquor questions which are purely of a local nature. But my suggestion to the minister is that this matter is not purely of a local nature. Roughrider games are attended by people throughout the province, and I ask you, Mr. Minister, how you justify determining a decision of this nature, which affects people throughout the entire province, when only the people within the city are able to vote on the referendum.

HON. MR. SANDBERG: — Well, it's quite plain as the nose on that camel's face that he referred to that the matter of Taylor Field, Mr. Speaker, is under the jurisdiction of the city of Regina. Now, we could make legislation that says the whole province, the million people or however many people are eligible to vote in this province, should vote on the matter of light beer at Taylor Field. I think the most efficient way of doing it is leaving it up to the people of Regina, who form the greatest percentage of persons who attend Canadian professional football league games at Taylor Field.

MR. SHILLINGTON: — New question, Mr. Minister, I want to suggest to you that there's a far more efficient way of conducting a province-wide referendum, and that is to allow the decision to be made on the basis of a free vote in this Assembly, as has traditionally been the case, and allow people to speak to their elected representatives so they may vote as they please. My question, Mr. Minister, to you is: will you admit that the reason why you are passing the buck is because your caucus is badly split and this way your caucus doesn't have to say yea or nay to liquor at Taylor Field?

HON. MR. SANDBERG: — No, I don't admit to the member from Regina's statement at all. This is a free government. Our caucus members can vote their concerns any way they wish. We have agreed in this government that we will allow the city of Regina, through a referendum, to enunciate their wishes. There is nothing more democratic than that. And if the member wants to oppose the sale of light beer at Taylor Field, in committee of the whole or in this forum, he is free to do so and I'm sure his constituents will know where he stands on the matter.

Job Creation Resulting from European Trade Mission

MR. KOSKIE: — Mr. Speaker, I want to direct a question to the Minister of Economic Development and Trade, better known as the minister of 'I'll take notice.' It has to do with your trade mission jaunt last year, which cost the general taxpayer some \$30,000. What I would like to ask the minister: can the minister tell this Assembly how many jobs have been created in Saskatchewan as a direct result of your European trip?

HON. MR. ROUSSEAU: — Mr. Speaker, I should take notice. It's becoming ridiculous and is becoming silly — this question period in this Assembly — the questions that are coming out of the opposition which are repetitive, which have been asked numerous times in this House, which are really questions that should have been asked during the estimates of industry and commerce and in fact were asked, were answered, were explained. You know, even if the question doesn't come out with the true facts — as I recall the figure of cost wasn't that amount of money — to repeat that in question period today, the same questions that have been asked, the answers that have been given in the past, is a waste of time of this legislature, and, Mr. Speaker, if they want to get back into the questions in estimates, I'd be happy to handle them at that time. This is getting to be absolute nonsense the way they're wasting the House's time with questions that have been asked — and taxpayers' money — over and over and over again.

MR. KOSKIE: — Well, Mr. Speaker, or rather the minister, just because he can't answer it, I'll continue to answer the question, because he made a press release indicating what he is spending the taxpayers' money. But I'm going to ask you, on December 16th last year you made a statement that at least four European countries had agreed to set up shop here in Saskatchewan, and would be in operation in '83 as a result of your European trip. I'm going to ask you: how many of those four European manufacturing companies you said would be opened up. There was a technology company in Germany, and you also said that there was a Netherlands high technology. How many of them have set up?

HON. MR. ROUSSEAU: — Mr. Speaker, the year 1983, to the best of my knowledge, isn't over yet. This is only the end of May. I will indicate to the hon. member that he referred to the high-technology company — we've had some business men from Regina visited recently within the last two months, the same company in Germany on a joint-venture basis, and discussions are proceeding; negotiations are proceeding. I make no guarantees of what's going to happen. I indicated one company that did establish in the city of Regina as a result of that trip already. Mr. Speaker, it became so obvious to this Assembly that that opposition have no idea of what questions to ask in this Assembly any more. They're lost; they're digging back into the past to see if there's something they can come up with.

Lake Diefenbaker Pipeline

MR. SHILLINGTON: — I have a question to the Minister of the Urban Affairs, Mr. Minister. It has to do with the foul-water season in Regina and Moose Jaw, and with your government's election campaign promise to solve that some time within the lifetime of some living person. My question to the minister is: have you yet received confirmation of a meeting date with the federal government to discuss the federal financing support for the Lake Diefenbaker water pipeline?

HON. MR. SCHOENHALS: — Yes.

MR. SHILLINGTON: — What date?

HON. MR. SCHOENHALS: — Mr. Speaker, the indication from the federal minister is that we will hold the meeting prior to the 15th of June. The exact date has not been set, and will probably be set some time next week.

MR. SHILLINGTON: — Does the minister have a specific proposal to take the federal government, or is that something you just hope you'll be able to get together between now and the 15th?

HON. MR. SCHOENHALS: — We do have a proposal, Mr. Speaker.

MR. SHILLINGTON: — Supplementary, Mr. Speaker. Will you table in this legislature the terms of that proposal?

HON. MR. SCHOENHALS: — Mr. Speaker, the answer to that is obviously no; we will not negotiate in public or in the press.

MR. SHILLINGTON: — New question. Given the minister's track record, we can understand why you wouldn't want to file your proposal. You did that before. A supplementary question to the minister. Will your trip to Ottawa attempt to get financial commitment from the federal government under the terms of this special recovery capital projects fund, and billed in the April budget, or are there other programs as well which your trip will attempt to explore?

HON. MR. SCHOENHALS: — We are obviously interested in that program that was announced in the federal budget. There are other programs as well. That is all part of what we're putting together. I think that . . . (inaudible) . . .

MR. SHILLINGTON: — What are the other programs, Mr. Minister?

HON. MR. SCHOENHALS: — Mr. Speaker, there are programs through Urban Affairs that have been in place in the past. There are some precedents we are considering. I think all those things are part of the negotiations. We do not propose to do it publicly, we propose to take the package to Ottawa and try to get an answer.

MR. SHILLINGTON: — Is Mr. Minister confident that your presentation to the federal government will in fact result in a specific commitment by Ottawa to participate in the project?

HON. MR. SCHOENHALS: — Mr. Speaker, I suppose the answer to that would be no, I'm not confident. We're certainly going down to present the best case we can.

MR. SHILLINGTON: — Well, Mr. Minister, would you consider anything less than a specific commitment a failure?

HON. MR. SCHOENHALS: — I would expect that, as is the case with most negotiations with the federal government, especially in attempts to obtain financial aid, if you will, that it will take some time and that this first meeting will set some groundwork, and we will proceed from there under the normal course.

SPC Purchase of Drag-line

HON. MR. BLAKENEY: — Mr. Speaker, I'd like to direct a question to the minister in charge of the Saskatchewan Power Corporation. This question concerns the arrangements between the Saskatchewan Power Corporation and Manalta Coal Ltd. and its several subsidiaries with respect to the sale and purchase of a drag-line, and more particularly it refers to a letter dated May 16, 1983, which I wrote to the minister asking for copies of the coal agreement and the chattel mortgage and the guarantees which Saskatchewan Power Corporation have issued as a result of this transaction — this puzzling transaction. I want to ask the minister whether or not he will be in a position to provide me with that information before the crown corporations committee considers the activities of the Saskatchewan Power Corporation in a couple of days.

HON. MR. MCLAREN: — Mr. Speaker, I'm aware of the Leader of the Opposition's letter, and I've sent it over to the management at Saskatchewan Power to check it out for me and I'll be back to you very shortly.

HON. MR. BLAKENEY: — Thank you, Mr. Minister. A supplementary. In view of the fact that it's two weeks since I sent the letter and the power corporation will come before the crown corporations committee in a very few days, would the minister take steps to see that the material is provided as soon as reasonably possible?

HON. MR. MCLAREN: — Mr. Speaker, I just saw the letter last week and that's when I sent it over.

Uniforms for Western Canada Summer Games

HON. MR. SCHOENHALS: — Mr. Speaker, on Friday I took notice of a rather unique question, unique in the sense it was one I hadn't heard in the House before. I have the information that involved the Western Canada Summer Games bid. It came from the member from Shaunavon; I will provide the information, if it's all right, despite his absence.

In terms of the tenders for the summer games uniform, as I indicated then, there were basically three portions to the tender. The sweat-suits, which make up part of the walking uniform — there were 33 bids in total; the low bid was from Debronis Distributing in Winnipeg at \$40 a sweat-suit. The shirts of the uniform — there were 21 bids; that one went to Donald C. Flegg of Regina, at \$9.75 a shirt. The hats — a total of 20 bidders on this one; that went to the Winnipeg firm of Debronis Distributing at \$1.35 a hat. I believe that was the information he asked for. I'm glad to provide it.

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Changes to Urban Municipality Act

MR. SHILLINGTON: — A question to the Minister of Urban Affairs. Mr. Minister, the question arises out of a series of articles in the Leader-Post, outlining what the members from Regina and the member from Regina Elphinstone have long known, and that is that some of the housing in our ridings is substandard. Those articles were accompanied, Mr. Minister, by a comment from Alderman Joe McKeown, who stated that some teeth needs to be pulled into The Urban Municipality Act to give urban municipalities the power to deal with this slum housing, and to prohibit that kind of housing from being rented.

My question to the minister is: since you people are patently scrambling for legislation,

trying to keep this session going until you can bring in your major trade union act, will the minister consider an amendment to The Urban Municipality Act which will allow the city of Regina to deal with this very serious problem?

HON. MR. SCHOENHALS: — Mr. Speaker, having sat through the last three question periods, I have real trouble how you can indicate that we're scrambling for anything.

In reference to your question, The Urban Municipality Act is being rewritten. It is being rewritten in very close consultation with the municipalities of this province, and any other groups involved, and it is very possible that an amendment of that type may be part of it. It is not completed yet — the rewrite is not completed — it will be introduced in the fall, and at that time you will find out what's involved.

MR. SHILLINGTON: — Well, supplementary to the minister. Why will the minister not consider an agreement now, to deal with a problem which is readily apparent? The difficulty, Mr. Minister, is dealing with . . . in writing for fall, is that there's going to be a lot of people suffering in substandard housing while you get this perfect whole of an legislative act together. My question, Mr. Minister, is: why not deal with this simple amendment now, since you have patently had lots of time?

HON. MR. SCHOENHALS: — Mr. Speaker, there are a number of rather pressing items in The Urban Municipality Act. We have decided, rather than deal with them in an ad hoc nature, to deal with the rewrite of the entire act; deal with all the questions involved at one time; do it through a process of consultation that will allow all the municipalities to have input. And despite the fact that it may in fact be a matter of two or three months that it gets here later, we propose to proceed in that manner.

MR. SHILLINGTON: — New question, Mr. Minister, and Mr. Speaker. Mr. Minister, have you taken the opportunity to ask poor people's organizations about this problem? Will you undertake to consult with them as well, as well as the municipalities?

HON. MR. SCHOENHALS: — Mr. Speaker, as I'm sure the minister realizes, the urban act is to provide the authority for the urban municipalities to deal with the problem that are in the boundaries. We will deal with the urban municipalities to deal with the problem that are in their boundaries. We will deal with the urban municipalities. I would expect that in specific cases, if your constituency has one, that your people would make their protestations, if that's the right word, to their aldermen, who I believe would take them on to the next course, to the next stage.

I should add, Mr. Speaker, that The Urban Municipality Act, when we came to power, had been under review for upwards to three years. The urban municipalities were very distressed at the lack of any movement as far as rewriting that bill is concerned, and they seem quite surprised that we're able to have it ready for introduction in this session.

Unemployment in Saskatchewan

HON. MR. MCLAREN: — Mr. Speaker, last week I took notice of a question from the Leader of the Opposition concerning the number of construction workers that were unemployed in the province. On checking our research and trying to find that figure out, I was able to do so. But I did find out from StatsCanada that the construction industry in Saskatchewan a year ago, from January to April 1982, averaged 20,250 people employed. From January to April 1983, we have 22,500 construction people

employed — an increase of 2,250 people.

SOME HON. MEMBERS: Hear, Hear!

Increase in SGI Premiums

HON. MR. BLAKENEY: — Mr. Speaker, I direct a question to the Minister of Economic Development and Trade and the minister in charge of the Saskatchewan Government Insurance Office, and this has to do with a letter which I'm advised the minister has received from the village of Shell Lake. It's a small matter, but one indicative of the policies of the corporation. My question is this, Mr. Minister: did you receive a letter from the village of Shell Lake offering a protest of the fact that for the same fidelity bond that that village bought a year ago and paid \$20, they have now had to pay, from your corporation, \$50, an increase of more than 100 per cent over the premium previously payable?

HON. MR. ROUSSEAU: — No, Mr. Speaker, I don't recall receiving the letter. It may be in my office, and it may be at SGI, and I'll probably get a copy of it very shortly. However, I'm not surprised at the increase in a bonding that the Leader of the Opposition is referring to. I think he said a fidelity bond. The history of SGI, in bonding, has been a disaster for years. It was a losing proposition. It cost the government and the taxpayers of Saskatchewan a lot of money because of the losses that we incurred by that department, and we've moved to take steps to improve that situation. From \$20 to \$50, although it may sound like a lot of money in percentage, is not a great deal of money. When you consider the risk taken by SGI, a fidelity bond of \$50 is not that serious, Mr. Speaker.

INTRODUCTION OF BILLS

Bill No. 94 — An Act to amend The Land Bank Repeal and Temporary Provisions Act

HON. MR. ANDREW: — Mr. Speaker, I move first reading of a bill to amend The Land Bank Repeal and Temporary Provisions Act.

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

Bill No. 95 — An Act to amend The Farm Purchase Program Act

HON. MR. ANDREW: — Mr. Speaker, I move first reading of a bill to amend the farm purchase program.

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

Bill No. 96 — An Act to amend the provision of Legal Services to Certain Persons in Saskatchewan

HON. MR. LANE: — Mr. Speaker, I move first reading of a bill respecting the provisions of legal services to certain persons in Saskatchewan.

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

POINT OF ORDER

HON. MR. ANDREW: — Mr. Speaker, prior to orders for the day, I raise a point of order to the Chair, perhaps for clarification more than anything. The point of order is this, Mr. Speaker, and I know you've addressed it on many occasions, and I would simply ask for your guidance to it. I refer to *Beauchesne's Parliamentary Procedure*, page 131, paragraph 358, dealing with the question of question period, Mr. Speaker. To read from that, and as I say, I recall many times you indicating with regards to that question, but the direction I would like is this: the questions should be asked only with respect to matters that are of sufficiently urgent importance to require immediate answer.

The question I have is things like the village of Shell Lake — those types of questions to a minister — 'Did you receive a letter from the village of Shell Lake about my \$30 increase with regards to a fidelity bond?' Now, the question I have: does that really fall into the question of sufficient urgency and importance to require an immediate answer? And I suppose that's the concern I have with regards to the nature of the questioning in question period and do they properly fit within a proper question period.

MR. SPEAKER: — I'll take time to review the record on this topic. It's a little bit subjective for me to decide whether or not to the member it's urgent, and for that reason I'd like to go back and take a look at some of the questions of today, and I'll bring in a ruling tomorrow.

MOTIONS

Referral of Bill No. 77 to Standing Committee on Non-Controversial Bills

HON. MR. LANE: — Mr. Speaker, before orders of the day, by leave of the Assembly, moved by myself, seconded by the member from Kindersley:

That the order for second reading of Bill No. 77, An Act to amend The Surrogate Court Act, be discharged and the bill referred to the standing committee on non-controversial bills.

Motion agreed to.

ORDERS OF THE DAY

GOVERNMENT ORDERS

COMMITTEE OF THE WHOLE

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

Clause 1

MR. CHAIRMAN: — Could you introduce your official please, Mr. Minister?

HON. MR. LANE: — Ron Hewitt, of the Department of Justice.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

Clause 6

MR. KOSKIE: — Some of the provisions here under the summary procedures is making in it, Mr. Minister, in compliance with the Young Offenders Act, as you indicated in addressing it on the second reading. And when the Minister of Finance, I guess, put the bill through on second reading, sections 9.1 and 10.1, and all of these tend to be in agreement with the young offenders, with some modifications. And 10.1 is the proviso — whereas in young offenders it's 'shall' and 10.1 is the provision insofar as service on the parent or guardian.

All I'm asking you here is . . . the Young Offenders Act has a specific provision for protecting the young offender in respect to the making of a statement which would incriminate himself. What I'm asking is: while you are putting into effect some of the provisions similar to the young offenders, I don't see you putting in a similar provision under the Young Offenders Act which provides a basic protection — as I understand it — in respect to young offenders making a statement, an incriminating statement.

HON. MR. LANE: — Mr. Chairman, in response to the hon. member, many of the changes will affect . . . The Young Offenders Act will affect other pieces of legislation. For example, the Canada and Saskatchewan Evidence Acts, which would deal with the matter of incriminating statements or the ability not to testify against oneself. Those acts are not changed.

I call to the hon. member's attention as well the charter which deals with that. Whether or not there will be the need for the non obstante provisions (notwithstanding provisions) in some acts because of the charter, we have made no decision yet with regard to provincial statutes. Whether in fact The Saskatchewan Evidence Act should have a different rule for young offenders as opposed to adults, is a decision that has not yet been made.

Clause 6 agreed to.

Clauses 7 and 8 agreed to.

Clause 9

MR. KOSKIE: — I just want to ask one question. Here it was indicated that ordinarily under the Young Offenders Act, again, the modus where a juvenile offender is to be charged with an offence, the peace officer shall make reasonable efforts. Under the Young Offenders Act it indicates that it's mandatory, that it shall be served on the parents or those standing in the place of the parents. And what I'm asking is: why have you deviated from that mandatory provision and left it under the discretion of the court? Why not make it mandatory? Is it because you view the seriousness of the offences under the provincial statutes less severe than what would be dealt with under the federal statute?

HON. MR. LANE: — It may be very difficult in some cases to notify the parent. We wish the parents to be notified and we've made it quite clear, but it strikes us as wrong to have a charge thrown out, perhaps a serious one, by reason of the failure of the peace officers to notify the parents of the young offenders. And in fact if there may be circumstances where the parent avoids notification — it may have nothing to do with the child — and if we take the federal position, the charge would be thrown out and a very serious crime may not be dealt with as a result. So we felt it was far too stringent,

and rather than make it absolute, we require in our legislation that reasonable efforts be made, so that if there is a parent that's trying to avoid taking responsibility for their child or avoiding being served so that the child can get away with having committed a serious offence, then reasonable efforts are all that is required. We think that it's, frankly, a more reasonable approach than the stringent approach of the federal Young Offenders Act.

MR. KOSKIE: — Well, I'll accept what you have said. I find it hard to believe that, you know, the offences under provincial law or municipal by-law that you could support on the basis of the severity of the crime would be more severe than what would be under the federal statute. And the federal statute has gone further and made it mandatory. And I note that you have made a provision there under 10.1 that it's in the discretion of the court to take a look and determine whether or not sufficient effort has been made.

I think that these provisions are good as a protection. The only thing that I worry about is that here we have probably very young and inexperienced individuals, and I would have thought that the provision would have been that service shall be made, or that the officer that hadn't been able to make service on the parents shall make every reasonable effort, and the officer, to continue, shall come forward and indicate to the court . . . In other words, put it onto the prosecuting end of it to justify that every effort had been made. It just seems to me that that would turn it around a little bit and certainly protect the young offender.

I worry a little bit in the case of the young person who may not, in fact, be represented by legal counsel. If you're represented by legal counsel, of course, the rights are far more readily available to the individual. I just wanted to raise that. I think it's a departure from the Young Offenders Act. I think that if could take it that step, and if we found that it wasn't workable, then it could always be modified to the extent that you have here. But I'll accept your comments in respect to it.

HON. MR. LANE: — Mr. Chairman, we believe that our proposals are far more workable than the stringent requirements set out in the Young Offenders Act. I draw to your attention the provisions in section 10, which allows the court to adjourn proceedings if the court is not satisfied with the efforts to notify the parents, and can require further efforts after the adjournment. That's a far more reasonable approach in our view than to throw out the charge and let someone go free without facing the consequence of their act because the parent has not been notified.

I think that the hon. member has to be aware that there will be situations where either the young offender, the one under 18, is no longer living at home; the parent may have nothing to do with the child; the parent may refuse and avoid service just to let the child (young offender) get off scot-free. We're taking the approach that if there are reasonable efforts to notify the parents, and if the courts are satisfied — because you have to read both of those together — if the courts are satisfied that there has been reasonable efforts, then the matter can be proceeded with. And if there is the discretion in the courts, there's a more than an adequate protection to the young offender, there's a more than adequate protection to the young offender, there's a more than adequate protection to the parents so that they are notified as to what the alleged offender has done, and thirdly, there is the protection to society by covering those situations where perhaps a parent may be avoiding service of the notice.

Clause 10 agreed to.

Clauses 11 and 12 agreed to.

The committee agreed to report the bill.

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

Clauses 1 to 8 inclusive agreed to.

The committee agreed to report the bill.

THIRD READINGS

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

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

Motion agreed to and bill read a third time.

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

HON. MR. LANE: — I move that the bill now be reads a third time and passed under its title.

Motion agreed to and bill read a third time.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Andrew that Bill No. 84 — **An Act respecting the Provision of Financial Assistance for Capital Works Projects** be now read a second time.

MR. SHILLINGTON: — Thank you very much, Mr. Speaker. I want to address myself, as chairman of the public accounts committee, to one somewhat narrow aspect of this, Mr. Minister, and that is the question of whether or not the projects fund — and I'm not totally sure, quite frankly I'm not totally sure I completely understand what's being done here — but the question of interest to me is whether or not the minister might consider requiring than an annual report be provided for this particular piece of legislation. It strikes me that it might be useful to members to have that. The kind of projects which will be funded under here are of broad interest to members, and I think will be of interest to members of the public accounts committee. This kind of activity is becoming increasingly common in government. Increasingly we find that we are putting a stamp on money and sending it on. We get money in on taxes, put a stamp on it, and send it on.

Sorry, Mr. Speaker, I forgot that I should not be drinking coffee when you're in your chair. Sorry. That was absent-mindedly done.

This kind of expenditure is becoming increasingly common. Someone once estimated that approximately 50 per cent of the money which the government takes in is given out in a grant to someone else, and it raises some questions as to whether or not the taxpayers' money is being properly spent. He who raises the money and he who levels

the taxation does not spend it. I have some concern, Mr. Minister, with respect to the efficiency with which this money is used and the effectiveness with which we sometimes reach our goals. I wonder, Mr. Minister, if it might not be an appropriate step to provide that an annual report for this kind of a fund be filed. There is, as I understand it, no requirement that something of this nature file an annual report, but it would be quite useful, quite useful to members of public accounts and I think of interest to members generally.

The sort of projects which are envisioned are, I think . . . As I understand it, the sort of projects which we envision are projects which are not directly under the control of the government itself. This in fact is a fund which will, by and large, be used to fund other projects and to fund other people in capital projects. I wonder, Mr. Minister, if it might not be appropriate to provide that an annual report setting or a good deal of information about how the fund is used be provided, and be provided to the Assembly so that we may monitor the efficiency and effectiveness and economy with which the taxpayers' dollar is being spent in this area.

HON. MR. BLAKENEY: — Mr. Speaker, I'd like to address a few comments to the Assembly on Bill No. 84, and I would like to address a few of the comments made by the Minister of Finance when he introduced the bill. He talked as if the bill were a result of what he refers to as good stewardship of public affairs and of good management, and I think the facts are far from that. The results of their economic policies can hardly be called good management. There is in fact less private investment, there are fewer jobs, and there are more on welfare. And I think all of that is well known. We have reviewed those matters in this House on a number of occasions and it will not serve to enlighten the House very much if I repeat all of those facts which are well known. I want, however, to address particularly the aspects of that matter which affect the bill which is before us and the projects which the minister referred to.

Let's talk about the good management which produced this so-called \$30 million. Where did eight of it come from? Eight of it came from money he didn't spend creating jobs. he put 10 million in his budget for the JOBS program; he spent 2 million, the results of which are that there are far more people unemployed than there otherwise would be; he has thus saved 8 million, and he tells us he's going to put these in projects next year, this year, because he didn't get around to it last year, and he represents that as good management. He says that it's all the fault of the federal government — it's certainly not his fault — that the money wasn't spent and that jobs weren't created, and that's why it wasn't done, and it is certainly good management that what he didn't do last year he proposes to do this year. Well, that's one definition of good management. But I wouldn't brag too much about the fact that you promised something last year, you didn't deliver it, you are now saying you're gong to do it again, and taking credit for good management.

Where else did money come from? It came from vacancies — and he is proud to say that. He's saying it came from vacancies in non-essential projects — vacancies in things like the children's dentistry program, which is non-essential I take it, or the occupational health and safety program, where he has not staffed up to the full.

He has of course saved some money elsewhere in the Saskatchewan Assistance Plan program, by saying that people who join the plan, who are forced to go on welfare, will not be paid for certain of their expenses during the first three months. The minister apparently believes that people rush onto welfare and accordingly do not exhaust their own resources before they do go on welfare. That is not my experience. My experience

is that many of my constituents and may constituents, I suspect, of other members are very, very reluctant to make the decision to go down and apply for Saskatchewan assistance. They regard it as somehow an evidence of the failure of the economic system under which they live, but they are none the less convinced that somehow they should be able to get along without applying for Saskatchewan assistance, and therefore they wait until the last possible minute. And they usually spend a great deal of their resources. And so usually there isn't a lot to come and go on when they apply for Saskatchewan assistance. None the less, the minister has decided that he is going to defer some payments for as much as three months. He is going to declare these to be savings and call all that good management.

He is suggesting that these savings that he has made are going to result in capital projects. He doesn't outline for us what kind of capital projects, but no doubt he feels they will be valuable capital projects. Well, they may well be, but I don't think they'll be any more valuable capital projects than the capital projects which the minister himself cancelled last year. And I invite the minister to look at the information he gave me on March 10 or 1983, in a written response, indicating how much he had saved in capital projects over and above amounts previously budgeted.

He saved \$3.6 million on the technical institute at Moose Jaw and Prince Albert, which, being interpreted, means that the money was budgeted. He didn't get around to spending it when it should have been spent because we have pressures on our technical institutes. He didn't get around to spending it, and he declares that that is prudent management, and now he is going to use that money for other capital projects. I only wish he had done something more to build the technical institutes in 1982, when at Prince Albert not a spoonful of dirt has been moved, and indeed since the day of the election of the government opposite not a spoonful of dirt has been moved. Moving on, Mr. Speaker, to other projects where money has been saved. Projects in the North have been cutback — capital projects — by \$12.3 million, on the minister's own figures. Now, no doubt he can say these projects were not necessary, and no doubt some of them could have been deferred, but my bet is that many of the projects which will be proceeded with on the basis of his \$30 million fund will be no more urgent and no more publicly valuable than the projects which he deferred in the North to the extent of \$12.3 million.

We then have the court-houses in Regina and Moose Jaw . . . (inaudible interjection) . . . Yes, I know that those projects can be deferred, but I say, Mr. Speaker, that the test will be whether or not the projects, and all of the projects which are going to be put forward by the minister in his \$30 million fund are more important than the court-house at Saskatoon, or the court-house in Regina, which he has deferred — and all of these, Mr. Minister, at the cost not only of valuable assets which we certainly will need in the future, but at the cost of jobs at the present day.

Capital assistance to urban municipalities was cut back about \$2 million — \$1.9 million — and I am sure that the minister feels that the capital projects of the urban municipalities were frivolous and could have been delayed, and he delayed them. But the test will be whether or not the projects which he is now going to come forward with were any more valuable than the projects which he cut last year in order to get the money. And I think that those are very, very good questions which should be answered when we are asking ourselves whether or not this prudent government has acted wisely in cutting back all these projects in 1982 and then saying that they are going to go

ahead with some projects, unnamed, in 1983.

Now, there's Health capital projects is totalling \$18.3 million were cut back, and we all know them. I know the minister feels that hospitals at La Ronge and Maidstone are frivolous and are not needed. And he didn't go ahead with them; indeed he cut them back so that he would have money to declare that he had a fund to create capital projects. Well, the test of course is going to be whether the projects proceeded with are in fact more urgent than the hospital at La Ronge and the hospital at Maidstone and the others which he has cut back.

And there are highway projects; they're all over the province. And he's cut those back; he cut back the highway capital budget back by close to \$12 million — all for the sake of getting a fund of money which he says he can spend. Well, the question then of course is whether or not the projects he's going to come forward with are more valuable than all the highway capital projects which were cut back.

And when I use that \$11.7 million I'm not referring to the northern projects, because I lumped them in another category. In fact, Mr. Speaker, he cut back last year on capital projects totalling \$74 million. He announced this as prudent management. He has recaptured \$30 million of this and says, "What a good boy am I. I'm now gong to spend \$30 million on capital. True, I cut back \$74 million last year, but that's because we had put everything on hold. And we call this prudent management."

Now, Mr. Speaker, the consequences of this are all over the province to be seen — projects not proceeded with, projects which are valuable projects put forward by the minister will be valuable projects, and we are gong to look forward to seeing his project array, to seeing whether they are in fact more urgent and more valuable than things like the Maidstone hospital. But whatever they are, Mr. Speaker, I think the minister can take very scant credit for cutting back \$74 million in capital projects, recapturing in this way \$30 million, spending \$34 million in other ways, and declaring that this is prudent government and he now has \$30 million for capital projects.

Mr. Speaker, to turn to another aspect of this, he referred tangentially in his remarks to the community capital fund of 1974 and said that in some way this was similar to the community capital fund of 1974, and of course it had some similarities in the sense that there is going to be a statutory appropriation, but the similarities end there. The community capital fund was money put in hand so that the municipalities could proceed with projects which they considered most urgent in the municipalities, whether it be city, village, or as the case may be. I see no evidence that this bill will allow the municipalities to choose the projects which, in their judgement, are most urgent.

Furthermore, the money set aside for the community capital fund was set aside out of surplus, out of money which was not borrowed. Whatever the minister says, his \$30 million is coming from borrowed money. If he hadn't set up the fund he would have \$30 million to reduce his huge deficit. He chose not to reduce his huge deficit. He chose to borrow the full \$225 million or \$230 million — whatever it may turn out to be — and then set aside 30 million for capital projects.

That may not be a bad idea, but it has nothing to do with the way the community capital fund came into being. The community capital fund came into being because we got a

proper return from our resources, got a surplus because of that proper return and set it aside so that municipalities could plan five years of municipal projects — and they did so. And it was the first time, I believe in the history of Saskatchewan, that a specific sum of money — approximately \$46 million which was a good deal more money than now because of the ravages of inflation — was set aside so the municipalities would know in advance over a period of years that money was available to them, and they could proceed with street improvements, or rinks, or swimming pools, or sewer and water systems, or other projects which in their opinion were top priority.

I know from this bill very little about how the money will be spent, whether municipalities will be given any opportunity to have a voice, whether or not in fact the projects will in any sense be like the ones funded out of the community capital fund. In my judgement the community capital fund was good management because it provided municipalities with money as much as five years in advance so that they would know, or advice as much as five years in advance so that they would know that they could undertake a project of, let's say, street paving or putting in curbs and gutter slabs over a period of three or four years, and know that the money was there. And that, I think, is wise. It allows municipalities to make intelligent decisions, decisions which save the ratepayers money, and ultimately decisions which would save all the taxpayers of Saskatchewan money.

Just a word or two about this job creation package and how it appeared in the speech of the Minister of Finance. A favourite phrase of his is 'smoke and mirrors.' And certainly smoke and mirrors would be a good description of the job creation package which he included in his 1983-84 budget. He included, for example, a \$32 million cultural recreational facilities program — a good idea — represents almost, well, about three-quarters of the \$43 million program which he cut out of the March 1982 budget. In the budget, he cuts it out, lets it lie fallow for a year, trims it back, puts it in the budget again and says, 'Look what we're doing. It's a good program. It would have been a better program at \$43 million, but at \$32 million it's a useful program.'

He then talks about a \$20 million tax reduction for small business. A couple of points on that. The one we make and have made on a number of occasions refers to the question of whether or not it's a tax reduction, but I don't want to deal with that today. I want to say that it is money which is not going to be spent in this year's budget — not a dime of it. And what in effect he is saying is that yes, he's got a program; yes, it may create some jobs and we're going to pay for it next year. And how we're going to pay for it we will find out next year.

He announces \$8 million for his JOBS program and I say 'bully!' he announced \$10 million last year; he spent 2; he's got 8 left and he re-announces it and says, 'Yes, indeed, we're going ahead with the JOBS program.' And I say, 'Well, fine.' But I wouldn't take so much credit for the fact that I budgeted \$10 million, did not get on with the program, have some left to tidy up, and then announce it again as a great new program.

The \$30 million special projects fund, which really comes out of these '82-83 money, arises not because of prudent management but because of deliberate cuts by the government opposite, largely in capital programs — capital programs which should have been started in 1982, which should be rolling now. And the Minister of Highways knows that many of those and other ministers know many of those. We should be moving on high schools in Regina and Saskatoon, and we should have been moving sooner than the government opposite proposes to move.

The other item announced by the minister was a new crown water utility. I haven't heard a lot about that new crown water utility since it was announced in the budget speech. It may well be a little goody that's going to be brought in about early in August when the government gets its legislative program in hand. Or maybe that they're going to bring it in later on in this year. I wish they would. I wish they would tell us what they have in mind, particularly since it's supposed to create jobs this year. And already in this fiscal year — and April is gone and May is gone, and we now don't know even the broad outline of this utility which is announced to create jobs.

Well, I said, Mr. Speaker, that in many of the aspects of this bill it is aptly described by the phrase, the favourite of the minister, 'smoke and mirrors.' Mr. Speaker, I clearly have no objection to the government getting on with the need for creating capital projects in this province. We all have spoken of it many times. We have deplored the fact that the government opposite has cut back so many programs, capital programs, which are valuable and which I think we all know should be built now. The government opposite will suggest that we are at one and the same time saying we wish the deficit cut back and more spending. And that, of course, is true, but we also want more revenue from resources, and the members opposite are unwilling to acknowledge that that could be so.

But aside from those general comments on the fiscal framework in which the program operates, and aside from the claims, and I say quite spurious claims, by the minister that the money arose from savings that were valuable savings rather than cut-backs in capital projects that should have been proceeded with, we welcome the fact that the government is finally going to spend some money on capital projects to create valuable assets for the future and jobs today. I will be supporting the bill, although I certainly don't support the rhetoric with which the minister introduced it.

HON. MR. ANDREW: — I wish to make, Mr. Speaker, a couple of comment with regards to the statement of the Leader of the Opposition: first of all, the accusation that somehow this money is because we cut \$60 million in capital programs, and therefore we show \$30 million into this program. That's not where the money came from at all, Mr. Speaker. We, in our November budget, set out capital projects. We lived up to those commitments for capital projects.

I would like to refer the House and the Leader of the Opposition to the way he developed capital projects, Mr. Speaker. I'll refer to a letter dated July 16, 1974 — that was just prior to the '75 election. There were similar letters, of course, prior to each election. And permit me to read the letter out, Mr. Speaker, from 'Allan Blakeney, Premier,' to the 'Hon. John Brockelbank, Minister of Government Services':

As you know, I have asked MLAs to submit proposals for our next budget and their suggestions for the 1975 election program. In a number of cases it is clear that the proposals which they put forward for the 1975 budget will not be able to be included as early as that, but may be sensible to include in the 1975 election program.

When I refer to a 1975 election program, I am thinking more of the individual commitments to be made by MLAs in their constituency rather than on a province-wide basis.

That's, Mr. Speaker, how the hon. members established their capital program that they say are so demanding and so important and so structured. The reason they were

important, Mr. Speaker, and the way they looked at them, Mr. Speaker — if I can announce a nursing home in my riding and I can announce a new highway in my riding and I can announce a new public building in my riding, then I'm going to be elected. And that's exactly what you did in the budget of 1982. That's exactly what you did.

And not only that, they went beyond that during the election and they announced more. They announced more projects, Mr. Speaker. Well, I will tell you what the people of Saskatchewan think about that type of tactic of developing and building a budget. They thought exactly the way we suggested that they would and returned eight members to that side and the rest to this side, Mr. Speaker.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. ANDREW: — but let me go on and read . . . This letter went out then, of course, to all MLAs and candidates. Here's one back . . . This is a gem. Here's one back — Spiritwood, January 26, 1982, to Hon. Ed Tchorzewski, 312 Legislative Building, Regina.

Dear Ed: I have been asked to update my shopping list and mail a copy to Elwood Cowley. You will find enclosed such lists. (Signed:) Yours truly, Lloyd E. Johnson, MLA

Shopping lists. Is that how we prepare a budget, a capital budget? I've got to send in my shopping list. He sounds like it's Christmas-time, Mr. Speaker, Christmas-time. And that's true not only of Lloyd Johnson, that's true of everyone. And I ask — I ask this Assembly and I ask the member opposite — what did that type of planning do for Lloyd Johnson, and what does that type of planning do for Ed Tchorzewski? You can go through the whole thing. Everyone is the same; all sent in the same way.

So he talks about capital projects — capital projects, Mr. Speaker, in a more cynical light, an cynical light that we might see in the politics of the Maritime provinces, not in what is good for the province of Saskatchewan.

Then he makes references, Mr. Speaker, he makes references to: well, what are you going to do about the court-houses? Well, let's go back and look at the budget that he put together and talk about the court-houses. 1980-81 — Regina Court-House, a couple of years ago, appropriated a million dollars; spent 297,000.

AN HON. MEMBER: — What did he do with the extra money?

HON. MR. ANDREW: — 1981-82 — appropriated \$332,000; spent zero. Nothing. Now, tell me, Mr. Speaker, about who's appropriating money and then not spending it on capital projects. Or go to the Saskatoon Court House — appropriated 1977-78, \$53,000; spent nothing. 1978-79 budget — Saskatoon Court House, appropriated \$321,000; spent nothing. 1979-80 — appropriated \$327,000; spent nothing. 1980-81 — appropriated \$194,000. They finally spent some money — \$14,000. 1981-82 — \$234,000; spent \$24,000. Mr. Speaker, the list goes on. I don't need to be counselled and chastised by the member opposite about allocating and appropriating dollars to spend on capital projects, just to find out where that money is in fact being spent.

We indicated, Mr. Speaker, that this money was collectively, by all departments,

gathered together by prudent management, and that's in fact how it was . . . (inaudible) . . . It was by vacant positions primarily, Mr. Speaker, vacant positions. And what does that mean? That means a government not hiring more and more civil servants. And we make no apology to anyone. We will hire as many civil servants as is needed to deliver the programs that this government delivers, but no more. And we are not going to hire people, Mr. Speaker, for the sake of hiring people and saying we have more on our pay-roll, because under that logic, sure, you can hire everyone on unemployment right now — eliminate unemployment — but that makes brilliant economic sense, brilliant economic sense, Mr. Speaker.

In that regard he's like his colleague in Ottawa, Mr. Broadbent, who suggest that you should go hog wild with government spending, and that's the only way to correct unemployment. We have seen that the only western world that has developed that theory for the last couple of years, Mr. Speaker, is Francois Mitterrand of France, and no economy in the western world right now is in poorer shape than the economy of France under the socialists with the connection with the communists. That is what the worst economy in the western world — the worst inflation, the worst unemployment, the worst situation of any economy across the piece, Mr. Speaker.

Now he talks about the JOBS program. Well, what we did, Mr. Speaker, with regard to the JOBS program — they were against us; the NDP was against us — the federal government and we, collectively, together, tried to put in a program to make it work. We committed more money to that program than the federal government committed to that program, Mr. Speaker.

He talks about the P.A.-Duck Lake technical institute. Well, we're heard that argument before, heard that argument many times before, and we heard it most during the P.A.-Duck Lake by-election. We recall the ads when they were on TV or the news releases that were coming out, and here is what it said: 'Don't believe these guys; they'll never come clean with you; they'll never tell the truth. When you say that we're gonna build a technical institute, don't believe em; don't believe em, because it'll never happen. It's a ploy to elect a member in P.A.-Duck Lake.' That, along with the brilliantly conceived campaign that tried to tell people that really we were in the Depression and it was the 30s again . . . I don't know who put that one together.

But collectively, I suppose the only thing we can do, Mr. Speaker, is ask ourselves: what was the results of that? Now I suppose they could counter by saying, 'Well, the people of Duck Lake don't understand, they don't understand.' But that reality, Mr. Speaker, is this: the people of P.A.-Duck Lake sent a member to this House representing the Progressive Conservatives. The NDP took a further licking at the polls.

Now, let's go back to the question of their advice to the people of Prince Albert: 'Don't trust these guys.' I can indicate that the member of government services, along with the Minister of Advanced Education and Manpower were in P.A. — what, a week ago, two weeks ago? — to announce an expanded P.A. technical institute, twice the size that was originally proposed — twice the size, Mr. Minister, Mr. Minister, than was originally proposed. I understand, Mr. Speaker, that the people of Prince Albert are extremely happy. And the reason for that program, Mr. Speaker, is because this government is making a commitment to technical education in this province, a commitment that was forgotten for 11 years when the members opposite were in government. Forgotten, Mr. Speaker, to the point where one out of every two people desiring to go to technical school was turned away, and couldn't get in, and couldn't get that education. We had the worst record, the poorest record, of any province in the entire country. We are

resolved to correct that, Mr. Speaker, and we have committed a 60 per cent increase in the number of training spaces across this province over the next four years; and we don't have to apologize to anyone for that program, and we are very proud of that program.

The member opposite goes back to one of his pet peeves; small business program and the Minister of Tourism and Small Business. Well, the program is a failure. I heard the member for Regina Centre talk about it's big failure. The minister stood up in the House the other day to announce so far to date 1,200 jobs have been created — created, Mr. Speaker, 1,200 jobs. And the applications that are out now to be sent in are a further 4,000, and I suggest to you, Mr. Speaker, that that program is a good program, and it is going to hit its target of creating 4,000 jobs; and then we will watch the member from Regina Centre eat his words, eat his words, but that is becoming nothing new to him and to the members opposite these days.

So where does the Leader of the Opposition ultimately fall to? Well, it's starting to affect him, this idea that we can have a deficit over here, but we have to have more government spending over here. So it's starting to affect him, and it should, because it's the most inconsistent approach he's taken. Most inconsistent approach he's taken, Mr. Speaker. So what's he say? Well, he says, 'you guys would have been able to have a balanced budget if you hadn't of given that money up to your friends in the multinational oil companies.' Well sir, multinational oil companies.

Maybe we should go back once again, Mr. Speaker, and remind ourselves of what kind of shape the oil industry was in n this province a year ago when we took office — what kind of shape it was in, Mr. Speaker. Over 50 per cent of all wells were shut in — 50 per cent. Swift Current was down to almost zero. The South-east was at about 30 per cent. The drilling program in the province was the lowest than it had been in — what? — 10 years. Nothing was happening, Mr. Speaker . . . (inaudible interjection) . . . So where were the oil rigs? Good eye, good thinking. The oil rigs were not in the province of Saskatchewan — any place but the province of Saskatchewan. And then on top of that, Mr. Speaker, we had an energy agreement entered into by the members opposite and Mr. Trudeau. I remember them come flagging home with that, and the price of oil was going out of sight, and we're going to be able to pave streets with gold. They entered into the agreement, Mr. Speaker. The problem is they didn't read very well what the future held. That was the situation we fond ourselves in.

If we were to listen to the members opposite, what would we have done? Raise the taxes to the oil industry. Now wouldn't that have been brilliant. We would then have no production across the province. We would have nobody drilling and seeking for wells. We would have nobody buying land. And how much money would we then receive as a government from the oil industry? Nothing, Mr. Speaker, nothing.

There comes a point in time where you can't tax people to the edge, to the limit, Mr. Speaker, and they simply look for some place else to spend their money. The members opposite have never understood that. It's never come through to them that perhaps you can make a little adjustment, a small adjustment, Mr. Speaker — ad that's in fact what we did — make a small adjustment, spend a little money, and in so doing you make a whole lot more in return. And that's what's happened with the oil industry in the province of Saskatchewan. People are working again. Dollars are flowering again; oil is flowing again. It's not a question of apologizing for that, Mr. Speaker. I believe that's an example of how government and industry collectively addressing a question create more dollars for the government, more dollars for the industry, and more jobs

throughout the province, and more demands for goods and services throughout the province. Surely, that's what we have to do collectively to build a better and stronger economy for this province.

Yes, Mr. Speaker, one of the main savings that we were able to capture — and the member opposite doesn't make reference to it — one of the main things that we were able to capture was fewer dollars that we had to spend in the Mortgage Interest Reduction program. We can say, fine, we were lucky on that. We had to use our best guess as to what interest rates were going to do. And I and I don't think anybody else in the government can profess to know exactly what the rate of interest is going to be three and four months from now. I wish we could, but we can't.

But I also recall, Mr. Speaker, the same hollow words coming from the members opposite when we brought the program in and when we announced it during the election. 'It'll break the Government of Saskatchewan. I'll bring it to its knees. It's the reason you have a deficit. You shouldn't do it. It's too wealthy. It's too much for the rich people.' That was the criticism, Mr. Speaker. But what have we spent on the program? \$22 million — \$22 million, Mr. Speaker, and that's the reason we have a deficit and that is going to break the treasury? But what it did to people, Mr. Speaker, is provided them a sense of confidence — confidence that their government was prepared to stand behind them in tough times, a sense of confidence that the government was prepared to say to them, 'When your interest rates go to 20 and 19 and 18 per cent, we're prepared to give you a hand.' Confidence in the sense that the young individual could say, 'No, I'm not going to stay away from building a house; I will proceed with building a house because my government is prepared to look at my concerns.'

And what do we have as a result, Mr. Speaker? We have the most positive housing program of any province in this entire country, and we have the best record of any province in this country with regard to single housing starts. And we are very, very proud of our record to date on that, Mr. Speaker, and we will not apologize to anyone for that.

I believe that the various departments, Mr. Speaker . . .

HON. MR. BLAKENEY: — Point of order, Mr. Speaker.

MR. SPEAKER: — State your point of order.

HON. MR. BLAKENEY: — Mr. Speaker, I think the minister is not introducing this bill, but winding up the debate. I am not aware that the bill deals with mortgage interest reduction, or my remarks dealt with mortgage interest reduction. I think the minister, by the rules, is confined to winding up the debate in commenting on matters raised in the debate and is not permitted by the rules to launch into new areas not covered by the bill or by the previous debate.

HON. MR. ANDREW: — In speaking to the point of order, I was trying to rebut the statements being made by the member opposite in his speech in closing the debate. My understanding is that when a minister closes a debate he has the opportunity to rebut the statements being made by the member opposite. All I simply did was try to go down the list and try to rebut. He talked about capital projects, although they have nothing to

do with the bill. I tried to rebut those. He went on to the JOBS program, and the vacancies, and SAP (Saskatchewan Assistance Plan) — and I haven't got to SAP yet; I was going to come to that in a few minutes — trying to rebate each of those. Then he went into the whole resource revenues and small business, so I simply wanted to take the opportunity to rebut those arguments being made by the member opposite.

MR. SPEAKER: — The point of order raised by the hon. member is covered in rule 28, and I think that rule 28 speaks about no one speaking twice. And when you do speak the second time, as a minister, you're only to have the right to close debate.

However, I realize that the hon. member when he spoke in debate on second reading also covered quite a broad area that was far beyond the parameters of the bill, so, though his point of order is well taken with respect to the minister, I think that both members have been exceeding the jurisdiction that should have been covered under this particular bill.

HON. MR. ANDREW: — Mr. Speaker, I will not make reference to anything more in closing than simply to try to address the point raised about the social assistance payments.

The member opposite indicated that the savings that the government had made to accumulate this \$30 million came from social assistance payments. Nothing could be farther from the truth, Mr. Speaker. In fact, in the year 1982-83 the payments are in fact over what we, in fact, budgeted by almost \$50 million into Social Services. So I hardly think what we're seeing in the Leader of the Opposition's statement to us — he's trying to build a case, Mr. Speaker, that he was unable to build during the budget debate and through his arguments through the whole committee of finance and the estimates, so now he's trying to build it. My view is that it's too late to do it at this point in time. And my view, as well, is that the day is getting probably very late for him in the whole field of public life anyway.

SOME HON. MEMBERS: Hear, Hear!

Motion agreed to on the following recorded division, bill read a second time and referred to a committee of the whole at the next sitting.

YEAS — 34

Andrew	Weiman	Maxwell
Lane	Tusa	Embury
Muirhead	Hodgins	Dirks
Pickering	Sauder	Myers
Sandberg	Glauser	Zazelenchuk
McLeod	Meagher	Dutchak
Garner	Parker	Folk
Klein	Smith (Moose Jaw)	Blakeney
Katzman	Rybchuk	Thompson
Duncan	Caswell	Koskie
Schoenhals	Domotor	Shillington
Smith (Swift Current)		

NAYS — 0

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Andrew that Bill No. 83 — **An Act to amend The Income Tax Act** be now read a second time.

HON. MR. BLAKENEY: — Mr. Speaker, I won't say a great deal about this bill . . . (inaudible interjections) . . . If tempted by members opposite, I may. It is a bill of very considerable complexity arising primarily because of the changes in the federal Income Tax Act with respect to forward averaging, and I think it will be most appropriate, or more appropriate, if we consider most of these provisions in committee.

I do want to raise one aspect and, in effect, to give the minister notice that I will be raising it in committee, and that has to do with the payment of the surcharge. And that is where the tax paid, the Saskatchewan tax paid, exceeds \$4,000. As I understand the amendments, the effect of the amendments is to change the rate at which we levy income tax on the surcharge from a graduated rate to a flat rate. I may misconceive the provisions which, as I've indicated, Mr. Speaker, are complex, but I ask the minister to consider that matter so that when we consider it in committee we may be able to address or attention to it.

I am speaking of surcharges, and there are some questions arising out of the treatment of the tax on capital gains as well, which I think could be best considered in committee. I will be supporting the bill, but will be raising the points that I have mentioned in committee, Mr. Speaker.

Motion agreed to, bill read a second time and referred to a committee of the whole at the next sitting.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Garner that Bill No. 83 — **An Act respecting the Operation of Vehicles** be now read a second time.

MR. KOSKIE: — Thank you, Mr. Speaker. I want to make a few comments in respect to The Vehicles Act that was introduced by the minister last Thursday, I believe. I want to say that I listened to a part of his comments, and our only conclusion was that he was blowing so much hot air from his mouth that it was very difficult to be able to discern whether he was in fact speaking on the second reading.

I do want to indicate that the minister did in fact spend a great deal of time trying to outline in some detail the whole consultative process that he followed. And indeed, I do not disagree with a method by a government using a consultative process in arriving at a form of new legislation, some provisional of which are new. But I think it's only fair that the record be clear that the review of The Vehicles Act had in fact been essentially

totally completed by the previous administration. And also I want to say, the consultative process was indeed carried out by the previous administration . . . (inaudible interjection) . . . yes, I certainly can, Mr. Minister, because the draft of the whole bill was in fact prepared by one of our legal counsel and the contents of this bill are very, very essentially the same, Mr. Minister.

I think that it's important that while safe driving practises and behaviour . . . I think we have to recognize cannot totally be legislated. I think that sensitive legislation which is sensible enforced, together with other complementary measures, can indeed improve the highway safety environment. And one of the essential directions that the previous government did take was the introduction of safety in highway driving, and the whole concept of safety was emphasized. And that was developed under the very able chairmanship of a legislative committee of the late Mr. Art Thibault.

I want to say that the minister refers to the Driving Without Impairment program. That program had been in fact developed under the previous administration. Specific traffic courts, in order that those who are offenders of certain traffic offences could in fact rather than paying a fine, take up some awareness of better driving — that was established by Mr. Thibault.

I want to say that we had a safety program in SGI which was complementing the one with the highway traffic and the Department of Highways. Unfortunately that has been done away with by this government. The whole aspect of their budget has been decreased in respect to safety programs.

But one of the very significant ways in which I think that one must indeed approach highway driving safety, and that is through the educational programs in the schools. I don't think there is a more direct way of getting results than through our educational institutions. And certainly my experience is this is fairly evident in that, in respect to driver training, many of those who took that course learned many of the procedures of the alcohol and how it affects them, both in normal activities and particularly in respect to driving. Certainly or young people in our schools have learned the effects — the bad effects — of the use of drugs.

When we came with the previous administration in the introduction in The Vehicles Act of the use of safety belts, one of the very surprising things, Mr. Speaker, was that those young people who had in fact gone through our high schools, our driving training programs, had no problems whatsoever adapting to the use of safety belts. I would hope, and I would have thought, that the minister here in alluding to the bill, the new Vehicles Act, would have in fact complemented the direction which he's going in The Vehicles Act with the greater stress on how the education process could, in fact, help to alleviate some of the tragic accidents which he indeed has talked about.

As I said, the minister spent a better part . . . I had a transcript of it, and about three times he said he was going to get to the nuts and bolts of it, and about three pages later he still hadn't. And one of the things that he talked about was the method of consultation, and the thing that I find rather distressing is that this minister stands up and indicates how this government goes through the process of consultation. On the other hand, we find so many instances where that consultation in fact, in equally important areas, has not in fact taken place. I can just think of a couple of instances developing the Indian and Native Affairs Secretariat — not much consultation admitted

by the minister; Health cut-backs — no consultation . . .

MR. SPEAKER: — Order, please. I believe that the bill that is before the House deals with The Vehicles Act, but it doesn't deal with the Health and with Native Affairs, and I think that you'll have to stay with the subject before the House.

MR. KOSKIE: — I certainly will Mr. Speaker, providing the ruling is consistent as with the Minister of Finance . . . (inaudible) . . .

MR. SPEAKER: — Are you challenging my ruling?

MR. KOSKIE: — No.

MR. SPEAKER: — Then I would ask the member to stay on the subject.

MR. KOSKIE: — The minister stands up in this House and indicates how this government has such a process of consultation. And in respect to this bill . . . And I want to say that there has to be a consistent policy in respect to consultation, and it doesn't exist throughout this government. If one takes a look also in respect to the safety on highways, I want to indicate that another important area is the maintaining and the development or proper highways, and obviously what this minister has done is to totally neglect the whole highway system. He talks about four-laning highways and it's but a dream. It's just a myth. It's more Tory rhetoric. I want also to indicate in another area, a very important area which the minister failed to address, and that is in respect to school bus safety. The minister, I think, was quite right to mention the critically important issue of school bus safety. The minister, I think, was quite right to mention the critically important issue of school bus safety, and we note that this bill does, in some minor way, address the provisions regarding the use of school bus warning lights alert other motorists that children are entering or leaving their school bus.

And as all members know, this issue has now been given a very . . . has been given especially a tragic emphasis because of the recent two fatalities and other serious injuries suffered in a school bus accident recently at Strasbourg. I certainly want to join with my colleague from Shaunavon and all members of this Assembly in expressing profound sympathy to the families of the whole community who have been saddened by this accident. I think this points out the need, of course, for additional safety measures for the health and the lives of our school children.

Today in Saskatchewan there are some 100,000 school children in rural school divisions. They, and many urban children as well, ride daily on or school buses. In my own constituency there are well over two million passenger miles per year on school buses in that area. And certainly what we would do is to welcome the minister's view on this issue, and are hopeful that he will attempt not to shirk his responsibility in respect to this issue, and that consideration indeed will be made in respect to seat-belts for students riding on school buses.

And I want to indicate that we will be considering putting forward an amendment which will address this here particular area of concern to us and to many people across the province. I notice recently that the Saskatchewan School Trustees, who had been previously opposed to the introduction of seat-belts for school buses, the trustees may change stand on seat-belts, I understand that the minister was in communication with them, but I want to indicate that we will be seeking an amendment in respect to that provision.

I think the other area in the role that I want to address, and that is in respect to the provisions of drinking and driving — one area in which the minister had proposed a number of legislative changes. The difficulty that I saw, Mr. Speaker, is that ordinary in second reading the purpose is to go through the bill and to outline the particular intent of a given section that is new to the legislation. This has not been the case here.

And one of the disturbing areas that I see in respect to the sections which deal with the drinking and driving and the new provisions that you have introduced, Mr. Minister, is in respect to the jurisdiction that is given to the provinces under the BNA Act and the jurisdiction that is given to the federal government. And as you are probably aware, that under section 91(7) the power to legislate respecting criminal law is exclusively in the Parliament of Canada and no provincial legislature has the constitutional capacity to legislate in that area.

We find that under the constitution, and this will relate to the specific provisions, Mr. Speaker, the provincial legislature may legislate to provide penalties for enforcing any law made in relation to any matter coming within any of the classes of subjects enumerated under section 92 of the BNA Act, which assigns specific matters to the province for their exclusive legislative power.

And we are all familiar with the legislation by province which provides enforcement, for example, of fishing, hunting, consumption of liquor, and operation of vehicles.

Now the section 168, that you have set forward in your legislation . . . In that particular section it seems to me that as section 108, the question that has to be asked is: does the proposed section 168 go so far as to go beyond the legislative competence of the provincial legislature, and will in fact be deemed to be criminal law and therefore not a matter under which the province has jurisdiction?

Section 168, as the minister indicated, defines two specific offences which a person may commit in relation to a motor vehicle and the consumption of alcohol and drugs. One is the driving or having control of a motor vehicle while his blood and alcohol content exceeds 80 mg per 100 ml due to his consumption of alcohol. And the other specific section is driving or having control of a motor vehicle while his ability to drive is impaired due to his consumption of alcohol or drugs or both.

Our best review of this, Mr. Minister, is that the two offences are already defined in very, very similar language in the Criminal Code of Canada. It is our contention that the way in which it is worded, the similarity that it has with the wording of the criminal code . . . It would be deemed that what you are doing here is infringing upon the aspect which is in the jurisdiction of the federal government, namely the Criminal Code, which only parliament at Ottawa has the legislative power in this area.

Section 168 would also make it an offence for a driver who is suspected by a peace officer of driving a motor vehicle within two hours of consuming alcohol or drugs, and who is incapable or providing a sample of his breath, to refuse to provide the officer with a sample of the driver's blood. Now the criminal Code of Canada makes it an offence for a driver in similar circumstances to refuse to provide a sample of his breath.

And again what I am saying is that you have essentially adopted exactly the same wording as the criminal Code. But you'll take notice that the Criminal Code goes beyond . . . The provincial legislation now it take sit a step further. Now it proposes that where

the suspected driver is incapable of providing a sample of his breath, he will be guilty of an offence if he refuses to provide a sample of his blood. And this is the body fluid extraction in order to provide impairment.

Now I want to say that given the extent of the federal Criminal Code provisions, this whole area of law, it seems to us, is also criminal law. And if one looks at the Criminal Code, it says that you can in fact have a conviction with over 0.8, but it says that all that should be used is the breath sample and not the body fluid — it specifically says it shall not be.

The problem that you are creating here, Mr. Minister, without a clarification of fit, is that on the one hand, the Criminal Code specifically indicates that fluid samples shall not be taken from the individual in the proving of the impairment. So it says it shall not be, and here you are saying it shall be.

And if you go one step further, a further question of the constitutional law arises further on in section 168. The provincial section 168 authorizes duly qualified persons — medical practitioner, registered nurse, lab technician — to take the sample of blood without the consent of the suspected driver. Subsection 13 of section 168 provides in the section, except for negligence in the taking. But if one takes a look at the jurisdiction under the Criminal Code, the Criminal Code makes it an offence for anyone, medical practitioner or not, to assault another person. Because the assault is an intentional use of force on another without the person's consent, and the practitioner who takes the blood in these circumstances will in our view be committing an assault on the suspected driver and will be exposed to the risk of prosecution under the Criminal Code.

And while you may go on to say that you have an exemption in respect to it, I'm going to tell you that you can't, in provincial legislation, exempt what is a crime under this federal statute, the Criminal Code, because under the Criminal Code it says that if you intentionally touch another person without his consent, and if you extract a sample of the blood, that that in effect under the Criminal Code constitutes an assault. And regardless of what you say in your provincial legislation, you cannot in fact exempt a doctor, a lab technician, or a nurse — you cannot — from the criminal offence of assault.

And I want to say, Mr. Minister, that it would have been useful if you had addressed this area instead of blustering around in respect to all of the representations, because certainly I've read through all of your remarks and nowhere do you in fact address the issue of how you are going to make provisions, some of which are almost identical with the Criminal Code, as not being deemed a provision of the Criminal Code enacted in provincial legislation. And certainly in respect to absolving anyone from taking the sample of blood without the consent of the individual, I clearly indicate that that would, under the Criminal Code, constitute an assault, and there's no way, under the provincial legislation, that you can exempt what in fact is legislated by the federal government as a criminal act.

Those are the essential areas of concern that we have, and obviously what is going to happen here, Mr. Minister, without . . . Undoubtedly what will happen is that, if the legislation is passed, there will be challenges under the charter of rights in respect to the extraction of the blood sample from the human body without consent. There's no doubt about that; there'll be challenges. But, more importantly, there'll be the challenge

immediately in respect to whether or not you are in fact infringing upon the provisions of the Criminal Code.

And I would have thought that there was a way in which you could resolve this confusion, which obviously is going to develop. And what we will be doing is proposing a further amendment, and amendment which will, I think, resolve it, and that is that the Lieutenant-Governor in Council shall refer the question of the constitutional validity of section 168 of this act to the court of appeal, pursuant to The Constitutional Questions Act, and section 168 of this act comes into force on the day when this question of the constitutionality is in fact analysed. And what you do here is that you get the courts to decide, not at the cost of the citizen out there, who will of necessity have to challenge it — and it will be challenged — but you have a procedure here which can certainly clarify what all of our legal advice indicates; it's clearly going to be challenged and likely to fail. The provisions that you have instituted are likely to fail because it infringes upon the jurisdiction of the Criminal Code, and also in respect to the provision as I indicated, that taking a sample without the consent of the individual is in itself a criminal act under the code.

And so what we will be doing then is indicating to you an amendment which I think . . . In fairness to the public, it would be most beneficial that the matter be cleared up prior to the introduction of the bill. I think it would help eliminate . . . If you are convinced that the direction to go, and that would alleviate any of the innumerable challenges that will have to be taken in order to challenge — which is likely to be challenged — whether or not the provisions are in fact constitutional.

There are a couple of other sections which I want to deal with, but I'm going to deal with those in committee of the whole. But in respect to section 171, it's a section which is introduced . . .

MR. SPEAKER: — Order, please. I just wanted to read one citation from *Beauschesne's* to the member. It's citation 734. It says:

The second reading is the most important stage through which the bill is required to pass; for its whole principle is then at issue and is affirmed or denied by a vote of the House. It is not regular on this occasion, however, to discuss in detail the clauses of the bill.

And if the member could leave the discussion of the clauses for committee of the whole, I think it would be better.

MR. KOSKIE: — I'm finished, Mr. Speaker.

MR. KATZMAN: — Mr. Speaker, I'm glad to rise in debate on this particular topic. The member that just spoke before me has some concerns about the blood tests that may be taken. I'd like to mention that member of Webb, the accident that happened on the Trans-Canada which nobody was quite sure, which nobody is quite sure why it happened or what the requirements were. With this legislation, if it would have been in place, the person couldn't have said, 'I'm hurt and I've got to go to the hospital,' and be exempt from being checked out to make sure if alcohol was the cause of the accident or not. Just that one clause will finally stop people for playing games that should be checked to make sure exactly what the facts are.

You know the member, in his huffy and puffy attitude that he displays in this House, is concerned about the minister when he spent the time to consult with the public. He spent some money, put ads in, got responses. That's a reasonable government. But no, not that huffy, puffy member; he wants to huff and puff and yell and scream and blow his temper all the time in this House. Well, I'm just as . . . (inaudible interjection) . . . Well, that's maybe what we should name him: Mr. Huff and Puff.

But going into the bill, Mr. Speaker, he indicates that the former government was looking at this legislation. He's right. It's the first thing he's been right on all day. But they didn't have the intestinal fortitude to grapple with some of the tough sections, and our minister . . . (inaudible) . . . has had that ability to handle the tough sections. They weren't left ignored. He handled the problems. He consulted with the people to check to make sure what they thought. He didn't run away from the blood sample; he met it head on and has made a decision. And you know, the member talked about their legal advice. If the bill on oil which got them into constitutional fights, and all those other ones, they had the same advisers. I'm glad we're not using them . . . (inaudible interjection) . . . You're using different lawyers, the member says from across the row. That's right, and they're probably even more incompetent than the last ones you used to pay, because you know, when you get free advice, it's worth what you paid for it.

But anyway, you know, Mr. Speaker, I almost am tempted to go back to what the former member from Rosthern used to say. He used to say if there's more than three lawyers or two lawyers on one side, it was a waste of time and energy because they talked too much. I don't always agree with the former member, Mr. Boldt, but I agree with him on the opposition — they have a problem with lawyers that can't seem to agree with each other even when it comes to voting.

But getting back to the bill that we're discussing, The Vehicles Act affects the province in many ways because of the amount of vehicles driving down the road. And while in opposition, I had a lot of people from the police departments and the law enforcement agencies say, 'Well, you know the two red lights are dangerous for us in the winter-time with the blizzards, the snow, and we need some changes.' I went to the former minister and suggested there was a problem and that we should make uniformity across Canada. I'm glad to see that this minister is finally taking hold of that issue — the concerns to the lives of those individuals that must be on the highway during the blizzards as the snow-ploughs must be — and considering a light change to make the safety for them there.

Mr. Speaker, I was going through my notes on this bill and I note that many of the changes being done are things that have developed in practice, but not written in the law. For example, in just the last few years we have hearings in Saskatoon and Regina on motor licensing, and we're now asking in this bill for permission to split the committees and split some of the functions to make it easier and beneficial to the public. That's an important factor — access to the public — so that it can be more speedily . . . things can be heard more faster and make it easier.

A second proposal in the bill is a proposal for joint hearings. If a motor carrier is making an application in Alberta, in Manitoba, well he doesn't have to hear all over again in Saskatchewan on the same issues. We can join with these other provinces for joint hearings. It makes it more efficient for everybody. These are little things but they make the bill more workable; they make the industry more workable.

In the bill we also deal with many different issues. The board hears hearings but it doesn't run like a court of law. Most of the people there are not used to always being in law, and therefore it's allowed to use information that isn't . . . (inaudible) . . . as it would be in a legal case. And that's important because it makes it easier for the average person to go in and make an application or be heard, if he is concerned, against the application. And therefore it makes it easier for him or her, whoever it may be.

The other one — the board now has to go out to see things as a board, where under the bill they're going to have the authority to send someone out who's authorized to go out and look at something and bring back a report. And they can base decisions on that report of a person who is authorized and capable, once again speeding up the efficiency of the board to make decisions for the betterment of the people affected. A lot of the bill goes along that way, making it more efficient, and includes getting the board involved in educational programs to assist the community or the industry, whichever way you call it.

Another one that sort of irks me as I go through it — it's interesting to know that a Greyhound bus driver must have his licence signed and approved in every little community, or, I should say, every city that he goes through, and an STC bus driver or a Moose Mountain bus driver. That provision was placed in the law for taxi-drivers so that the individual driving the cab would have a little picture of himself on the wall of the cab so that the passenger could get in, look at that thing, see who the driver was. And it was a security check for many people, because these people are always security checked by the local police. The proposal now is that's required for bus drivers because they are checked by their company because they are full-time employees, and not like taxi drivers who may only work for a short period and therefore need a little more checking. You know, I notice that the police are very pleased with this idea, and in the consulting, that's what the minister has found — what the police like, and the people like of Saskatchewan — and his reply showed those kind of things.

Registrations of vehicles — and I think in the minister's speech he made reference to riding in trailers. In it he made the comment that you shouldn't be riding in a trailer behind a vehicle, except he recognizes the one exception that must be recognized, and that is the farm industry. If a farmer is hauling his hay back from the field, and it's half a mile or a mile, usually the fellows that are loading it sit on top of the hay pile, and the speed is low enough that there is no problems. But going down the road at 100 kilometres an hour in a two-wheel trailer hooked onto . . . (inaudible) . . . hooked onto the back of a truck with a bolt, fatigue of metal very easily can happen, and being a two-wheel trailer, it will go everywhere and somebody will be killed. So safety is considered on that proposal. And therefore, on the other, you're talking about a different type of trailer which if it does break loose, it will normally steer itself down and because of it's a four-wheel unit.

It goes on to talk about registrations, and I noticed with a little bit of comedy that he referred to in one area that certain vehicles are not required to be licensed, and the example I discovered in the research I was doing was a pavement machine that's laying pavement on the highway isn't required to be licensed, but if that same machine was working in my yard, or your yard. Mr. Speaker, it requires a licence. So they're going to try and standardize the rules for all machines affected. Once again, making it simpler for the industry.

Other areas that intrigue me as I was going through it, Mr. Speaker, is the operating authorities. And I think, Mr. Speaker, you may remember when the CNR pulled out of

Saskatchewan — I believe it was the CNR — several years ago, and stopped giving service to the small communities, the former government was left in the dilemma of why do you do? — these communities are going to get no service. It gives authority to the board to put temporary service in these situations so that the people are not suffering to be without service. It goes in where a carrier is not providing one part of the service of his total contract and lets it lapse, so that it may be possible for another vehicle to use some of that jurisdiction. That's important because sometimes the carrier cannot haul all of the things and chooses to leave certain ones out, and somebody else may pick up the slack and that's important.

We go into the . . . One of the other things that I noticed when I was going through the article is when I head on to Saskatoon and on to where I live, you see the sign '60 kilometres an hour while passing highway workers.' I was surprised to discover that's not law. That's just a rule of courtesy. And now we're going to see protection for these workers who must fix our roads and are working out there. They will be protected because this will make it legitimate for that sign, and people must be safe.

The other thing I note is warning flares must be out at all times. Vehicles over 80 inches, or whatever that means — that new measurement — are required to have flares of some type so that when I'm coming upon them in the evening, that my lights will be reflected back and I know that there's something on the road that I have to be careful for . . . (inaudible) . . . highway workers. But if they're off the road and in the ditch, they're not required to have that signal going, which is fair game because I don't have to worry about the vehicle if it's in the ditch, where I do have to worry about it when it's sitting on the edge of the road. So those little things, consulting with people, are so important.

You know, Mr. Speaker, I sat and listened to the huff and puff member from Quill Lakes speak earlier. He got on to school buses, and you know I've sat in the House and listened. I remember the member from Kinistino when he was a member of this House and how he spoke on seat-belt legislation. But I also remember that on all the information he produced at the time, he never did say 'school buses.' The member across the way says 'buses.' I suggest that we all be calm, cool, check everything that's about them before we make snap decisions. And I compliment the minister on that because he's going to sit down with the people involved in the bussing industry of children, ask their opinion, check to make sure what it really means, and not just run into the fire without good, sound facts. That's responsible.

I think basically on that note, Mr. Speaker, that's what that whole bill does — consulted; put out a white paper; took and made some of the tough decisions. And that tough decision . . . one of them was the taking of blood. Why? Because we must know. And the Webb example is a prime example of a question that will never be answered, where if that rule would have been there, we probably would have an answer today because that would have conclusively said if liquor was or was not the fault. Nobody knows today. This provision would have helped.

He's taken and listened to the police people, the STC people, the traffic people, about their concerns. The bill is gone through, as I said, consulting process. The former members had it on their plate, worked on it for — I heard three years, I think somebody said; the huff and puff minister said that.

AN HON. MEMBER: — 10 years.

MR. KATZMAN: — Was it 10? . . . But never had the gumption to bring it before the House because they couldn't make the tough decisions. The tough decisions have been made; the bill is before the House. And I'd like to see when the time to vote comes in principle, if we will see like we saw today here earlier, where the member from Regina said no and another member from Regina said he was going to support it. And when it came time for the vote, one of them changed their mind. So when the vote comes on this bill, I hope to see all members on all sides — because this was a consultative process, because it's good legislation, because it's for the betterment of all — I hope to see all members support this bill as I will.

SOME HON. MEMBERS: Hear, Hear!

MR. WEIMAN: — Thank you, Mr. Speaker. I'd like to point out by saying it's an honour as well as a privilege to be able to speak in the House again on this important topic and enter into debate on it. Really though, Mr. Speaker, one has no choice. One has no choice because if one is to deal with the problem of vehicle safety with any type of responsibility or conscience, one is almost forced or impelled to speak in favour of the Bill 81, The Vehicles Act, and changes to it.

Before I begin, I would like to have a couple of points clarified, and then I will just briefly go through some of the main topics of the bill. A point of clarification I would like to make, Mr. Speaker, is times that we've stood in the House this past week, the week before, we've heard the opposition members saying, 'This is day 46 and nothing is done, this is day 47, 48 and nothing is done,' and so on and so on. 'You're standing there wasting time. What kind of government do you have? What type of inactivity that you have that you are wasting time?' The clarification I would like to point out to the members opposite is: when you are willing to listen to the demands and the wishes of the citizenry, I do not consider that a waster of time. When you are willing to not only listen and consult, but to take action that some may be opposed to in order and save lives, that is not a waste of time. I myself personally am prepared to stay here forever if I must, in order to encourage that kind of attitude in order to get that kind of approach accomplished. And I do not consider day 50 or 51 or 52 a waste of time if it will make changes to a vehicles act that will save one life in my constituency.

As I have indicated, Mr. Speaker, the reasons for this change in The Vehicles Act and the revision of it mainly stem from two sources: one, a public demand; and, secondly, and inactivity of the opposition who at that time were the government. We are looking at a bill that was passed originally in 1939, when we had a different type of vehicle on the road, we had different types of roads itself, and in many cases a lot of these roads did not exist. It was time for a change; it was time for a revision.

Also, to the average person — and I include myself in that category — the bill itself was difficult to read, difficult to understand, and lacked continuity. In many cases, when one read it, one was hit with a barrage of what I call gobbledegook — very difficult indeed to understand. The Hon. James Garner has undertaken quite a duty in order to rewrite the act, to bring continuity to it, so one did not have to search all over the place for important information.

Not only did he undertake to rework it, to rewrite it, to add some type of logic to it, he determined himself that he was going to take it out to the public, not once in 10 years, not twice, but three times: first of all, in the fall of '82, with the white paper; then again to be followed up in early spring, the tail-end of February for a questionnaire; and immediately followed by a lawman's draft. This, the opposition says, is wasting time.

You tell those 6,000 people who personally wrote into either members of the Legislative Assembly or to the minister, or phoned him, that they wasted their time — over 6,000 letters and phone calls since the introduction of the bill first was advertised.

As I've said, the previous government, who are now sitting in the opposition, they were aware that revisions were much needed, that conditions had changed, that vehicles had changed, weight loads had changed. They refused to do anything about it. It's easy to take credit if you haven't done anything — that's what they would have us believe in the legislature and that's what they would have the people of Saskatchewan to believe. I don't think the people of Saskatchewan do believe that.

As I indicated earlier, Mr. Speaker, the reason for the action of this bill and its introduction is because the people of Saskatchewan wanted it, needed it, and, at the same token, to save lives. Some of the measures that are in the bill are not meant to go out and save those very lives.

Some of the things that the people of the province have been asking — either on the phone or through their letters to us — and that we've acted upon: one highlight — to increase the suspension period. Up to this revision, there were three suspension periods for drinking while impaired. Quickly, just to review those, the first got a penalty of six months suspension of driver's licence; the second was one year; and the third was a three-year suspension. The people that we listened to, and we did listen to everyone that wished to reply, whether they were individuals or associations or groups, had indicated that there were still those drivers who went about driving while impaired, that had not gotten the message. Our minister undertook to increase the suspension period for the fourth offence to a five-year suspension. Driving while disqualified, the penalty was also increased. And we have heard of the blood testing of which I will return to later.

Very simply, some of the suspensions and the topics regarding those, in order to bring about a safe driving habit — a safer driving mentality in this province — as I've said, were not one of punishment but one of saving lives. And to do that you have to have to increase and continue the educational component.

The DWI, the Driving Without Impairment program, will be pursued vigorously. Those people taking it will be able in a sense to have their suspension halved, from six months to three months. Tied very closely to that, however, and it should be made abundantly clear to the people of the province, is that aspect of enforcement of which I spoke earlier.

I might point out that the DWI programs are not programs that are implemented to be controlled by the governments. They are programs that are the control of and the implementation of local community groups — the local and drug administrations or commissions within the local communities.

A few other highlights have already been pointed out by the member from Rosthern, but I think they bear quick scanning for the fact that they are very sensible, common-sense programs that go along with The Vehicles Act.

The explosive goods, inflammable goods, that are carried by our trucks down the highways must stop at all railroad crossings. Flares are required. No riding in trailers. You can't have a much more common-sense approach than that. And of course no stunting.

To briefly return to the blood testing. I would like to point out that in the province of British Columbia, presently, both sides of the House have indicated that they are in favour of this very topic. In fact, they have similar legislation in British Columbia waiting to be proclaimed. Not only is the support coming from the legislature in Victoria, however, it's also coming from the general population, and a very interesting group. And if I may quote from the *Victoria Times*, an interesting group called the Victoria Civil Liberties Association — people who are concerned with, and watch-dogs of, civil liberties of the population of British Columbia. And I quote:

The Victoria Civil Liberties Association treasurer, Richard Simpson, said mandatory blood tests appear to be a small civil liberties trade-off to curb the drunken driving problem. Many of the changes in the act are that directive.

One important quote, if I may continue, that Mr. Richard Simpson continues with, and one that I believe should be borne in mind by members of the opposition because it's one that I am convinced has been indicated to us very shortly by the populace of Saskatchewan, and I think the opposition should bear heed. The same gentleman, Richard Simpson:

‘We know the drunken driving problem in B.C. is pretty serious,’ said Simpson, ‘and you have to consider the rights of the people getting hit by drunk drivers.’

I cannot speak more favourably than I have, for my favour in this act, The Vehicles Act, Mr. Speaker, I will be speaking and voting in favour of it. Thank you.

MR. DOMOTOR: — Mr. Speaker, I would just like to add a few more words or comments with respect to The Vehicles Act in connection with what a couple of fellow colleagues have mentioned, and particularly with respect to the bill. The members opposite mention that it was a part that they had already got in on their own, but they really hadn't. They had sat on that for a long time. It gathered dust. It took a government that had action under the capable administration of the Minister of Highways to get the act re-modified and brought into this session within the year — not 11 years or 10 years, but within a year. And I should suggest that we should commend the Minister of Highways for the fine work that he has done in getting this bill before the House.

Not only that, he should be commended for the way he took on the consultative process, the consultation with members of the public, inviting them to send letters in and to listen to their concerns. And I know for a fact that we had many representations to the MLAs with respect to some of the provisions within the act, and my colleague from Saskatoon Fairview mentioned the DWI. And I know for a fact, talking to some of the teachers that teach the DWI and members from Humboldt, in Humboldt itself, have suggested that it should be compulsory for people who have 0.08 to be taken. Now we haven't gone that route. We've said, ‘Look, we'll give you an option. If you want to get your licence back a little sooner, we can cut it down from six months to three months.’ And I think this is a step in the right direction and it gives the people a chance to get their licence and it is not restrictive, but it's placed there for safety. And safety is the key, Mr. Speaker, and it's good to see that this is being emphasized in the act and also being emphasized with respect to the enforcement of the act.

You talk about stunting. There's been a lot of concern in the rural areas, or not only rural but in the cities, with respect to the kind of modifications that have been done to some

of these vehicles, and not much was done on it by the previous administration. And it's good to see that it's in the particular part of the act where the police officer is going to have some authority and some clout to be able to go ahead and prevent some careless, misguided individuals maybe driving around and not paying any particular attention and going ahead and changing their vehicles to such a position where they end up becoming a hazard rather than a vehicle that is safe for the road.

Flares are certainly a good idea. We see a lot of times driving down the highway and you come across a truck or a vehicle on the side and it has no signal, no nothing, and it's pitch black, and very simply can run into it. With the idea of using of flares for the extended widths of certain vehicles, certainly will prevent further accidents. And this, again, is kind of commendable to the Department of Highways for bringing in some of these regulations and some of these regulations.

Again, I'd just like to, without taking any further time, congratulate the Minister of Highways on the fine work he has done on this and the consultative process he has taken with the people in Saskatchewan, and I'll be supporting the motion. Thank you.

SOME HON. MEMBERS: Hear, Hear!

MRS. CASWELL: — Thank you, Mr. Speaker. This is a very important bill. There are many bills that affect just a small segment of the population. They affect, perhaps, farmers which certainly is a large segment, but still one segment of the population; or they affect business men; or they affect construction people or union people. But this bill affects everyone and everybody's family, because almost everybody drives or has someone who drives and, if you don't drive, you certainly walk across a road or on a road . . . (inaudible interjection) . . . And if you don't . . . Thank you.

There's seldom that the opposition has anything useful to say, but the hon. member from Regina Centre has mentioned that if you don't drive, you may drink, and indeed this also applies to that segment. That was supposed to be humorous, but it came from the Regina Centre so it was limited . . . (inaudible interjection) . . . Well, anyway I'm glad I'm getting to the meat of this issue.

And I think that what we have to do . . . The government's role . . . there's a great discussion in society today what is the government's role, and to limit the role of government to do that what it does best and that what it should do. I think when the hon. member from Saskatoon Fairview was discussing the importance of this bill in terms of saving lives and that the opposition never got around to its house-cleaning and its revamping of a bill, it was because the opposition consistently majored in the minors when it came to government role. They love to control that which they had not business controlling and ignoring those basic, fundamental issues of road safety, road travel, saving lives, in terms of making rules that are practicable, practical, sensible and that can be enforced in such a way that the victims, or the possible victims, on our roads will be protected and the person who is irresponsible in the use of drugs and alcohol would be deterred or punished.

This is legislation at its best and government at its best, when we concentrate on the role of government as it should be, which is to control people where they affect the lives and the property of other people, and not to control them into their business and on and on and on in government regulations. So I would like to commend our Minister of

Highways who, first of all, has taken this job to make a concise bill — although it's a full bill it's because it's a very important subject — and to do it with a great deal of consultation throughout the province, and to not limit the type of people or the groups he would listen to. He listened to individuals; he listened to rural people; he listened to urban people; he listened to experts and he listened to that very important segment, the individual voter, who had something to say about something that affects everyone.

I am particularly pleased that we are dealing with not only the issue of alcohol, but of drugs, because both certainly can be a hazard on the road, and are a hazard in or society, and we must learn to control both and to see both as a possible harm to our society.

Mr. Speaker, I could go in depth on some of the specific issues concerning this, I think that many people all over Canada are looking towards stricter regulations on drunken driving, and I congratulate the minister for dealing with this. Perhaps some people wanted him to have it harsher, in terms of changing the alcohol content — there was some discussion, I know, from that — but he, I believe, has chosen a reasonable approach, an approach that we can all deal with. I congratulate him for wanting to make the RCMP's job easier. I'm sure they want to control the roads in a responsible and feasible manner, and this bill will help them do that. Thank you, Mr. Speaker. I will, of course, be supporting this bill.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. GARNER: — Mr. Speaker, I would just like to wrap up second reading of this very important bill, hopefully before 5 o'clock.

Just on addressing some of the comments made by the members opposite . . . You know, we have the member from Quill Lakes. It seems to me that his biggest claim to fame is he believes he's a legend in his own mind, you know. Mr. Speaker, this member has undoubtedly not studied this bill, and then when he has the gall, Mr. Speaker, he has the gall to stand up in this Assembly and state that the NDP have brought about this piece of legislation . . . Mr. Speaker, there isn't enough courage in all eight of them to blow up a balloon, let alone introduce a new Vehicles Act to try and save some lives in the province of Saskatchewan.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. GARNER: — Mr. Speaker, this piece of legislation has been on the drawing board for the last 11, 12 years. Where was the NDP? One year alone, 265 people lost their lives. The autopsies proved 40 per cent of those fatalities — there was alcohol in the bloodstream.

Mr. Speaker, if the NDP would have had the courage, the courage to take this off the shelf and dust it off and bring it before the people of Saskatchewan, we'd have had a lot less funerals and a lot more people alive in the province of Saskatchewan today.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. GARNER: — Mr. Speaker, I cannot accept anything coming from the members opposite when they want to sit there now as the gang of eight — sit there and try and take credit for a piece of legislation that's going to save lives only because they took the back-door approach. They were afraid. They were afraid to consult with the

people.

Mr. Speaker, we asked the people of Saskatchewan, along with some of the input, what they did want for a new Vehicles Act in the province of Saskatchewan. Didn't force anything on them — not the socialist way — the Progressive Conservative way is asking people, Mr. Speaker. We put on a white paper; we put on a survey. Mr. Speaker, we had responses from every corner of the province of Saskatchewan from people from every walk of life. We asked the SMA what they thought; we asked the police commission what they thought; we asked the agriculture people what they thought; the travelling public, Mr. Speaker.

They had informed us as to what they want for a new Vehicles Act, and, Mr. Speaker, I'm very proud to stand in this Assembly today and say that those people have been heard by a Progressive Conservative government under the very able leadership of Grant Devine, not under the Allan Blakeney socialists.

SOME HON. MEMBERS: Hear, Hear!

HON. MR. GARNER: — Mr. Speaker, I think we've cleared up about who's going to get credit for introducing the new Vehicles Act. The courage, Mr. Speaker, was on this side of the House; and that corner of the House — the gang of eight — has absolutely nothing to do with it, Mr. Speaker, nothing at all.

Now, Mr. Speaker, they talked about DWI. Yes, DWI, they did start like they did a lot of other things — on a Mickey Mouse scale, a Mickey Mouse scale; left it up to the discretion of the courts. Mr. Speaker, the member opposite from Quill Lakes talked about education. The educational aspect with the new Vehicles Act is the DWI program. Not going to force it on people, Mr. Speaker, as the socialists would have done. No, no. We're not going to force it. It's freedom of choice. If an individual wants their driver's licence back within three months, they make the decision to take a DWI course. Two week-ends, two nights a week. Their choice. Get their licence back in three months.

Mr. Speaker, what we're trying to do in this section is put it out to the people of Saskatchewan that look, you've made a mistake once . . . We're trying to educate them as to the effects of drinking and driving on the highways in the province of Saskatchewan, so that we won't have that second-time offender around, Mr. Speaker. We're trying to make it consistent with all the offences: first time, six months; second time, one year; third time, three years; and fourth time, five years. And, Mr. Speaker, I personally believe that by the time an individual has committed four offences, he or she has got a problem, and they're going to have to recognize that problem and do something about it. Because, Mr. Speaker, I cannot and I will not accept the loss of lives that take place in the province of Saskatchewan each year because of impaired drivers. It's not right.

Mr. Speaker, we talk about rights. What about the rights of the individuals that are hurt or have a loss of life? Mr. Speaker, a driver's licence is a privilege, it's not a God-given right.

Some other things, Mr. Speaker, I would like to discuss, but I see it's now near 5 o'clock, so I'll call it 5 o'clock, because I see I cannot wrap up, and I will wrap up later on.

The Assembly recessed until 7 p.m.