LEGISLATIVE ASSEMBLY OF SASKATCHEWAN
June 17, 1983

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

READING AND RECEIVING PETITIONS

THE CLERK – According to order, I lay on the table the 18 petitions that were presented yesterday by Mr. Shillington under rule 11(7). The petitions are laid on the Table:

> Of residents of the province of Saskatchewan praying that the Legislative Assembly may be pleased to withdraw Bill No. 104

WELCOME TO STUDENTS

MR. FOLK: – Thank you, Mr. Speaker. On behalf of the Hon. Paul Rousseau, and as his Legislative Secretary, I'd like to introduce to you, and through you to the members of this Assembly, a group of 19 grade 8 students from the St. Leo School here in Regina. They are accompanied here today by Mrs. Selinger. I'll be pleased to meet with them at about 10:30 for pictures, followed by refreshments in the members' dining room. I would ask that all members join with me in welcoming them here today on behalf of the Hon. Paul Rousseau. Thank you.

HON. MEMBERS: — Hear, hear!

HON. MR. BERNTSON: – Mr. Speaker, on behalf of the Hon. George McLeod, I would like to introduce to you and through you to the . . .

HON. MEMBERS: — There he is.

HON. MR. BERNTSON: – Mr. Speaker, since the Hon. George McLeod is here, I'd like him to do it himself.

HON. MR. McLEOD: – Good morning, Mr. Speaker, I would like to introduce to you and through you to the hon. members of the Assembly a group of grade 10 students, 23 in number, from Chief Taylor High School in Onion Lake, Saskatchewan, in my constituency. As I have said on several occasions when students came from my constituency here, I think they are to be congratulated to a great extent because of the distance that they travel in order to be here with us. I will be meeting with you later this morning, and than you once again for the trip.

HON. MEMBERS: — Hear, hear!

QUESTIONS

Safety of Buffalo Pound Water

MR. SHILLINGTON: – My question was inspired by an experience I had first thing this morning. I arrived . . .

MR. SPEAKER: — Order, please. There are no displays allowed in the Chamber.

MR. SHILLINGTON: – My question concerns, Mr. Speaker, the public suggestion from a back-bencher, of a member of the government, the member for Moose Jaw North, that the Muirhead report was altered somehow or other to hide from the public the fact that the Buffalo Pound water may not be safe for consumption in 5 to 10 years. My question to the Minister of Urban Affairs is: did the studies prepared for the Muirhead report bring into question the safety of the water, either now or in the near future?

MR. SCHOENHALS: – Mr. Speaker, I have a little bit of trouble with the hon. member's interpretation of that press release. I don't believe that that's a very accurate assessment of what was said. In answer to your question, the Muirhead report was done in the Department of the Environment. I would imagine that question regarding its make-up would go to that department.

MR. SHILLINGTON: – Well, let me refresh the minister's memory as to what was said. New question, *Leader-Post*, June 11:

> Mr. Parker, MLA from Moose Jaw North, and Alderman Pat Guillaume said the most compelling argument for abandoning Buffalo Pound Lake as a primary source of water for the two Saskatchewan cities may have been glossed over.
>
> Parker and Guillaume said the real issue was not the taste, and the odour of the water but its safety.

I ask the minister again, is this just a couple of more irresponsible comments by Conservative back-benchers or was the finding of the Muirhead report glossed over?

MR. SCHOENHALS: – Mr. Speaker, the Muirhead report is a public document. I don't believe it was glossed over in any way. I believe that the problems that we are attempting to solve and I would reiterate one more time, have done more in 14 months than your government did in 11 years. The report indicates: number one, taste and odour is a problem in Regina. Supply will be a problem; quantity will be a problem by somewhere in the early 1990s. In Moose Jaw there is the same taste and odour problem, quality problem. And there was a quantity problem that is beginning to surface today, and the mid-1980s will be a problem. Those are the problems that we are working very hard to try to solve. We will continue to work very hard to solve them, and in fact we'll get the job done.

SOME HON. MEMBERS: — Hear, hear!

MR. SHILLINGTON: – New question. I don't wish to hang the member from Moose Jaw North and Alderman Pat Guillaume out to dry, because they're in good company. Let me quote for you what the former superintendent of the station said, Ozzie Mang. He said in the same article in the newspaper: "There is reason to be concerned, he said." He's quoted as saying that. I ask you, Mr. Minister: who is right, is it the former superintendent, the member from Moose Jaw North, and Alderman Pat Guillaume, or is the whole army out of step but you? Who's right?

MR. SCHOENHALS: – Mr. Speaker, I'll indicate it once more what the problem is as we see it; what the problem is as identified in the Muirhead report. I believe the problem was identified to us the day we came to government. In fact, I believe it was fairly major issue in the campaign. I would suggest that if there are questions about statements made by Mr. Mang, that the quality of the water that exists, concerns that exist, that the Department of the Environment is certainly the department that would make studies into that and determine what the proper, the right answer is.

MR. SHILLINGTON: – New question, Mr. Speaker. another one of your admirers, Mr. Minister, the publicity director for Ipsco, suggest that in a – or at least was quoted on a radio station as suggesting — that the government applied to the wrong department in seeking federal assistance under the special program recovery plan. My question to the minister is: have you now applied to the right department, and have you got anything approaching a firm date for a meeting with the federal government?

MR. SCHOENHALS: – Mr. Speaker, the comments made by Mr. Baker are certainly . . . He's free to make them. He went to Ottawa. He did not speak with the minister; he spoke with a number of civil servants.

I have a letter which I received on June 13 from Mr. Johnson, indicating that he is in fact . . . I can read the quote. What it says basically is that he agrees to meet with myself and the mayors of the two cities. That meeting will be arranged between Mr. Wakabayashi, his man in Saskatchewan, and by my deputy minister. That arrangement will probably be finalized today.

MR. SHILLINGTON: – Supplementary. Does the minister have a firm proposal to take to the federal government with respect to this program?

MR. SCHOENHALS: – Yes.

MR. SHILLINGTON: – One final supplementary. Does the minister still pretend that your request for money from this program is timely, coming as it does a month after the federal minister suggested that your proposal was needed immediately? Are you still suggesting that your proposal is timely, and that it's in time to get any assistance under this program?

MR. SCHOENHALS: – I believe the proposal is timely and is in time, and that's the indication that we have from the federal minister.

MR. BLAKENEY: – Mr. Speaker, I'd like to direct a question to the Minister of the Environment. It's on the same subject. He will be aware of the newspaper reports which suggest that the Muirhead report may not have been entirely candid in recommending the construction of the Diefenbaker Lake pipeline. Again, MLA Keith Parker and Alderman Guillaume ware quoted as saying that the real issue was not the taste and odour of the water, but its safety. Do you, Mr. Minister, agree? Do you, Mr. Minister, agree that the real issue with respect to the Buffalo Pound water is not its taste and odour, but, as Alderman Guillaume and your colleague, Mr. Parker, are said to say, its safety?

HON. MR. HARDY: – Mr. Speaker, in answer to the hon. member's question, always, any water has some safety factors involved. But the main concern to the citizens of

Regina has been odour and taste. It has been there for many, many years, as the member well knows, and it has been drawn to our attention. We've looked at two or three different alternatives. The pipeline would in fact alleviate that problem. But even with a pipeline, there's always . . . it could be a problem of water quality. It will always be there. It will have to be addressed on a year-to-year basis, and as the member well knows, it's never resolved and it can never be resolved forever. So we'll have to monitor it. I think the report said that five to ten years down the road, so I'm not sure just what the objectives of the members question is, but certainly water quality – and water quality is a problem; it will always be problem, and will have to be addressed on a day or yearly basis.

MR. BLAKENEY: – Supplementary, Mr. Minister. The purpose of my question was to find out whether or not your department has any information, which suggests that Regina and Moose Jaw water is unsafe or may become unsafe in the next short period of time. Do you have such information?

HON. MR. HARDY: – Mr. Speaker, we have a lot of information in regards to water. Water quality is certainly one of the objectives that the Department of the Environment looks into, and will always be monitoring we have a lot of . . . As you know there was a well in Regina shut down during the winter because the water quality was not what it should be. We will continue to monitor the water quality. As the member knows, the Environment has water quality objectives, water quality standards, that we ask the municipal governments to meet. We are a regulatory body. We give them advice; we'll continue to do so.

MR. BLAKENEY: – Further supplementary, Mr. Speaker. I'm sorry my first question wasn't, evidently, clear. I was not asking about water quality so far as taste and odour was concerned. I was asking about water safety so far as its use for human consumption is concerned, and again I ask: do you have any information which suggests that Buffalo Pound water is unsafe for human consumption, or may become unsafe for human consumption in the near future?

HON. MR. HARDY: – Well, Mr. Speaker, one more time. All the time we monitor, as you well know, the quality of the water into the city of Regina and Moose Jaw. I don't have, at present anyway, any information in regards to the wager being unsafe at this time. It could well be in the next five or ten years, as the member asked . . . (inaudible interjection) . . . Presently? No, we don't have anything that would say it was quality unsafe. It's fit for human consumption according to all the information that we have.

Consolidation of Uranium City

MR. THOMPSON: – Thank you, Mr. Speaker. I direct my question to the Minister of Northern Saskatchewan, and it's regarding the press release that you released on June 16 regarding the consolidation of Uranium City. By way of information, Mr. Speaker, on the first report it was suggested that Uranium City become a service centre, and in your second report you now indicated by your press release that they have recommended consolidation of Uranium City. Could you indicate whether that report has also indicated that they are going to consolidate Uranium City and it will no longer be considered a service centre, or will it continue to be a service centre for that region.

HON. MR. McLEOD: – Well, Mr. Speaker, the two things are quite unrelated The first announcement that we made a number of months ago was the fact that Uranium City

would be the service centre for the Athabasca basin; that's true and it will continue to be.

The consolidation of Uranium City is the consolidation of the physical community, as the hon. Member well knows – he represents that community in the past. With a population of about 3,000, it was a very spread-out community. It's not feasible for a community that's projected to be 250 people or even less – the report says 250, but it may well be less than that – it's not feasible to carry on a community with the water and sewer services and some of the infrastructure in a very spread-out way, so the idea behind this and what the study is recommending and what we have agreed to is that we consolidate the community into the inner core of the community.

We have also, in response to a resolution of the council of Uranium City who have asked us to appoint an administrator because they will be resigning as of June 30, agreed to do that and have said that an administrator will be appointed before the end of this month so there's some overlap time with the present council and the present administration of Uranium City. So it's in consultation with the people and the council of Uranium City, and I think things are going along in a very well-managed manner.

MR. THOMPSON: – Supplementary, Mr. Speaker, to the Minister of Northern Saskatchewan. Could you indicate when you are going to be appointing the administrator, and do you have that administrator now, and could you give the name of the administrator?

HON. MR. McLEOD: – No, Mr. Speaker. I can't give the name of who will be the administrator. We've talked to several people, but I would say that at least my goal or objective would be to have the administrator appointed by some time next week.

MR. THOMPSON: – Supplementary, Mr. Speaker. You indicated that to keep Uranium City operating it's going to cost the treasury approximately $150,000 a year to keep that Uranium City operating in its state with 250 population. Are you now considering looking at other areas in that region to become a service centre? And I particular am concerned about that region in the Black Lake, Stony Rapids, Fond-du-Lac area where most of the population is.

HON. MR. McLEOD: – Well, Mr. Speaker, as I said when I first made the announcement that Uranium City would be the regional service centre for the foreseeable future, there's no real time frame on that. The criteria that we used was the fact that the infrastructure there – the hospital, the schools some of the physical facilities – are there and if the service centre was to go to, say, Stony Rapids (which has been suggested by some people at some future time, and it may well make sense at some future time as well), it becomes necessary to rebuild the hospital or do those kinds of things. So I announced that at that time.

The reason for Uranium City to be the service centre is, as I have said before, it's the most cost-efficient location for the present time and for the foreseeable future. And we looked at it from strictly an economic point of view. As the hon. member well appreciates as much as anyone else in this House or in this province, there are responsibilities of the provincial government for citizens in all parts of the province, and it costs more to take services to people in the more remote areas. The more remote the area that they live in, the more costly it is to take those services to them. We recognize that, and we accept the responsibility for all citizens, regardless of where

they live.

Proposed Meetings with FSI

MR. BLAKENEY: – Mr. Speaker, I'd like to direct a question to the Deputy Premier in his capacity as Minister of Agriculture. This has to do with proposals by the Federation of Saskatchewan Indians to have meetings with the minister to discuss treaty land entitlements, and land which might be available for that, and other issues of common concern. It's my understand that the minister has been forced by pressure of circumstances to cancel some proposed meetings with Chief Sanderson and the federation. And my question to the minister is: does he anticipate that he will be in a position to meet Chief Sanderson and representatives from the federation in the relatively near future.

HON. MR. BERNTSON: – As the member may well be able to understand, in anticipation of an earlier closing of this legislature, there was in fact a meeting scheduled for, I believe, Monday or Tuesday of this week that has to be cancelled on about, I might add, about a week's notice simply because of the pressures of this place. There's no intention of cancelling it indefinitely. I understand – and time will tell — that this place is in fact going to adjourn in the hear future, and once we have it adjourned, I will be looking forward to meeting with whoever it is on my plate that is requesting a meeting.

Funding for Interval House at La Ronge

MR. YEW: – Thank you very much, Mr. Speaker. In the absence of the Hon. Pat Smith I'll direct my question to the Minister for Northern Saskatchewan. The minister will be aware that the Interval House in La Ronge has been awaiting, for some time, notification from your government that funds will be forthcoming so that they might proceed with their program. Mr. Minister, does your department have any plans to provide funding for this much needed facility, and have officials at Interval House been notified as to what to expect from your government?

HON. MR. McLEOD: – Mr. Speaker, I'm aware of the facility that the hon. member is referring to. I believe he said La Loche, was it?

AN HON. MEMBER: — No, La Ronge.

HON. MR. McLEOD: – In La Ronge, I'm sorry. I know La Loche and La Ronge have both been requesting similar facilities. Those are two problems that are there. We all recognize that there are some, but not nearly as many as there were two years ago. I would say to the hon. member, Mr. Speaker, that I'm not exactly sure of the status of the facility at La Ronge that you specifically ask about. I would undertake to refer to my colleague, the Hon. Mrs. Smith, and I'm sure she'll get back to you and give you an answer if the House does shut down, as the House Leader has indicated it may do very soon. If it's after the closure of the House, well, I'm certain that she'll write a letter to you to inform you of the details of that proposal.

MR. YEW: – Supplementary, Mr. Speaker. The minister will know that the Interval House application that's been mentioned here will provide a vital service of the community of La Ronge and that region in northern Saskatchewan. And it's my understanding, Mr. Minister, that several communiqués have been extended to both

the Hon. Pat Smith and yourself, and that this application has been reviewed by treasury board, has been reviewed by the appropriate ministers with respect to this program, and I would strongly urge that you give it serious consideration. But at this particular point in time I would raise the question with you and with the Hon. Pat Smith: when will you expect to provide an answer to the officials of Interval House in La Ronge?

HON. MR. McLEOD: – Well, I can't give an exact time or a day, Mr. Speaker, but it will be soon, and as I've indicated to the hon. member I will ask my colleague to write to him or to contact him and give him the information that she has in her department; it's the department responsible for it now. But I will tell the hon. member that we are aware of the concerns and the problems that are faced, and we'll be giving it due consideration, certainly.

MR. YEW: – One final supplementary, Mr. Speaker. Do you anticipate a very positive answer or a negative answer, seeing as how you had some time to review this application?

HON. MR. McLEOD: – Well, Mr. Speaker, it's hard for me to anticipate that, but I would point out, Mr. Speaker, because there's a bit of a misconception being left with the House by the hon. member, and that is that services that they're asking for in an Interval House facility are not being provided now. In fact, those services are being provided now in La Ronge – for they are being provided and people are being put up that are in a crisis situation are being put up – and the hon. member, I know, knows that, but he neglected to mention that. Those services are being provided, but they're just not being provided, but they're just not being provided in a facility that they've been requesting. So whether the facility goes ahead or not, the services that are much needed are still being provided.

Coliseum Holdings Update

MR. SHILLINGTON: – Thank you very much. A question for the Minister of Culture and Recreation: Mr. Bill Hunter has been energetically criss-crossing the province drumming up another proposal to get the St. Louis Blues to Saskatoon. It seems to be common ground, Mr. Minister, what you denied, and that is that the problem was a woefully inadequate financial picture, a financial package that this government put its stamp of approval on. My question to this minister is: have you had discussion with Mr. Hunter with a view to participating in an expanded financial package.

MR. SCHOENHALS: – Mr. Speaker, we have had ongoing discussions with Mr. Hunter, mainly updating us on his position and what the Coliseum Holdings company are doing. I would point out that this week in the House of Commons – I have a telex here from the Prime Minister – there was a unanimous agreement to pursue this project from all three parties it would appear very clear to the people of this province that the only group in the entire country who is against this project would appear to be the provincial NDP party. This project is being pursued: it's being pursued by my counterparts in the federal government; and it's being actively pursued and we are waiting to see what happens.

MR. SHILLINGTON: – New question. I'd suggest to the minister that you'll get about as much out of the federal government on this question as the people of Regina and Saskatoon have got out of . . .

MR. SPEAKER: — Order! If the member has a question, I would ask him to get directly to it, not be making statements.

MR. SHILLINGTON: – My question to the minister was . . . I was just on the verge of getting to it. My question to the minister is: you have had discussion with Mr. Hunter, I gather that's the thrust of your answer. You've had discussions with Mr. Hunter, are you similarly on the verge of participating in a proposal to buy the St. Louis Blues?

MR. SCHOENHALS: – Mr. Speaker, at this time we have no firm position with Coliseum Holdings.

MR. SHILLINGTON: – How much money has been requested of you this time? What figure has 32 million ballooned to?

MR. SCHOENHALS: – Mr. Speaker, I would emphasize once more that our position in the original agreement was simply one of a loan guarantee on the proposed arena. At this time there has been no request and we have no official position.

MR. SHILLINGTON: – New question, Mr. Minister, your participation in the last proposal was remarkably active for someone who was a disinterested banker. My question to the minister is: will you give this House the firm assurance that you won't embarrass your province a second time by going for it a second time with an inadequate financial proposal?

MR. SCHOENHALS: – Mr. Speaker, my colleagues are indicating that if there's been an embarrassment to this province, I think it's come from across the floor.

SOME HON. MEMBERS: — Hear, hear!

MR. SHILLINGTON: – New question, Mr. Minister, I remind you that the province of Saskatchewan publicly, and in a high-profile fashion, backed that proposal. Will you give us your assurance that you won't back another proposal which will be an embarrassment to the people of this province?

MR. SCHOENHALS: – Mr. Speaker, I once again would indicate that I don't believe the people of the province were embarrassed. As I've indicated in this House, the city of Vancouver took two tries to acquire a franchise; Winnipeg took two; the WHA took three or four attempts. And I repeat once more that we are in no way embarrassed by what has happened. We feel that this project has major economic impact, that it will be something with psychological benefits for this province, and we will continue to pursue the project through whatever avenues.

MR. KOSKIE: – Mr. Speaker, I would like to pursue this question with the Minister of Culture and Recreation, is it? It is my understanding that Mr. Hunter met with three high-level members of cabinet recently, after your disastrous trip to New York, but he came forward with yet another plan. He met with the Deputy Premier, the Minister of Finance, and yourself. Could you indicate what proposal Mr. Hunter presented to the cabinet at that time and whether indeed it is requesting further financial assistance from the province.

MR. SCHOENHALS: – Mr. Speaker, the Minister of Agriculture has answered the question very well, I will indicate once more that we had an update on the situation when we met Mr. Hunter. No formal request has been made. I continue to be amazed at the provincial NDP party being the only organization in this province that is in any way

opposed to this project. It seems to me that the benefits are obvious and the negative gloom and doom attitude that continues to come across the floor simply continues to amaze me.

MINISTERIAL STATEMENTS

White Paper on Proposed New Mineral Taxation Act

MR. ANDREW: — — Mr. Speaker, I am pleased to table in the legislature a new mineral taxation act. The proposed act would replace the existing Mineral Taxation Act and provide legislative authority for (1) a production tax on all minerals produced in Saskatchewan with the exception of oil, gas, and uranium, which are presently covered by other statutes; (2) a mineral acreage tax which will maintain the same taxpayers' rates of tax and general rules of administration as the present planned tax; (3) the repeal of the production tract tax for all mineral lands including oil and gas lands.

The draft statute attached to the white paper contains four parts, which are general provisions for all mineral sectors. This umbrella structure provides a framework for the addition of schedules which will outline the tax regime specific for each mineral sector. Following negotiations with appropriate industry officials, schedules will be developed and appended to the act. Initially we anticipate that a coal schedule will be included for the implementation in January 1984, followed by a potash schedule later in the year.

The new mineral taxation act is designed to consolidate and simplify existing taxation and administrative requirements placed on industry by government. It is also intended to incorporate provincial powers for indirect taxation, which are now possible due to the changes in the constitution that were brought in with the constitutional change a couple of years ago. The next impact of the changes should reduce the administrative burden of both industry and government and provide flexibility for future changes without a proliferation of legislation.

The use of a white paper is relatively new consultative mechanism for industry and government dialogue in non-renewable resource sector in Saskatchewan. It is symbolic of our desire to work with industry in a constructive manner for a long-term development of provincial resource base. We hope that this will be a useful took in developing appropriate tax revenues for the province while ensuring an adequate return for the industry.

What we are introducing here, Mr. Speaker, is a white paper with proposed legislations attached to it. We hope that it will input from various sectors. What it is, is a new development basically brought on by the indirect tax benefit won in the constitutional battles, which we don't necessarily take credit for, but I believe will allow for a more streamlined system of provide taxation. With that, Mr. Speaker, I would table that white paper.

SOME HON. MEMBERS: — Hear, hear!

MR. BLAKENEY: – Mr. Speaker, I would like to make a brief comment with respect to the minister's statement. We on this side welcome the proposal for a white paper and for a reorganization of the mineral taxation structure in Saskatchewan. Everyone agrees that the mineral taxation structure became excessively elaborate because of the constitutional requirement that the provincial government not levy

indirect taxation, and because of the particular interpretations put upon that constitutional requirement by the Supreme Court in the Cigol case and in the Central Canada Potash case. As a result our tax structures, while effective in collecting money, developed a very elaborate structure. The new constitutional changes which because effective last April now make it possible for us to levy indirect taxes. I welcome the move by the government to move in that direction and to get a proper legislative structure for that.

I similarly welcome the initiatives taken by the government to consult with the industry with respect to the taxation levels. I recall our working out the uranium royalty structure which took approximately two years. That could be done privately because there were a small number of uranium producers. I recall a similar length of time in working out the current potash taxation agreements. That could be done privately because there were a small number of producers. With respect to other minerals where there may be a larger number of producers, or there may be people who are not now producing who would be interested in the process, the white paper offers an appropriate method for government consultation. I compliment the government for adopting that stance.

We will look forward over the next number of months, and perhaps short number of years, to the development of a taxation structure, which will protect the treasury of Saskatchewan and the people of Saskatchewan without imposing any unnecessary administrative burden upon the industry, or any unnecessary restrictions on their ability to operate or produce. I know that's the objective of the government, and will look forward with interest to the progress made in that direction.

Culliton Report on Freedom of Information

MR. LANE – Thank you, Mr. Speaker. I would just like to advise all hon. members that I have this week received a copy of the Culliton report on freedom of information. We've run into some difficulty in terms of printing an adequate numbers of copies. We expect to have sufficient copies for distribution and public announcement next week. We had hoped to have it done this week, but I expect to have a public release of the documents next week. All hon. members will receive a copy. Our intention, then, is to have significant public distribution over the course of the summer and time for public input at that time.

INTRODUCTION OF BILLS

Bill No. 108 – An Act to amend The Condominium Property Act

MR. LANE – Thank you, Mr. Speaker. With leave, I would like to introduce and give first reading of An Act to amend The Condominium Property Act. Copies have been distributed to certain members of the opposition. It is a technical amendment which will alleviate some technical problems in land title . . . (inaudible) . . . couple of projects. So I'm asking leave to introduce and give first reading of an act, The Condominium Property Amendment Act, 1983.

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

TABLING OF REPORTS

Report of Chief Electoral Officer

MR. SPEAKER: — Before orders of the day, I would like to lay on the Table the report of the chief electoral officer on the annual fiscal returns of registered political parties of Saskatchewan for the period January, 1982 to December 31, 1982.

ORDERS OF THE DAY

GOVERNMENT ORDERS

COMMITTEE OF THE WHOLE

Bill No. 104 – An Act to amend The Trade Union Act

Clause 1

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

HON. MR. McLAREN: – Yes, Mr. Chairman, I'd like to introduce Jane Sather, crown solicitor, Department of Justice, in the civil law branch, to my left; and Garth Leask, executive director of the labour relations branch in the Department of Labour.

MR. SHILLINGTON: – Mr. Minister, I want to say initially . . . I want to restate what I have said before, and that is that this is the worst-drafted piece of legislation that your government has had the misfortune to bring before the Assembly. I will not describe it as the worst-drafted piece of legislation in the history of the province, as I haven't been around since 1905. But I have been here since 1975 as an elected member, and for four years before that I was responsible for legislation, and I've seen nothing to compare with this.

Mr. Minister, it is apparent to all concerned that your government had the greatest difficulty making up its mind to agonize over this until the 11th hour, that it was hastily drafted, and that you brought it in and you're now ramming it through the legislature. I suggest to you again, Mr. Minister . . . I don't recall, Mr. Minister, I'm stopping in the middle of a sentence I do not recall dealing with a bill before in this House where we had one, two, three, four pages of House amendments.

It's obviously, Mr. Speaker that you brought this in at the 11th hour. It is obvious that you have had difficulty making up your mind. I suggest to you that others deserve the same amount of time in which to make their views know. In the brief period of time available we have presented petitions in an unprecedented number. I ask you again, Mr. Minister, what is the rush? Apart from the obvious, and that is, that you wish to avoid the wrath of the public opinion by getting this out of the way the earliest opportunity, apart from that less that credible reason, why, Mr. Minister, will you not allow this bill to stand over the summer and treat it as a white paper and let the views of the public become known. If, Mr. Minister, there are people who support you, apart from the chamber of commerce, and a mining association, I assume this vast throng would come rushing forward given a reasonable opportunity. I ask you, Mr. Minister, why can't this stand over during the summer?

HON. MR. McLAREN: – Mr. Chairman, I think I've told the members opposite for the last

three days that we have spent eight to nine months going through a number of briefs – 58 in total – plus many, many phone calls, individual meetings, organizational meetings to discuss The Trade Union Act. And out of all that, we have come with the amendments.

As far as talking about four pages of House amendments, we have listened to the folks. We have talked to some of the union people. There's been one or two words that they weren't happy with. We're pleased to come with the House amendment to cover that, and the balance of them is just the numbering sections, and getting the clauses into the sections to which they apply. To say that there are four pages, you have to look at the amount of individual numbers in there that cover that part of it.

MR. SHILLINGTON: – Mr. Minister, if you're having numbering problems . . . I assume your draftsmen can count. In fact I assume they're fairly competent people. But I know from personal experience in the process, it takes time. You simply can't rush drafting of complex legislation; mistakes will occur. There are some things in this world you can rush and some things you can't. no matter how competent your draftsmen, you can't rush the drafting of complex legislation or you will get this kind of an abortion.

It is obvious, Mr. Minister, that you put this together at the last moment. It's obvious that this subject was a good deal more complex than you, in your simplistic approach to labour-management relations in Yorkton, had imagined. I suggest to you, Mr. Minister that this ought to stand over.

I ask you, Mr. Minister, to contrast the treatment of the trade unionists with the treatment of the companies. The oil companies, with considerably greater resources than are available to any trade union, however large, have been given the benefit of a white paper on what is admittedly a complex subject – the taxation of oil royalties. But your friends have a white paper – something they can say yea or nay to – and they will . . .

AN HON. MEMBER: — That's a new act.

MR. SHILLINGTON: – This marks a new era in trade union legislation in Saskatchewan. I'll tell the member from Cannington.

AN HON. MEMBER: — Souris-Cannington, thank you.

MR. SHILLINGTON: – Souris-Cannington, you're welcome. Mr. Minister, your friends get the benefit of as much time as they need to react to a very specific proposal. The trade unionists have had nothing to react to except their worst fears, and the process didn't serve them very well because this legislation exceeded their worst fears. Let me ask you again, Mr. Minister, why the differential treatment? Oil companies – this government's in the hip pocket of big oil – the companies get what time they want; the trade unionists get treated to the front end of a bulldozer.

HON. MR. McLAREN: – Well, Mr. Chairman, we have given the same amount of time to each individual group, whether it be union or whether it be . . . And I don't know about oil companies. I haven't been talking to oil companies.

When you start looking at amendments, I see no reason why we need to introduce a white paper after eight or nine months of consultation. If I was rewriting the whole Trade Union At, then, of course, I would have come with a white paper. But the fact that

we did eight or nine months of consultation with many, many people across the province and come up with the amendments that we have done, which to me is for employee rights and I talked about that in my speech last night. That is what it's all about, to expand and protect their rights, and we're not saying, as I said last night, that all unions are not responsible. There are lots of good unions. There's lots of good employers. There's lots of good employees. But we need to tighten up in some areas, and we feel that the amendments that we've come with are going to do just that and develop some co-operation within a legislative framework.

And as far as the sections and the drafting, I don't know how long; I'm new to this game, but I know they've been at it for a good six weeks to two months. And I would say that I don't like seeing that kind of amendment coming either, but it's not as bad as it looked by saying four pages. It's the numbering of the sections to get them into the three or four basic sections of The Trade Union Act to make it cohesive, and that's basically what we're doing in the amendments.

MR. SHILLINGTON: – Mr. Speaker, I want to deal with the general comment that this bill is intended to expand and protect employee rights. You and I both know it is intended to do no such thing; it is intended to repay a political debt to the chamber of commerce. They have called it – and I will quote again, because they are sitting right behind me. I will quote again the quotations from the chamber of commerce people who say to you, "We elected you. Now here's the bill, and if you don't pay it, you'll be out at the next election."

Mr. Minister, if you have any sense of your responsibility as Minister of Labour to the working people, I think you would have responded to that comment by suggesting that more than just the business community elected this government. But you didn't. You seemed to accept that comment at face value, and what we have is this bill. Mr. Minister, my question to you is . . . (inaudible interjection) . . . I can, if you want me to take time. I can go through the chamber of commerce brief and the other business briefs you got, and I can show you where virtually every one of these amendments relates to that brief or relates to you personal experience in Yorkton. What I ask you is to tell me which of these amendments were requested by a trade union. I would rather not hear about the thousands of names you have in your office supporting right-to-work legislation. I believe that. I believe that. But I do not regard that as representative of working people in Saskatchewan.

And the letter which you read yesterday . . . I will venture to say, Mr. Minister, you read a letter last night – I would drink that water, as poisonous as it looks, if that letter came from a working person. That letter clearly by tenor came from an employer – clearly. Clearly, Mr. Minister, I ask you, Mr. Minister, to tell us which of these amendments were requested by the trade union movement? If you can't point to any, and I don't believe you can, I will take that as an admission that this is indeed the chamber of commerce act, Bill 104.

HON. MR. McLAREN: – Well, Mr. Chairman, I would probably think that none of the amendments in the draft came from the leadership. But I certainly did have a lot of input from union workers out there, numbers and numbers and numbers of them, asking for the very things that we have put into this amendment – that they wanted some protection and expanded rights. That's what we've aimed in on. I did not have a petition from my former company. I want to make that very, very clear. I have not even talked to my former company about this act, and I haven't a clue if they're happy with it, or don't even want to see it, or whatever. But I tell you that I've talked to a number of union

employees, and a lot of those employees voted for me, and that's the reason why I'm here.

MR. SHILLINGTON: – Well, Mr. Minister, I can tell you how the Morris Rod-Weeder Company feels about this. I can tell you how every other employer feels about it too. They're pretty pleased with it – most of them are. There are some more sensitive employers who realize what you are doing is souring labour-management relations. Everybody's going to hurt, not just working people.

Mr. Minister, do I take your comment as an admission that these amendments are opposed almost universally by the leadership of the trade union movement? Do I take that admission at its face value that you just made?

HON. MR. McLAREN: – Mr. Chairman, I have told the members opposite that we had a number of briefs from the trade unions . . . (inaudible interjection) . . . Pardon? I told you that we're getting the support from the employees of the trade unions. I've been saying that all along. The few clauses that we have come with was based on the fact that the employees were wanting some extra protection, and we're giving them that.

MR. SHILLINGTON: – Mr. Minister, as Minister of Labour, I may say I'm sorry that this should be. It is universally assumed that once this regrettable bill is out of the way your tenure as Minister of Labour will be virtually complete, and someone who's a little more acceptable will be brought into the office. I am sorry, Mr. Minister, that this should been your last high profile act as Minister of Labour. Whatever your errors of judgement you did not deserve to have this blemish your record. I'm sorry that your tenure as minister is going to end on this note, because I say it will not be a record that you or this administration will ever want to have referred to again. If, as I suspect, this bill is your last act, Mr. Minister, you record as Minister of Labour is not one this administration will ever want to refer to again. It strikes me that you're entitled to something better than that. It strikes me, Mr. Minister, you're entitled to something better than that.

Notwithstanding the irrelevancy of it – because you are virtually finished as minister – I'd like to know what your concept of a trade union is. Let me tell you of mine, then you can compare it. My concept of a trade union is a number of employees who get together, decided that they want to form a union, and they do. They elect the leadership and the leadership – the bosses, as the member from Melville so scathingly referred to them – the bosses have to go back year in and year out to be re-elected. It may be a two-year term, but they have to go back. And that's my concept of a trade union: a democratic institution, the leadership of which is responsible to the membership and are accountable to them, and who put forward the best interests of the trade union membership or suffer the consequences.

You, Mr. Minister, say, "No, I'm not listening to the trade union leadership; I'm listening to the members." Is it your view that the leadership don't represent the members; that they maintain themselves in office by force of arms? What is your concept of a trade union movement and what is your concept of the responsibility of the leadership to the membership?

HON. MR. McLAREN: – Well, Mr. Chairman, I told the members opposite last night when I read the sections out of The Trade Union Act, section 3 and section 36(1), and nowhere in those amendments or the amendments that we're talking about today do we indicate that an employee cannot organize and cannot join the union of his choice to

certify a place of business or a plant or whatever. Nowhere are we denying that employee the right to free collective bargaining; nowhere do we say that they don't have the right to strike. Section 36 and section 3 cover that and we did not touch one word.

My idea of a trade union is just as you stated: that the members wish to join, that there's a union comes in, and they try to certify. But what I am hearing from the employees out there of some of the trades unions is that their leadership is not listening to them any more. You just said that the members should elect their . . . that their leadership is elected by the membership. There again, but the leadership is still supposed to represent their membership, and the message that we are getting, that a number of them are not. We are getting the message that some of the unions are fantastic unions. That's great. They're responsible. And we're talking to those unions right now. There's some leadership, they're coming in, they're concerned about jobs, and we're working with them to try and create that kind of employment increase so that they can get their workers back to work.

That to me is what unionism is all about. It's not setting up barriers, confrontations, the adversarial system. If we keep on that road, I can tell you where our country and our province is going to go, and that realization is starting to come into the workers' minds. I know it is; I sense it, that they're finding out that the biggies like Massey-Ferguson, Dome Petroleum, Chrysler, you name them . . . Whoever thought five years ago that corporations that big are on the verge of going down the tube? And all of a sudden job security is meaning something. To me, unionism, management, the employees, the workers, can all get together a little closer and do away with the adversarial system that that we seem to be in, and all we're asking – and some of these amendments are leading us that way – for responsibility and co-operation. If we can accomplish that, as I said last night, we'll have the best province in Canada.

MR. SHILLINGTON: – Well, Mr. Minister, I'll grant you you're replacing the adversarial system, because you're loading the dice so thoroughly in favour of the employer that it really is not fair to call it an adversarial system any more. I'll grant you that that's your goal. My argument to you is that that is not the best interest of either the workers or this province.

Mr. Minister, you said you were going to make Saskatchewan number one, going to make Saskatchewan the best province in Canada. I repeated statistics to you, and I will give them to you again if your memory is that poor, that Saskatchewan has . . . until April 26, 1982, was the best province in Canada. Mr. Minister, why don't you just run with a winning team and a winning system? Why does this government have to set out to destroy the things that were patently working well?

HON. MR. McLAREN: – Well, it sounds to me, Mr. Chairman, that the member opposite is saying that we don't need to even look at it anymore; we're happy with 460,000 worker-days lost, or 300,000 back in '79 under your administration; 300-and-some thousand back in 1974 – that we're happy with that. I'm not happy with that, and I don't think we need to be happy if there's 10,000 worker days, or 5,000. If we can get to zero, all the better – probably not achievable, but why can't we keep working towards that kind of goal? And we can't keep on that kind of road, and I don't care about the other provinces; I'm talking about Saskatchewan. And we're still part of Canada and we need to look at it as a total nation to improve this country and get the economy back on the tracks again. And co-operation with everyone – I can't see how you can argue against that. To argue against secret ballot votes, and natural justice, I just don't see where

you're coming from.

MR. SHILLINGTON: – How do you account for the fact that Saskatchewan had the best record during the '70s, the best record for lost time due to strikes? How do you account for that? Pure accident? Position of the sun, because Pluto was outside the orbit of Neptune? How do you account for that, Mr. Minister?

HON. MR. McLAREN: – Mr. Chairman, I don't care what they were . . . if we were still number one. I'm still saying that we can be even better. And with what we went through last year, and what we seem to be going through . . . and the construction . . . (inaudible) . . . to me is not good. And we're talking to the trade right now to see if we can't cut back on that kind of lost time every two years. And I'm pleased to say that we're getting some good reaction from those types of trade unions, and that's the kind of responsibility and co-operation that I'm asking for. And we are getting it, and I'd hope that we can get that kind of co-operation for every union in the province. And when we look at our lost time for the last three months or the first three months of this year, it's a heck of a lot of increase or better picture than it was for the three months of 1982. I'd like to think that some of the co-operation is starting to develop and that there's employees out there that are saying that we want to take part it, too. In fact we are having them come to us and say that they want to be part of the co-operative effort to secure their jobs and that's the whole purpose of what we're coming with today.

MR. SHILLINGTON: – Mr. Minister, the worse record in many years was last summer, when this government was in office, when the construction labour relations council set out to break the building trades. They made a very determined effort, aided and abetted by a government they knew would assist them.

Mr. Minister, I want to get on to a different subject. Mr. Minister, I want to know who wrote this document, "Background Notes on the Proposed Trade Union Act Amendments." We've been besieged by telephone calls disclaiming responsibility for it, it is so bad. It is so bad. Mr. Speaker, who wrote this thing?

HON. MR. McLAREN: – Mr. Chairman, I don't which document they're referring to. We've had a number of people involved in drafting notes and it could have been out of my office or my department – people that we worked with while we were putting the drafting together.

WELCOME TO STUDENTS

HON. MR. HARDY: – With leave, Mr. Chairman, I'd like to introduce some students of mine. Thank you, Mr. Chairman. I have an honour today to introduce to you and through the Chair some students, 31 in total, grades 3, 4, 5, and 6 from McKague, Saskatchewan. It's a small country town south of Tisdale. In fact, Mr. Chairman, last year just before the election they were the first ones to predict the outcome of the election. They had an election there within their school and they told us how we were going to be. They are accompanied today by their teachers, Madeline Soucy, Carol Handford, their parents, Shirley Duesner and Linda Duesner; also by their bus driver, Jim Bryson. I'll be meeting with them afterwards for drinks in the cafeteria downstairs. I've already met with them for pictures. I hope you have an enjoyable and an entertaining trip or tour here in Regina. And certainly I know you'll appreciate our Legislative Buildings; they're great buildings and for many years they've been here. We as members of the legislature appreciate the role that we play here. I will ask all

members to join with me in welcoming to the legislature here this morning and wish them a safe journey home.

HON. MEMBERS: — Hear, hear!

COMMITTEE OF THE WHOLE

Bill No. 104 – An Act to amend The Trade Union Act

Clause 1 (continued)

MR. SHILLINGTON: – Mr. Minister, I quoted yesterday in my comments for a speech from Franklin Delano Roosevelt. The speech was actually given during the war. He talked about freedom, and it was really directed, I think, at the Japanese and Germans and not the trade union situation, but it applied. But it applied. It was, I believe, if my memory of the history is correct, it was during the presidency of Franklin Roosevelt that the Wagner Act was passed in the U.S., which was in some ways a model for The Trade Union Act passed by the CCF, the first in Canada.

Mr. Minister, one of the key principles of the Wagner Act was that the formation of a union is a decision of the employees and the employees alone, and the employer has no place in that discussion because inevitably the employer's role in the discussion is one of intimidation. It will never be anything else, by the sheer nature of human nature; it will never be anything but. That was incorporated in the Wagner Act. That was adopted by The Trade Union Act passed in this province in 1944. It was incorporated into the legislation of other provinces with varying degrees of fidelity. Mr. Minister, do you accept that principle: that the formation of a trade union is a decision for the employees alone and the employer has no role in that; similarly the taking of a strike by the employees is a decision by the employees, and the employer should not be part of the discussions? Do you accept that basic principle?

HON. MR. McLAREN: – Mr. Speaker, I think that the employees in helping them to arrive at their decisions need to know all the facts and if it means that an employee would like to go to his employer and ask him if what he is being told is true or an employer to his employee. I see nothing wrong with communication in the idea of getting rid of the adversarial system that I talked about in the first place. The unfair labour practice of intimation, coercion, and threat is still there. An employee, if he feels that he's being coerced or threatened by his employer, can file the unfair labour practices through his union.

And I would like to suggest that with that kind of communication and co-operation maybe a lot of employers would not mind having a union in the plant. But when there's just one side of a story at all time and he doesn't have the chance to put on a bulletin board what his thinking is, to help the employees make up their minds, that's the freedom and that's the democracy that we're talking about, and that's what I want to see start to happen. And I don't think you'll see all the adversarial systems building and working the way we have in the past.

MR. SHILLINGTON: – No, that's right. We are likely to see it get much, much worse. We are likely to see employees barricading themselves inside farm equipment plants, and employers threatening to bulldoze down the building to bring the strike to an end. That is likely what we are to see again, Mr. Minister, because this legislation is going to make the situation much, much worse. It was not by chance, and it was not because of the

alignment of the stars or any other bizarre explanation, that Saskatchewan had the labour relations record it did in the ’70s. It was because this particular piece of legislation provided a framework whereby unions, on behalf of their employers, could work out problems with employers who were required to deal with the unions, and not attempt to end-run them. I think that responsible and sensitive employers know that end-running a union doesn’t work. Threatening to bulldoze down . . . A man threatening to bulldoze down his plant does not bring labour peace, and I think it was not by chance, Mr. Minister, that we had the record we had.

Mr. Minister, do you deny that the presence of an employer involved in the discussion as to whether or not to take a strike is simply going to make the resolution of the problem more difficult? Will you not admit that? Because it underlies labour law in North America . . . the history of labour law in North America for the last 40 years. Will you not admit, Mr. Minister, that when an employer gets involved in the decision as to whether or not to form a union, and whether or not call a strike and other decision, that you simply make the resolution of those questions more difficult?

HON. MR. McLAREN: – Mr. Chairman, I’d like to just read to the member opposite that what we are coming with in our amendments is not unique. I’d like to read from the Ontario trade union act, section 64:

No employer or employers’ organization and no person acting on behalf of an employer or an employers’ organization shall participate in or interfere with the formation, selection or administration of a trade union of the representation of employees by a trade union, or contribute financial or other support to a trade union.

But nothing in this section shall be deemed to deprive an employer of his freedom to express his views so long as he does not use coercion, intimidation, threats, promises or undue influence.

And that’s all we’re saying in our amendment.

MR. SHILLINGTON: – Well, it’s interesting that you should look to the Ontario trade union act for inspiration, Mr. Minister, interesting because that government is moving in the opposite direction. I see a report that that government is considering outlawing strike-breakers. But, Mr. Minister, leaving that aside, leaving that government aside, which is attempting to go forward and not backward, if I was the minister I wouldn’t look to Ontario for inspiration; I wouldn’t look to any Canadian jurisdiction for inspiration – Because this government’s record in labour-management relations, apart from Saskatchewan, is abysmal. Saskatchewan is the only province which had anything like a normal and acceptable strike record.

Mr. Minister, will you not admit that you should look to the example of some jurisdictions which have achieved some success in dealing with labour-management relations, and not look to a jurisdiction which has had an abysmal record, and Ontario’s is bad? We will all admit that. Would you not admit that you might have looked to a jurisdiction which has achieved some success? Did you look to anyone other than Ontario and the other provinces which have such an abysmal record? Did you look anywhere else for inspiration?

HON. MR. McLAREN: – Mr. Chairman, we looked at a lot of the trade union acts all across Canada. And with coming with 13 or 14 amendments. I wasn’t going to be

travelling all over the world to come up with some new ideas. If it had been rewriting of The Trade Union Act totally, then possibly I would have.

The other thing I'd like to say is that section 36 is unique in Saskatchewan. There is no other jurisdiction in the country that has a union security clause like section 36. So we have left a lot of balancing items in the act, along with the amendments that we're coming with, to pull together an act that we can back to the co-operative and the responsibility in the employee rights . . . expansion. It's a middle-of-the-road, moderate approach, as far as I'm concerned. I'm very confident that it will work.

MR. SHILLINGTON: – Mr. Minister, will you not admit that when the subject of the formation of a trade union is under discussion, any discussion by an employer with an employee is a form of intimidation? Will you not admit that when formation of a trade union is under discussion and an employer goes to an employee and says, "What's your position with respect to the formation of a trade union?", will you not admit that that's a kind of intimidation? Will you not admit that the employee knows full well that his employer doesn't want it? . . . (inaudible interjection) . . . Well, now we've got the member from Saskatoon Nutana with her vast experience in labour-management relations. I regret that the rules do not permit me to look to you for inspiration, because I'm sure I couldn't do worse, and the member from Yorkton. Regrettably, Madam Member, the rules prohibit me from putting questions to you.

So let me turn my attention again to the member from Yorkton, and repeat the question. Will you not admit that that simple question, or anything like it, is a form of intimidation? Will you not admit that any attempt by the employer to give the employee facts is a kind of intimidation? Because his facts will not be balanced; they will be an argument in favour of not joining a trade union. Will you not admit that, Mr. Minister?

HON. MR. McLAREN: – Mr. Chairman, I will not admit that. I feel that the employee has the right to get to know all the facts, and I'm sure that the facts that he is hearing from the union organizer, he will wonder if it's the true facts and maybe that's a form of intimidation also. If I was an employee I would wan to know the facts before I made my decision, and that's the whole purpose of that section – to allow that to happen. If he does not want to go to his employer, fine and dandy; that's his right. But he has the right to choose and get the facts to make his decision.

MR. SHILLINGTON: – Well, if he's being intimidated by the union boss – to use the phrase so eloquently used by the member from Melville yesterday in this debate – if he is intimidated by the union boss, he's got a solution. You vote him out of office; he's going to get a crack at him, if a union's formed. If he doesn't, the subject was never relevant. He doesn't get that opportunity to vote the boss, the manager, the owner of the business, out of office.

So I suggest to you, Mr. Minister, that there is a difference between the employer asking an employee, "Have you heard about it? What are you doing? What's your position?' That, Mr. Minister, has to be a kind of intimidation.

HON. MR. McLAREN: – Well, Mr. Chairman, the act includes the unfair labour practice charge in there, and the labour relations board is there to determine whether that employer in fact did coerce or threaten an employee. That has been there before. It's still there. That hasn't changed. I just can't understand your whole concern about this section.

MR. SHILLINGTON: – Well, it's my whole concern about the bill. Mr. Minister, the whole tenor of this bill, the assumption which you start out from . . . And I say, Mr. Minister, that your background as a manager is just branded into this legislation. It comes through so crystal clear, because the whole assumption underlying this bill is that the employee rights, as you style it, it would be funny if it weren't so tragic. The whole tenor underlying this bill is that the employees need protection from the union, but none from the employer. Because there is nothing, not anything in this legislation which does anything to strengthen the ability of a trade union to negotiate with the manager. Everything in this bill suggests that the employee doesn't need protection – not from the owner, but from his own union whom he elects.

That, Mr. Minister, is an occupational disease of being an owner and being responsible for employee-management relations. I know. I've been on both sides. I've never been a member of a trade union, I must say, but I have acted as counsel for them. I have also been on the management side when I was in your position – I was not Minister of Labour, but I was a member of Executive Council on management side. I know how managers think. It's an epidemic, and that is: oh, if only, if only he didn't have to deal with the union, he'd have no problems with the boys It isn't the boys, it's the union that's his problem.

History tells us otherwise. Before there were unions, there was incredible violence – incredible violence – with regular appearances at mine sites and industrial sites by the police and by soldiers. History doesn't back you up, but I know the facts don't bother this government. The history of the development of the trade union movement doesn't affect your thinking. So I won't bother you with such trifles as the history.

But, Mr. Minister, the universal experience of managers is that if only I could talk to the boys I could solve the problem. That wasn't the case when there was a union there. The boys threw rocks at them, and if that didn't work they threw bombs sat them. But managers have forgotten that experience because very few have operated – none, in this day and age, 100 years hence – have operated in an environment without trade unions. But I know that view is universal among managers, that what the world needs, what the boys need is some protection from the bosses – the trade union bosses – and that is imprinted in every single section of this bill. It shines through as if you had hit that bill with a branding iron.

Mr. Minister, did it ever occur to you that the boys might need some protection – and the girls, as it is becoming increasingly – did it ever occur to you that the boys and girls might need some protection from the employer and not the trade union itself?

HON. MR. McLAREN: – Mr. Chairman, I fully realize that the unions were required many, many years. We had the sweat shops. The unions are here today. The unions will be here tomorrow. We could have gone right-to-work – I told you that, too – with the amount of support that was out there. The polls are even telling us that in the province. I chose not to do it, because I know that we can set out a framework that they so wish the Department of Labour to work with them, to work with employers, to work with employees, to get the job done. And just because other countries, or the whole world, may have not made some changes to the act doesn't meant that we shouldn't be looking at changes. Times change.

And we get back to the work stoppages. I'm not happy with 416,000 man-days lost. I'm not happy with 75,000. I'm not happy with 40,000. And all I'm saying, that the worker,

the employee, the union person, the non-union, are wanting their jobs; they're wanting security, and they get it under The Trade Union Act. But we have to zero in on the productivity. We're becoming non-competitive. The reason that the jobs are disappearing is because we can't sell our goods and services any more. The consumer is saying, "We can't afford it." And I can see in the amendments that we can start developing that kind of system out there and make some changes, so that we can sell our goods and services, so that we can get the extra jobs, so that we can get the businesses wanting to expand in our province to create the extra work. But fighting one another is not going to accomplish that. We'll be another Great Britain pretty soon is we keep going the way we're going.

I realize that Saskatchewan has a good record compared to the rest of Canada, but when you look at Canada totally, in the world markets, we're the worst nation our of 10 industrial countries. Are you saying that we need to be proud of that? If Saskatchewan can have another part to play, and being last to bring their average down so maybe we're eight or seventh or sixth, I'll know that we're staring to accomplish something. And you can see the other provinces starting to make a lot of moves in different areas to try and get the productivity, the work, the work ethic, changed. And I'm telling you, gentlemen, that the employees, the union members are asking for it also. I've listened to it for eight months, and that's the reason why we're coming with it – not because of the chamber of commerce or any other management group.

SOME HON. MEMBERS: — Hear, hear!

MR. SHILLINGTON: – Well, it comes as no surprise to me that that applause was as half-hearted as it was, because that was quite a statement, Mr. Minister – that was quite a statement. There was, Mr. Minister . . . Mr. Minister, what you just said was that North America is becoming uncompetitive because wages have got too high, so better get the wages down to the point where we can compete. We aren't being bested, Mr. Minister, by low-wage countries. It is countries whose standard of living exceeds our who are besting us. And they are doing it because they've got beyond the 19th century mentality which you and your colleagues are ridden with.

There was a day, Mr. Minister, when in industry it was viewed as adversarial relationship, and if the boys – and I use that term because it's a derogatory term that employers use to deal with their work-force; when they call an employee a boy the term itself is derogatory – but if the boys get more the boss gets less, or the cost goes up and you can't sell it. Mr. Minister, the countries which have moved beyond . . . the countries which now have a higher standard of living than we do, and whose productivity exceeds ours, are countries which have gone beyond the sort of mentality you just exhibited, and have developed a very high degree of co-operation between trade unions and management, and have not tried to roll the clock back to the 1930s as you are doing.

Mr. Minister, the mentality which you exhibit, you just exhibited, that you've got to get the wages down so you can get the cost of the product down to sell it, is contrary to the experience of countries which have succeeded. The Japans and the Germanys and the Swedens have an extremely high degree of co-operation and they have legislation which goes far beyond even what the Trade Union Act was before these amendments. And I suggest to you, Mr. Minister, that you're not rushing to catch up with Japan and Germany and Sweden, you're rushing to catch up with Nevada and New Mexico and Oklahoma. And those countries are not the most productive . . . those states are not the most productive, or the most competitive. Those states which have those

jurisdictions which have attempted to emasculate unions, as you are doing, have not proved to have very successful models. And the jurisdictions which have sought to foster the development of unions and sought to give unions a role in management have been the successful ones. And I suggest to you, Mr. Minister, that you look at the direction you're going, because you are rushing backwards into the dark of night and you are not moving forward to the sort of tomorrow that we see in Europe and Asia.

HON. MR. McLAREN: – Mr. Chairman, I've got to keep coming back and back and back again . . . (inaudible interjection) . . . Baloney. I did not say that we would reduce wages. I'm not saying that we cut wages, but what I am saying: that for the wages that we pay the productivity has to be there to pay the wages in the first place. No one can get a wage, no one can get fringe benefits unless the money is earned first, and we have to have that kind of productivity to be able to do that. And that's common sense; you can't even argue that sort of thing. If you're producing less, your rate of productivity increase is less than your costs, you are going to price yourself out of the market; it is as simple as that. And some of our work attitudes over the last 10, 15 years have been zeroing in on that direction. And that was my remarks before, that there is a different attitude starting to happen out in the work-force today, that people are beginning to realize that.

So I'm not saying that we cut back wages one cent. I'm saying if wages can go to $50 an hour then that person making $50 an hour is going to have to create $60 an hour value or input into that goods or service that is getting produced. And if we do that, we will keep climbing in our standard of living, instead of going back like they're suggesting that we're going to. I don't agree with you one iota, and the co-operation and the responsibilities that come together to accomplish that will happen.

SOME HON. MEMBERS: — Hear, hear!

MR. SHILLINGTON: – Three people clapping – that's quite a response, Mr. Minister. Mr. Minister, the least productive people in the world are slaves and the most productive people in the world are those who have a share in a direct way in the workplace. And when you seek to exclude trade unions from the workplace . . . never mind from management; never mind the European model of industrial democracy .I'd ask you what you think of industrial democracy, but I'd be amazed if you knew what it was all . . . if you had any inkling of what it was about.

But, Mr. Minister, you, by fostering a climate in which grievances are not redressed . . . Because that's what a union does; a good part of what a union does is to redress grievances with management. To the extent that you inhibit a union from redressing a grievance, you make the employees less satisfied with the workplace and they're likely to become less productive. If that by chance, Mr. Minister, which . . . It's not by chance that those jurisdictions which have fostered a high degree of union involvement in the management of a company are also the most productive.

Mr. Minister, will you not admit that when you inhibit trade unions in the workplace you remove an avenue for redressing re grievances. When you remove an address for redressing grievances, you leave those grievances lie. They fester and employees become less productive.

HON. MR. McLAREN: – Mr. Chairman, that doesn't even need a response. We are not attacking any area of how the grievance procedure is to be addressed. We're saying that it needs to be addressed properly and the rights are still there to have their

grievances heard and the arbitrations, if it goes that far. We haven't even touched that.

MR. SHILLINGTON: – Yea, I can just see it. I can just see it. The employer is going to do nothing but walk the floor of the plant trying to find grievances. That, Mr. Minister, regrettably is not the way the world works. I wished it were. I wish the world were as simple as the one you paint. I regret to say, Mr. Minister, that has not been the experience of human society.

Mr. Minister, will you admit, just so we can get on with something else, will you admit that the thrust of this bill is to protect workers from their unions and not to protect worker from employers? Will you admit that that's the philosophy underlying the bill?

HON. MR. McLAREN: – Mr. Chairman, all we are saying: that we want to expand the rights that are already there. And I've said time and time again that part of the reason we've come with the amendments is that the employees, the union workers, have been asking fro some changes, that they have felt that they've been discriminated against in some areas — not all areas – some. And that's what we are addressing in the amendments and I will not agree with what the member said opposite.

MR. SHILLINGTON: – Well, Mr. Minister, is it by chance that there's not a single . . . In this document, "Background Notes on Proposed Trade Union Amendments, " is it by chance that almost every reference in here talks of workers' rights in the context of workers' rights vis-à-vis unions? Are you disclaiming this document or are you admitting that the basic thrust of this document is accurate, that you're bringing forth these amendments to protect workers from unions?

HON. MR. McLAREN: – Mr. Chairman, up until about August last year, I had no intention whatsoever to even look at The Trade Union Act. I was at Prince Albert when the construction strike was on. one morning we had 40 or 50 people come into the hotel. The people were out on strike – the union workers were out on strike. They came to see me, and the whole thrust of their concern was the fact that they had said that they wanted to go back to work. They were blaming the management for not accepting their offer. As far as I was concerned, I did not talk to the management people, but I would bet my last dollar on it that they never even heard of the offer. That was their concerns. It was at that point, with that many union workers coming to see me in the lobby group, that started it all off to ask for the briefs to start coming in, which they did – 58 of them. That's brought us to where we are today.

MR. SHILLINGTON: – Mr. Chairman, I wonder if it might be in order to suggest that this committee might bind the remarks of the minister and forward them to the Governor-General, because I'm sure they'd be eligible for the Governor-General's award for fiction. What the minister said is just not square with the facts, Mr. Chairman.

I say to you, Mr. Minister, that there were some appointments which were surprising – some cabinet appointments which we frankly found surprising. Some have turned out well, and some have not. But the appointment of an employer with a reputation for tough, two-fisted approach to labour-management relations as Minister of Labour topped it all.

Mr. Minister, the ink was hardly dry on the election writ when the minister of industry and commerce and the Minister of health met during last summer – it comes in the spring, it comes in May, the annual convention of the Saskatchewan Chamber of Commerce – and said to the annual convention of the chamber of commerce, "We are

going to have to redress the balance." And the minister of industry and commerce said that, and the Minister of Health said. That.

Don't tell me that you experienced a blinding light on the road to Damascus – that the thought never occurred to you until the sudden inspiration on August 1 when you realized that the world wasn't spinning on its axis. Mr. Minister, you came into office with the intention of redressing the balance. You came into office with the intention of "redressing the balance." I suggest to you, Mr. Minister, that you may redress the balance, but the balance worked pretty well. We had a pretty good record in labour-management relations. We had a pretty good record in terms of the economy. It will be record that your government would do very well to imitate.

What we have so far from this government has been one colossal failure after another. We have the "open for business" which has yet to achieve a single modest success. No living man or woman can think of a single business that came here because of that idiotic simplistic philosophy . . . (inaudible interjection) . . . It's part of a pattern, Mr. House Leader, it's part of a pattern – an aggressively pro-business approach to government which in fact lacks balance.

And then you announced successive postponements of the minimum wage increase, and not a two-year freeze. And that didn't result in an avalanche of businesses rushing in to take advantage of this new-found slave market. Now you have, Mr. Minister, with this Trade Union At, a radical departure, not just from Saskatchewan's experience, but from the experience of other provinces. And I suggest to you, Mr. Minister, that this act . . . I wish this act would have the same effect as the Open for Business Conference – none at all. It's just become a joke. I haven't heard government members use that phrase in a quite a while.

I wish I could say the same of this bill, that its effect would be largely nil, because it won't, Mr. Minister. This bill is going to seriously impair labour-management relations in the province. It's going to result in a sharp increase in the number of strikes, and it is going to result in the lengthening of those strikes. I suggest to you, Mr. Minister, that this legislation will accomplish the very opposite of what you say. You will accomplish what you intend, because what you intend is to pay off an election debt to the chamber of commerce, and it will accomplish that. But the goals you've set for it – I suggest, Mr. Minister, it won't accomplish them any more than our open for business philosophy accomplished, or any more than minimum wage accomplished it, any more than any of the other things that you have done in your term of office.

HON. MR. McLAREN: – Well, Mr. Chairman, I wonder how the member opposite can even make that statement. We are, in Saskatchewan, right at the moment, at the end of May with the highest labour force that the province has ever seen in its history – 487,000 people in the work-force. In 11 years, in all the years of your administration, have we ever reached that kind of numbers?

And when you talk about the "open for business, " and the creation of jobs, how do you explain that in May alone 18,000 people came into the work-force and our unemployment figure dropped by 5,000 people; in one month, 23,000 jobs. How can you say that it isn't working?

We've just made another announcement. My colleague, the Minister of the Environment, the new expansion at Cluff Lake commencing, a $450 million project with 500 construction jobs coming on stream and an expansion to the mill that would

create another 300 jobs after that. So don't tell me that our 'open for business' and the fact that we are working on our job creation isn't working, because it is.

The amendments that we're coming with . . . I had no decision to make about being the Minister of Labour. I was just asked would I take the job? I said I'd take any job. I wasn't fussy. I would even be a back-bencher if they so wished me to be one.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – My only wish is that I can be here for the next eight years as the Minister of Labour to prove you wrong.

SOME HON. MEMBERS: — Hear, hear!

MR. SHILLINGTON: – Mr. Minister, It would just desserts if you were a minister of labour for the next eight years and had to live with this abortion. That would be just desserts.

Mr. Chairman, I am through with my comments on the first section. I want to tell the minister and the House: we are not going to be moving any amendments. We considered that and realized we would moving for the deletion of each individual section, and that really doesn't make a lot of sense. The member from Assiniboia-Gravelbourg says the bill is so bad we can't fix it. That's correct. Our goal was to seek to have this bill withdrawn. We're not going to achieve that; that's patently obvious Our goal is to repeal Bill 104. We're not going to accomplish it in June of 1983, but it's going to happen, Mr. Minister. Just as surely as Bill 2, which up to now set a high water mark of infamy in labour legislation, was repealed, so will this bill be repealed.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. McLAREN: – Well, Mr. Chairman they have the right to say whatever they wish to say and I appreciate that they will not be putting through any amendments, and we'll see who's right down the road. I guess that's about my only comment.

MR. SHILLINGTON: – Mr. Chairman, all of these sections will be on division. I don't intend to call a standing vote on each section; I'm not sure that would be responsible. But I'll be calling on division on all sections starting with 3. I don't wish to call on division on 2 because the names hasn't been changed, but after 2 I'll be calling division on all sections. And if we could jut agree between you and I that that will be recognized, we might probably speed the thing up a bit.

Clause 1 agreed to.

Clause 2 agreed to.

Clause 3

MR. SHILLINGTON: – Mr. Minister, patently the purpose in section – I'm dealing with 2(f)(1) – patently the purpose of 2(f)(i) is to increase the number of out-of-scope employees available during work stoppages. If there's any other rationale for this section it escapes me. If there's any other reason to deny this increased number of workers the right to bargain collectively I wish you'd enlighten me.

HON. MR. McLAREN: – Mr. Chairman, that section has no intention of denying people the opportunity to be in trade unions. All we here are saying is that if they have a

genuine management function then that person should have the opportunity to work in the managerial section of that department. If he's in charge of a department he's almost in conflict. On the one hand, he's acting out, performing managerial functions on instructions from his supervisors and on the other hand, he may be at management meetings talking about lay-offs of people in his own section. We see that as a conflict here and that management should have that opportunity to have a clear-cut management area. And if it's not, at the discretion of the labour relations board, whether that is in fact true or not.

MR. SHILLINGTON: – Well, is the vague language deliberate or is it incompetent, Mr. Minister? Because it's one of the two. This section says, "any person who is an integral part of his employer's management." Now, my secretary is an integral part of my operation; if she leaves, it creates quite a hole. And that's true and I could give you other examples of employees who no one would assume to be out of scope who are certainly integral to what the management's doing. I would appreciate it if the minister would give me a nice, crisp definition of what you mean by "integral."

HON. MR. McLAREN: – In the act, Mr. Chairman – the existing act – it says that an employee who has the right to hire and fire and is in a confidential capacity is to be considered management. In a lot of the interpretations, as far as the right to hire and fire, what they are saying is that unless he does that every day of the week all year then he's not a manager. All we are doing is that we are saying that integral . . . If he has that management function to carry out the policies and that of his supervisors, then he should be considered as management. But here again the application has to go before the labour relations board, and they will have that chance to make that decision.

MR. SHILLINGTON: – One of the lawyers was asked to comment . . . It wasn't one of the lawyers; it was one of the union representatives who was asked to comment on this bill, called this a pension plan for lawyers. And, boy, this section, it's going to be that, Mr. Minister, this is doing to be that. Mr. Minister, the concept heretofore has been: managers are people who exercise the judgement that only a manger can exercise. See, it is a judgemental function. The world "integral" goes far beyond that. Many people are integral to the manager's function who have no judgemental job at all. I gave you the obvious one of a secretary in the office, but there's an endless number of them.

Mr. Minister, would you not admit that this definition would have been a lot easier for the board to deal with . . . Now, I grant you, there's a labour relations board, but that isn't necessarily a happy way to deal with all the problem, to say, "Well, I know it's an impossibly vague concept, but, what the heck, the labour relations board can figure it out." That is an expensive process for all concerned. Mr. Minister, would you not admit, if you had defined this in judgemental terms it would have been a lot easier for everybody to understand?

HON. MR. McLAREN: – Well, Mr. Chairman, I would suggest that probably the . . . As far as the extra costs, they are there anyway. That's just to give the labour relations board a clearer picture of what is intended by the clause that is already there. If that particular manger is involved with the policy-making of their operation, then to me that should be clearly a management position, and that's the kind of information and the input that will be presented when they are at the hearings to determine the appropriate unit. So there is not any extra cost, as you're suggesting. They are there

anyway. It's just giving the labour relations board the opportunity zero in and have the feeling of what that particular employee is actually doing as far as management and their policy-making process is concerned.

MR. SHILLINGTON: – Mr. Minister, why was 2(f)(i) deleted? Mr. Minister, if you'd just tell me how the deletion of 2(f)(ii) enhances employee rights, I'd be infinitely better off.

HON. MR. McLAREN: – It's my understanding that 2(f)(iii) covers it and 2(f)(ii) is redundant.

MR. SHILLINGTON: – I beg to differ, Mr. Minister. The definitions are not the same; 2(f)(ii) says, "any person engaged by another person to perform services . . . " and 2(f)(iii) refers to any person designated by the board. The definitions are not the same. I suggest to you, Mr. Minister, that this is simply another attempt to exclude another group of employees from collective bargaining, and to further strengthen the hand of an employer in union bashing if that's what he wants to do.

HON. MR. McLAREN: – Mr. Chairman, section (ii) and (iii) are both determined by the board. Anyone that could apply under (ii) can also apply under (iii).

MR. SHILLINGTON: – There's little point in you and I arguing about it. We haven't been able to agree upon simpler subjects than this. I will leave the matter by saying that in addition to the evils I just ascribed to it – and that is it may well be used to exclude yet a further group – I also think it removes the discretionary power from the board, and may well make the board more subject to challenge in courts, something that heretofore the philosophy of the government has been to try and exclude.

HON. MR. McLAREN: – Well, Mr. Chairman, our original interpretation is just what I said earlier. The board will make decisions.

MR. SHILLINGTON: – Mr. Minister, 3(c), striking out "industrial dispute" and substituting "labour-management dispute" — I'm not sure that I see that anything turns on that. I wonder if you do.

HON. MR. McLAREN: – Mr. Chairman, the words "industrial dispute" are not defined in the act where labour-management dispute is.

MR. BLAKENEY: – Mr. Minister, did you explain to the committee why you struck out the clause which permits the board to determine whether or not an independent contractor, a person who may appear to be an independent contractor, is in fact an employee for the purposes of the act? What was the purpose of repealing subclause 2? What possible purpose is served by that?

HON. MR. McLAREN: – yes, Mr. Chairman, we did say that sections or clause 2 and 3 are both determined by the board, and anyone can . . . It applies to anyone in 2 or 3. Anyone that could have applied under 3 can now apply under 3.

MR. BLAKENEY: – So that it didn't . . . You think it's a pure drafting change; that it doesn't in anyway affect anybody's right?

HON. MR. McLAREN: – That's true.

MR. BLAKENEY: – I just want to get this nicely and neatly on the record. You are

saying that the repeal of subclause 2 does not affect the rights of any employee because all of the content of subclause 2 is covered by an existing clause which is not being repealed. Is that your assertion?

HON. MR. McLAREN: – Yes, that's correct.

Clause 3 agreed to on division.

Clause 4

MR. CHAIRMAN: — Clause 4 amendments, and the following amendments in section 4 of the printed bill:

> Amend section 4 of the printed Bill: (a) by striking out: (8) 'section 3 is amended' in the first line; (i) clause (a); (iii) the first two lines of clause (b); and (iv) subsection 3(2) of the Act, as being enacted by section 4 of the printed Bill;
>
> and substituted the following:
>
> '(1) The following section is added after section 25:'; (b) by renumbering subsection 3(3) of the Act, as being enacted by section 4 of the printed Bill, as section 25.1 of the Act; (c) by adding the following as subsection (2) of the section:'(2) The following section is added after section 36:'; (d) by renumbering subsections 3(4) to (6) of the Act, as being enacted by section 4 of the printed Bill, as subsections 36.1(1) to (3) of the Act, respectively; (e) by renumbering subsection (1) as section 8 of the printed Bill; (f) by renumbering subsection (2) as section 13 of the printed Bill; and (g) by renumbering the other section of the printed bill accordingly.

Is that agreed?

MR. BLAKENEY: – What in heaven's name was all that about if I may . . .

MR. CHAIRMAN: — Those are amendments to subsection . . . Those are amendments to section 4.

MR. BLAKENEY: – I hear that. I'm asking the minister . . . Mr. Chairman, would the minister, would the minister indicate what the purpose of the House amendment is?

HON. MR. McLAREN: – Mr. Chairman, we were just wanting to get the various sections under the areas in the act, the three or four major areas of the act; there's the unfair labour practice and so on. and if I can just read the reasons: the subsection is added to section 3 deal with matters that arise elsewhere in the act. We are simply moving these provisions to put them where they logically belong with related subject matter. Section 3(2) is being combined with the existing provisions of clause 11(1)(a) and clause 11(2)(a) which make the coercion of an employee an unfair labour practice. Subsection 3(3) deals with the employee rights in arbitration proceedings. It is being numbered as a new section 25(1) to follow section 25, which deals with arbitration in the existing act. Subsections 2, 4, 5, and 6 are being put in a new section numbered 36(1). These provisions relate to the relationship between employees and their union. It seems logical to place them directly after section 36, which deals with the union security and membership in a union.

MR. SHILLINGTON: – This, Mr. Minister, is an apt illustration of what I just said. This act was drafted so hastily it didn't even get the sections in the right order. But I have a far more fundamental objection than that to this section Mr. Minister, we spent some 20 minutes this morning, and I'm not going to repeat all of my criticisms that I levelled under subsection 1. Suffice it to say that a right of an employer to free speech during a work stoppage, during the formation of a union, during a contemplated strike, is a right of intimidation – nothing else. And that has been part of the law of the North American continent for 40 years, 40 to 50 years, and to suggest otherwise is to deny the North American history, Mr. Minister.

Mr. Minister, can you tell me what jurisdiction you copied this right of free speech from? What was the source of inspiration for section which say: "Any trade union, employer or employee may communicate with employees"? What was the source of inspiration for that section?

HON. MR. McLAREN: – Mr. Chairman, we've gone over this before, and I read you the section in the Ontario trade union act where it is not unique to Canada. The unfair labour charge section of the act will look after it, and the employers can be charged if this is what they are doing and face the . . . have their hearings held before the labour relations board, just as they were in the past.

MR. SHILLINGTON: – Mr. Minister, this is not copied from Ontario legislation. I don't have the Ontario act with me. This is not a verbatim description of the Ontario act. As regressive as that government is, it does not encourage – as this section does – does not encourage employers to talk to employees in this kind of a milieu. Mr. Minister, if there is a single section, and that would be quite a stunt – to pick your worst section. Mr. Minister, the Alberta act is being challenged as being contrary to the treaties that Canada signed – International Labour Convention. That process is under way. I understand the B.C. legislation will soon be challenged. Have you undertaken to determine your legal position, if, as I expect, this legislation is similarly challenged as being contrary to the labour conventions which this country signed 35 years ago?

HON. MR. McLAREN: – Well, Mr. Chairman, that issue hasn't been raised here, and I suppose if it is challenged we'll face that when the time comes.

MR. BLAKENEY: – Mr. Chairman, I'm dealing perhaps with the House amendment, and perhaps with the section which is being amended, being section 4. With respect to the duty of fair representation which is set out in subsection 3, could the minister advise why . . . On the experience of what jurisdiction did he introduce that provision? I don't want an argument about fair representation – everybody agrees with that. The question is whether or not the exercise of that obligation by the union means that the union will necessarily carry forward grievances, however frivolous. We're all familiar with the argument. I want to know: on what jurisdiction, the experience of what jurisdiction, did you decide to include that provision?

HON. MR. McLAREN: – Mr. Chairman, this section is also not unique in Canada. Several jurisdictions have them, B.C. for one, section 7(1); Ontario, section 68; and I understand also in the federal act and basically it is to ensure that the union does not deprive a member of having his grievances carried forward; he has the right to that

representation.

MR. BLAKENEY: – Mr. Minister, I was aware of all of those facts. The question I asked you was: on the experience of what jurisdiction did you introduce this? Where has it worked well and where has it worked badly?

HON. MR. McLAREN: – Well, I'm not sure, Mr. Chairman, where it's working well or working badly. I think the member mentioned that last, yesterday, that it was, in the United States, It must have been brought to our attention by some of the members that we have talked to over the last eight or nine months and the reason for putting it in.

MR. BLAKENEY: – Well, Mr. Minister, I think you realize the situation it creates. It obligates the union to represent all the employees, whether or not they are members, and some of the people who will not be members of the union may well be not favourably disposed towards the union, that indeed may be why they're not members. A union being in that position, with a grievance from such a person who is not a member, really has no option if it wants to follow the advice it will get from its legal practitioners than to process any grievance, however frivolous, that may be put forward by that particular employee. Otherwise they run the risk of it being alleged that they failed to represent the employee properly or they represented him in an arbitrary, discriminatory way, or in a manner depicting bad faith.

They look at judgements from courts in the United States saying that unions who tried to deal properly with their employer and said they wouldn't process a frivolous grievance and they wouldn't support their member or another person in the bargaining unit who they felt was raising a frivolous grievance – they tried to play fair with their employer. And now they have to stop that at risk of being sued by a person, not necessarily a member of the union, who will allege that the representation was arbitrary, discriminator, or in bad faith. Now I'd like you to explain how that is likely to lead to more responsible conduct on the part of the union which is the bargaining agent. Will it not force the union to process every grievance, however frivolous, at the risk of suit by the grievor?

HON. MR. McLAREN: – Mr. Chairman, it doesn't force a union into all the representation situations. They can't arbitrarily refuse, but if there is good reasons for them to refuse, as long as they have that opportunity of a fair hearing and to convince the employee that he doesn't have a case, that is still there.

MR. BLAKENEY: – Of course the union can refuse, but why would they run that risk? Why wouldn't they process every grievance, however frivolous, simply because if they do so they then cannot be accused of being arbitrary, discriminatory, or in bad faith? They're just lousing up the whole collective bargaining relationship with the employer, but that may not be their first priority, if the alternative is being sued by an employee who may not be a union member and who may be looking for reason to sue. How does that contribute to having a thoroughly responsible union who is prepared to say to its members, "that is a frivolous grievance; we will not proceed with it; we will only proceed with solid grievances because we want to maintain an appropriate relationship with the employer."?

Why would any union take that very proper and high-minded position at the risk of being sued, when they can take the other position at the risk of being sued, when they can take the other position of processing anything and everything and avoid any possible risk of being sued?

HON. MR. McLAREN: – I think basically it's just guaranteeing that a union member will not be denied that right due to personality clashes of any or those kind of things between himself and his union leader. And I can't understand your question about non-union members. The law of Saskatchewan says that you must be member within 30 days after commencing employment with your place of business. So they are union members.

MR. BLAKENEY: – Just one brief comment. I'm surprise to hear the minister say that all people who are within the bargaining unit must be members of the trade union. I am surprised to hear that. I thought the law still permitted people who were employees at the time that the shop was organized to stay outside the union if they wished. I am frankly surprised to hear that the minister has changed that law, and I wasn't aware of it.

HON. MR. McLAREN: – I was aware of that, and I know that if you got certified, at the time of certification if somebody chose not to belong, that he is not a member but he still has to pay dues.

MR. SHILLINGTON: – Mr. Minister, with respect to 3(3) and 3(4), I would wonder if the minister can point out to any practical problems which the lack of those sections created. I grant you at this time they are in other legislations, but I wonder if the minister can point to any practical problems which the failure to state explicitly, the natural justice and the fair representation, you point to any practical problems created by the lack of those two sections. Or will you be candid and simply admit that this is part of this . . . It's an illustration of this government's warped view what employees need is protection from the unions and not protection from the employees.

I have a secondary question, Mr. Minister. It relates to 3(6). Again, a pension plan for lawyers. The question is whether or not a union can deny membership to an employee because he's engaged in anti-union activity. As a result of the amendments to 36, which we're going to come to, an employee can continue to work at a unionized workplace while engaging in anti-union activity as long as he tenders his dues. That seems to be the effect of that section. Does this section provide an employee with the right to become or remain a member of the union? Because if he does then that will seriously inhibit the operation of trade unions during a strike.

HON. MR. McLAREN: – Mr. Chairman, section 4 is just guaranteeing the right of an employee to be heard before his union executive. He can take a representation with him, or a counsel, whatever he chooses, if he feels that he is being discriminated against, and that's common in any type of business, and I don't see why it's any different here before your union.

Clause 4 agreed to on division.

Clause 5

MR. CHAIRMAN: — Is clause 5 agreed? There is a section there with an amendment:

> Amend clause 5(a) of the Act, as being enacted by subsection 5(1) of the printed bill, by striking out, 'and the board may consider the question of timeliness in any certification application' in the last two lines.

Is clause 5 agreed?

MR. SHILLINGTON: – I'd appreciate an explanation of that amendment from the minister.

HON. MR. McLAREN: – Mr. Chairman, the words that we had put in there, we agreed that they were not required in and have had them removed. They are the same wording that the CCF in 1944 put into the act.

MR. SHILLINGTON: – Only to prove this government has learned nothing in 40 years, I suppose.

Well now, Mr. Minister, I grant you that they weren't needed. I would have hoped so, if the minister's going to delete them. Would you tell me now, without those words, what that section changed from the old act? I wonder why you didn't delete the whole section.

HON. MR. McLAREN: – Mr. Chairman, all this clause does is give the labour relations board the jurisdiction to decide whether at the time of an application that there is an appropriate unit.

MR. SHILLINGTON: – Well, I'm surprised to hear that they didn't have that jurisdiction before. I sort of thought that's one of the things the labour relations board did was determine whether it was an appropriate unit.

Clearly, Mr. Minister, the section, as it was, incorporated the build-up principle: that is, if the unit is increasing in size – and it's a problem with the building trades when construction starts up – if it's increasing in size, can't certify because you're going to be certifying a unit with additional new employees coming in in the future who should have a right to vote, or you delete this section. It seems to me that you're putting the kibosh to the build-up principle, and I'm pleased to see that. I just wonder what the section's accomplishing. I don't intend to rag the puck indefinitely on it, but I just don't see what the section's accomplishing now that you've deleted the phrase.

HON. MR. McLAREN: – Mr. Chairman, this entire section is to be determined by the labour relations board, and I'm not going to talk about the construction trade because that's exactly another section off on the side. But let's take, for example, that a restaurant got built and the proprietor hired two cooks, or let's say three cooks, but within 20 days, or a month, there is going to be 12 people on staff. That application before the board – the board could determine that the three was not the appropriate unit, if in fact there was going to be 20 people on staff within three weeks, or a month, or whatever they were told at the hearings.

Clause 5 agreed to on division.

Clause 6

MR. CHAIRMAN: — There's a section that's an amendment:

> Strike out section 6 of the printed Bill and substitute the following:
>
> Section 6 amended
>
> '6(1) Subsection 6(1) is amended by striking out 'subsections (2) and (3)' and substituting 'subsection (2)'. '(2) Subsection 6(3) is repealed'.

Amendment agreed to.

Clause 6 as amended agreed to on division.

Clause 7

MR. CHAIRMAN: — There is an amendment to section 7:

> Amend section 7 of the printed Bill:
>
> (a) by renumbering the subsections (1), (2) and (3) of the printed Bill as subsections (2), (3) and (4), respectively; (b) by adding the following subsection as subsection (1): '(1) Clause 11(1)(a) is repealed and the following substituted: ;(a) to interfere with, restrain, intimidate, threaten or coerce an employee in the exercise of any right conferred by this Act, but nothing in this Act precludes an employer from communicating with his employees''; (c) by striking out 'agreement' in the fourth line of clause (b) of renumbered subsection (3); (d) by renumbering clauses (b) and (c) of renumbered subsection (3) as clauses (3)(c) and (d), respectively; (e) by adding the following clause as clause (3)(b): '(b) by striking out 'to use coercion or intimidation of any kind' in clause (a) and substituting the following: 'to interfere with, restrain, intimidate, threaten or coerce an employee''; (f) by striking out 'decertification of a trade union' in the last line of clause 11(2)(f) of the Act, as being enacted by renumbered clause (3)(d), and substituting the following: 'rescission of an order or decision of the board under clause 5(a), (b), or (c)'; (g) by adding 'cause a' after 'may' in the first line of subsection 11(7) of the Act, as being enacted by renumbered subsection (4); (h) by striking out 'union or employer directly affected by the vote, a third party of' in the fifth and sixth lines of subsection 11(8) of the Act, as being enacted by renumbered subsection (4), and substituting 'board or a person appointed by'; and (i) by striking ', and may determine the employees who are eligible to vote' in the last two lines of the clause 11(8)(b) of the Act, as being enacted by renumbered subsection (4).

There is one thing I would like to remind the members: when these subsections are being read out, and that includes all members in the house, there should be quiet so that they can record it.

MR. SHILLINGTON: – Mr. Minister, would you tell me how this enhances workers' rights? You really got me on this one. This reminds me of the governor of New York, Governor Dewey, at the Democratic convention in 1948, when he said to the delegates, as they were going to vote, "Vote as you please, but keep in mind when you get back to New York state, I'm going to be governor for two more years." This section reminds me of that attitude, because it used to be illegal to take away any benefit an employee had. You've changed that. Now they can take away anything but health rights, benefits, or medical benefits – nothing to stop an employer from taking away seniority; nothing to stop an employer from saying to workers, 'Proceed as you think appropriate on this certification. Keep in mind I'm going to be the employer, and you're going to lose your seniority if that union's certified.'

Now, Mr. Minister, would you just tell me how this section enhances workers' rights? Just in crisp, clear terms, how does removing this protection enhance workers' rights?

HON. MR. McLAREN: – Mr. Chairman, it's just guaranteeing what was already in the act before as far as pensions, the health, the medical, any of those kind of insurance plans that would affect the families during a strike. But the way the act read before, it could mean that if an employee had an employer's car, was given a car to drive, or a parking spot, or any of those kinds of things. It was so loose that all we're saying is that we want to look after the family benefits that they had at the start of a strike.

MR. SHILLINGTON: – Mr. Minister, then why did you delete the phrase, 'or any benefit whatsoever'?

HON. MR. McLAREN: – Well, we're talking about benefits like what I just mentioned – items that may have been a benefit during the period of employment but would have to change if there is a strike – as I mentioned about a car, for example.

MR. SHILLINGTON: – What about seniority rights? Is it your view that the existing wording covers that?

HON. MR. McLAREN: – No, that wouldn't cover seniority rights.

MR. SHILLINGTON: – So in the fashion of Governor Dewdney you can say, "proceed as you may be advised is democratic. I don't want to deny you your rights. Keep in mind, if that union's certified, you, buster, lose your seniority." Mr. Minister, if you were going to enhance workers' rights, why didn't you just add to it and not subtract from it?

HON. MR. McLAREN: – Mr. Chairman, we have a lot of confidence in our labour relations board, and seniority rights would not be included as something that they would lose during that section.

Clause 7 agreed to on division.

Clause 8

MR. CHAIRMAN: — There's an amendment to clause 8:

> Amend subclause 15(1)(a)(i) of the Act, as being enacted by section 8 of the printed Bill, by striking out 'that' and substituting 'than'.

Clause 8 agreed to on division.

Clause 9

MR. SHILLINGTON: – I'm not . . . is it your view that the lack of this section has ever caused a problem? Trade unions have been sued and will continue to be sued, and I just wonder what, in the minister's view, this adds to existing legislation. Trade unions are now sued repeatedly

HON. MR. McLAREN: – Mr. Chairman, it's my understanding that this will eliminate a lot of legal procedure difficulties that have been experienced in the past.

Clause 9 agreed to on division.

Clause 10 agreed to on division.

Clause 11

MR. SHILLINGTON: – Mr. Chairman, sorry, I should have addressed you. Mr. Minister, lengthening the conceivable term of a contract from two to three years, together with your no-strike, no-lock out clause, it strikes me that you are going to enhance the difficulty in reaching agreements. When there's no-strike, no-lock-out clause, what that means is that the union lacks that ultimate weapon in redressing a grievance, so grievances may go unresolved. Combined with this section, what it means is, they're going to go unresolved for three years instead of two years. And I wonder, Mr. Minister, if you'd tell this Assembly how this section enhances workers' rights?

HON. MR. McLAREN: – Mr. Chairman, it's just giving the employees the opportunity bargain up to three years. They can bargain from one year, two years, three years, increasing it from two to three, and it works both ways. It will mean industrial peace, and there will not be lock-outs as well, giving the opportunity to have period of time when we're not at the bargaining table all the time, if they so desire to go that far.

Clause 11 agreed to on division.

Clause 12

MR. SHILLINGTON: – Mr. Minister, this is one of the most destructive clauses in this bill, and that is a fair challenge to meet. Encouraging anti-union people in the workplace during a work stoppage, he's going to exacerbate the difficulty in getting these things resolved, apart from the inherent unfairness of allowing an employer to use this weapon And I suggest to you, Mr. Minister, that encouraging this kind of tactic in an employer is taking this province back to the last century, and it is not attempting to meet the challenge of other jurisdictions which have a far saner labour-management atmosphere.

HON. MR. McLAREN: – Well, Mr. Chairman, that to me in that section is guaranteeing the right of an employee to maintain his job.

MR. SHILLINGTON: – It's guaranteeing an employer the right to use scab labour to try and disrupt the work stoppage, that's what it's guaranteeing.

HON. MR. McLAREN: – Mr. Chairman, I don't agree whatsoever.

MR. CHAIRMAN: — There's an amendment to section 13.

> Amend section 13 of the printed bill:
>
> (a) by adding 'bargaining' after 'collective': (i) in the first line; and (ii) in the second line; of subsection 44(2) of the Act, as being enacted by section 13 of the printed Bill; and (b) by striking out 'shall' in the second line of subsection 45(2) of the Act, as being enacted by section 13 of the printed bill, and substituting 'may'.

MR. SHILLINGTON: – Mr. Minister, the every idea of giving an employer the right to call

for a vote on his last offer after 30 days could not be more destructive, and could not be more ignorant of the actual experience in the workplace. What it does is ensure that the employer will . . . that there will be no serious negotiations until after 30 days, that's in fact what it does. No one is going to make any movement in that period leading up to the 30 days before the vote takes place. What that virtually does, Mr. Minister, is ensure that a good many strikes are gong to go on longer than 30 days, because I assume there is an additional two-week period thereafter while you've applied to the labour relations board, and the labour relations board orders the vote. So what you've got is 30 days plus two weeks . . . (inaudible interjection) . . . I want it eliminated . . . I want it eliminated entirely.

I challenge you to name someone who's involved in labour negotiation that has any experience who thinks this will be anything but destructive, Mr. Minister. It's an occupational disease of a manager to think that if only the workers had a say, and if only you could get the union bosses out of the way, the workers would accept whatever crumbs he throws at them. And that, Mr. Minister . . . This is the ultimate enactment of that myth – and it is a myth. Mr. Minister, what this is going to do is mean that strikes will be a good deal longer than they have been. Mr. Minister, would you just . . . I know you won't meet that argument, but would you at least tell me who inspired this thing? Where did you get this idea from? This one was a brand-new one.

HON. MR. McLAREN: – Mr. Chairman, where I got it from was the union employees of the province of Saskatchewan. It's the employees that said that they would like the opportunity to at least have a secret ballot vote in case they have changed their minds. I would suggest to the member that in most cases I don't think employees or employers want strikes. So what's wrong with having . . . And I disagree with you – four weeks is a long, long time to be out on strike. And I would like to suggest to you that most employers in this province, if not all of them, will want to keep the collective bargaining process going on because a month of lost business is a month of lost business. And that is going to add to the insecurity of jobs and everything else, and I say to you that it was the employees that wanted to have one last chance of changing their mind, and it's a one-shot deal. If it doesn't work and the majority still want to strike, it can go on till the collective bargaining system works it all out. But it was a one-time deal to have that opportunity to have their say.

MR. SHILLINGTON: – My point exactly, Mr. Minister. Knowledgeable employers are going to find this section every bit as destructive as knowledgeable trade unionists. To have a mandatory strike vote after 30 days is bound to encourage the notion that you needn't sweeten the offer because it will be accepted after 30 days – so you don't have to negotiate.

I suggest to you, Mr. Minister, that this . . . if you did nothing but amend this section, you have consigned to the annals of history the good record in lost time due to strikes that we experienced during the '70s. If this was the only thing you did, you've consigned that record to history.

HON. MR. McLAREN: – I would just like to correct the member that it is not mandatory – it is not mandatory. An employee would have to get at least 25 per cent of their membership to agree to apply to the labour relations board, express their concerns, and it's at the discretion of the board whether that vote would even be taken.

MR. SHILLINGTON: – Mr. Minister, I find this section so repulsive and reprehensible that I'm going to ask one of my colleagues to stand and call for a standing vote on this

section.

Amendment agreed to on the following recorded division.

Yeas – 32

Muller	Katzman	Martens
Birkbeck	Duncan	Rybchuk
Berntson	Schoenhals	Young
Lane	Smith (Swift Current)	Embury
Muirhead	Boutin	Dirks
Sandberg	Weiman	Hepworth
Hardy	Bacon	Myers
McLeod	Tusa	Johnson
McLaren	Sveinson	Baker
Garner	Glauser	Folk
Klein	Smith (Moose Jaw South)	

Nays – 5

Engel	Koskie	Yew
Lingenfelter	Shillington	

MR. CHAIRMAN: — I'd like to remind the members in the gallery that they are to be seated. They are not to participate in the activities of the Chamber.

Clause 13 as amended agreed to on division.

Clause 14

MR. SHILLINGTON: – We're now on clause 14, Mr. Minister. Mr. Minister, we have . . . If you do not understand the damage that you're causing, will you at least take time to inform yourself? Will you at least let this matter stand over for the summer, as you have the opportunity under this last section. You gave the oil companies that opportunity. This thing, which was obviously put together in great haste after an endless amount of indecision, is being rammed through with the front end of a bulldozer. Mr. Minister, will you not let this bill stand over for the summer, so that you may come to understand the enormity of what you're doing?

HON. MR. McLAREN: – Mr. Chairman, I have no intention whatsoever to table this document over the summer.

MR. SHILLINGTON: – Why not?

HON. MR. McLAREN: – Because we have done a lot of homework over the last eight or nine moths, and we are looking after the rights of the employee in a number of these sections, and that's what we intend to do.

SOME HON. MEMBERS: — Hear, hear!

MR. SHILLINGTON: – Mr. Minister, this whole bill is based on the premise that employees need no protection from the employers and every protection from the union. I would have hoped that the 7,000 petitions which you had introduced . . . which we introduced in the House, would have given you some cause to consider that position. It apparently has not. Mr. Minister, I recognize that we aren't going to persuade you to listen to the people. I recognize that that's what you don't want to do. What you want to do is get this bill through the House at the earliest opportunity so the opposition has – by that I meant he public opposition and not the opposition in the Chamber – the public opposition has no time to build or organize. That's what you're attempting to do, and I tell you, Mr. Minister, you will fail. All you will do is harden the resolve of working men and women to regain the rights that they're about to lose today.

HON. MR. McLAREN: – Well, Mr. Chairman, I guess we could stay another hour or so. I would disagree totally with you and time will tell. You can use all the hypothetical suggestions and that that you wish. I'm wondering where the other 93,000 of the unionized workers are in the province.

SOME HON. MEMBERS: — Hear, hear!

Clause 14 agreed to on division.

Motion agreed to on the following recorded division.

Yeas – 34

Muller	Katzman	Martens
Birkbeck	Duncan	Rybchuk
Taylor	Schoenhals	Young
Berntson	Smith (Swift Current)	Gerich
Lane	Boutin	Embury
Muirhead	Weiman	Dirks
Sandberg	Bacon	Hepworth
Hardy	Tusa	Myers
McLeod	Sveinson	Johnson
McLaren	Glauser	Baker
Garner	Smith (Moose Jaw South	Folk
Klein		

Nays – 6

Blakeney	Lingenfelter	Shillington
Engel	Koskie	Yew

HON. MR. McLAREN: – Mr. Chairman, prior to moving that we report the bill, I would like to let the Assembly know that because of the number of amendments that we had brought to the House today. I would like to make a motion that the committee of the whole, under rule 54, order the reprinting of Bill No. 104 as amended. I understand that copies can be available very shortly afterwards if approved. So moved and seconded by

the Minister of DNS and my colleague from Meadow Lake.

Motion agreed to.

The committee agreed to report the bill as amended.

THIRD READINGS

Bill No. 104 – An Act to amend The Trade Union Act

HON. MR. BERNTSON: – With leave later this day.

AN HON. MEMBER: — Now.

HON. MR. BERNTSON: – Oh, with leave now, Mr. Speaker, Okay, Mr. Speaker, I move the amendments now be read a first and second time.

Motion agreed to on division.

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

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

MOTION

Hours of sitting

HON. MR. BERNTSON: – By leave of the Assembly, I move, seconded by the Minister of Justice:

> That on Friday, June 17, 1983, rule 33 be suspended so that the sitting of the Assembly may be continued until 10 o'clock p.m. and there shall be a recess from 5 o'clock until 7 o'clock p.m.

Motion agreed to.

SECOND READINGS

Bill 108 – The Condominium Property Act

MR. LANE – Thank you, Mr. Speaker. The amendment to The Condominium Property Act involves phased development. If the developer reserves to himself the right by filing the necessary documents at the land titles office, it is possible to develop a condominium project in stages. This facilitates the project in a number of ways.

The technique used is for the land titles registrar to issue titles to the developers from the first phase according to the condominium plan. Then assuming that the necessary documents have been filed, on completion of the details of the second phase a replacement condominium plan is prepared. When this replacement plan is registered, the first plan and the new certificates of title issued under it are cancelled and new titles are issued for the first set of units and for the additional units created by the replacement plan. The certificates of title issued with respect to the first set of units are

issued subject to all of the interests affecting those units. It is important that the certificates of title issued with respect to the additional units are issued free and clear of all encumbrances which affect the first set of units. This is what the amendment accomplishes

With the amendment, the law is made clear that certificates of title for the additional units are issued free and clear of the interests endorsed against the titles issued according to the first plan. The new title still remains subject to the interests endorsed on the plan, for example, easements, mechanics, liens, leases or mortgages affecting the original parcel, but are free of interests taken by the individual owners of the particular units which can have no application to the new units.

As an example, Mr. Speaker, of the difficulty caused by not proceeding with the amendment, a condominium project in the city of Saskatoon, the second phase, which will consist of 100 units, will have nearly 24,000 land titles endorsements against the 100 second-phase units. So this avoids the problem, Mr. Speaker. I appreciate receiving leave from the hon. Members and move second reading of a bill, An Act to amend The Condominium Property Act, 1983.

MR. SHILLINGTON: – Thank you, Mr. Deputy Speaker. On behalf of the opposition, I can tell the government caucus that we will not be opposing this legislation. No man or woman who has any inkling of what's going on in the land titles office these days would stand in the way of anything which would assist in alleviating the process. I will spare the Minister of Justice yet another lecture on the land titles system, but it is becoming well nigh intolerable. To the extent that this bill will not, will prevent an aggravation of the situation, I think we'll probably be supporting it. I want to be assured by the Minister of Justice – and you may want to do this or may not want to do it, but you may want to do it in closing debate – I would want to be assured that no one's security, for any mechanics' liens or anything like that, would be imperilled. I understand, in a private conversation, that they will not be, but I would appreciate it the minister would put that on the record so that we have it available to us.

MR. LANE – With regard to the concerns of . . .

MR. DEPUTY SPEAKER: – Order. I must bring it to the attention of the Assembly that the minister is about to close debate, and anyone else that wants to speak on it can speak on it now.

MR. LANE – Thank you, Mr. Deputy Speaker. I, in response to the question of the land titles, share the concerns of the hon. member, and as I have advised, we're making a treasury board submission for additional . . . The overwhelming support of the public for government programs, the new home-builders' assistance program, have caused some excessive demands on the land titles system, so we're quite happy with the increase. I'm more than pleased, as well, Mr. Chairman, that the hon. Member in private law practice in Regina is getting some of that real estate business, and that things are going along reasonably well for him. I am quite pleased to give the assurance that, as I indicated in my remarks, the new titles will still remain subject to the interests endorsed on the plan; that is, easements, mechanics liens', leases or mortgages affecting the original title.

So in response to the hon. member's question, I believe I addressed that in my second reading remarks, Mr. Speaker, I therefore close debate on The Condominium Property Amendment Act, 1983.

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

Bill No. 98 – An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Northern Municipalities Act

HON. MR. McLEOD: – Mr. Deputy Speaker, just a few short comments just to remind the House that his bill was brought back in from the non-controversial bills committee because of a few amendments that were found to be necessary, and those must be done here in the House. So, Mr. Deputy Speaker, I would move second reading of An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Northern Municipalities Act.

MR. YEW: – Thank you, Deputy Chairman. I look at the act before us, Mr. Deputy Speaker, and I see before me amendments to The Northern Saskatchewan Economic Development Act, as well as the amendments to The Planning and Development Act, and I want to state that those two areas are of prime importance to many local governments in the northern administration district. Primarily, at the present, things are getting drastically worse in terms of employment, in terms of unemployment, and in terms of high welfare reliance.

In terms of the high welfare reliance, the figure to date has risen as compared to a year ago by 37 per cent. That is something that ought to be considered when we deal with legislation that affects northern Saskatchewan residents.

The other item that is of dire concern as well – and I've mentioned it – is the unemployment statistics in northern Saskatchewan. I want to state here and now that the unemployment rate in the northern administration district is up as high as 85 per cent. Therefore, when we talk about the Northern Saskatchewan Economic Development Act and other related legislation, we ought to be very careful and we ought to be very much advocates of those very dire social and economic problems that face northern residents.

I note as well, Mr. Minister, that those are but amendments and housekeeping items to The Northern Municipalities Act to Bill 58. However, I just want to point out to you that there are many grave problems, and they have increased since your administration took over. The percentage of welfare reliance has increased. The percentage of unemployment statistics have increased, and I want to advise members of the legislature that we have to take into very serious account those social and economic problems that are faced by the many northern communities that we are supposed to be responsible for.

Now, in terms of building a sound economic base, we have to consider possible ways, possibilities, and possible legislation that will try to alleviate some of those hard economic conditions – social and economic problems – that are faced by northern Saskatchewan.

You, several weeks ago, mentioned that you have an economic development plan, or that you were hoping to introduce some type of self-sufficiency economic program. I wish to remind the minister that, you know, this has raised some optimism with

northern residents and northern communities. I hope that the minister will come about and introduce some form of an economic development . . . self-sufficiency economic development plan for northern Saskatchewan.

Now we are confronted as well throughout the passing of bill 58 that the communities are concerned with The Planning and Development Act in terms of the establishment of district planning commissions or committees.

I want to go on, before I raise a question with you, Mr. Minister . . . There's also a concern with the establishment of corporate boundaries in each of the northern settlements. Also, with respect to corporate boundaries in each of the northern settlements. Also, with respect to corporate boundaries, there was some mention a few months back about the establishment of a negotiating committee jointly with the province and the communities affected.

I want to know, Mr. Minister, if you have moved in those areas: The Planning and Development Act, the establishment of district planning committees, what your intentions are; as well as the corporate boundaries, he possible establishment of a negotiating committee; and how fast we will be able to move, or how soon the communities themselves will be able to give some indication to the communities as to when they can expect the initiation of those committees.

MR. DEPUTY SPEAKER: – Order. I must bring it to the attention of the Assembly that the minister is about to close debate. If anyone else wants to speak to it, speak now.

AN HON. MEMBER: — Well, I suppose I'm not all that keen yet on the parliamentary procedures of the House, but I thought I was . . . (inaudible) . . .

MR. DEPUTY SPEAKER: – Order. The member has already spoken on second reading of Bill No. 98. When he wants to bring more questions forward, it can be done in committee of the whole.

HON. MR. McLEOD: – Mr. Deputy Speaker, in line with what you've just said in terms of committee of the whole, I'd be pleased in committee of the whole today to answer the questions that you might want to raise. I would say there is a conciliatory mood in the House today, Mr. Deputy Speaker, when we have questions being raised, and the speech that we just heard form the hon. member regarding this particular bill, which are just consequential amendments to another act that was passed. We have such consequential things as . . . (inaudible interjection) . . .

MR. DEPUTY SPEAKER: – Order! When the minister is on his feet making his final remarks, I would ask all members to be quiet, on both sides of the House, so he can be heard.

HON. MR. McLEOD: – Well, just to sum it up, Mr. Deputy Speaker, my point is . . . What this bill is doing that we're talking about is . . . It is of such grave importance that it's changing a section of a bill from number 2 to number 3.

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

Bill No. 101 – An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Vehicles Act, 1983

MR. GARNER: — Mr. Speaker, this is second reading of An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Vehicles Act, 1983.

Basically, Mr. Speaker, what this does – this will amend seven acts by changing particular references to the old Vehicles act as it refers to the different clauses. And for members opposite, I will share with them those other acts that are involved in this. They are The Automobile Accident Insurance Act, The Contributory Negligence Act, The Highways Act, The Motor Dealers Act, The Snowmobile Act, The Traffic Safety Court of Saskatchewan Act, and The University of Saskatchewan Act.

It's basically a housekeeping nature, Mr. Speaker, so I very proudly move second reading of this bill.

MR. KOSKIE: – Thank you, Mr. Deputy Speaker. As is indicated this is an act respecting the consequential amendments to certain acts resulting from The Vehicles Act, and accordingly, I want to make some comments in respect to The Vehicles Act. And I am sure that I'm in order in respect to that because this is an act affecting and relating back to The Vehicles Act. And I don't think there's any doubt there.

The area that I want to raise, Mr. Minister, with you is the concern which I raised during the second dreading speech on The Vehicles Act, and that is in respect to the provisions in The Vehicle Act for taking a blood sample or a body sample other than the breath. I want to say, Mr. Minister, that there is a tremendous amount of confusion – total confusion – that has been established, I indicated it to you during the second reading speech; I gave you an opportunity and requested . . . Certainly on this side of the House we are in total agreement with any progressive step that can reduce the amount of drunken drivers on the highways. And with the direction in which you're doing, we have no question.

But what you are doing in respect to it is probably in accordance with the medical association, the Saskatchewan Medical Association. They have indicated clearly that they will not in fact be taking blood samples. They say that they will be advising their membership not to take samples. And I want to read here, "Doctors question blood sample law':

> Despite authorization from the province's new Vehicles Act, the Saskatchewan Medical Association may warn doctors not to take blood samples from drivers without their consent.

They warn their members. They have in fact indicated that they will not . . . They have in fact advised their members not to take samples.

> The association's legislative committee says the law proclaimed last week fails to protect doctors from criminal assault prosecution if they take blood from an unconscious driver, says executive director Ernest Baergen.

And I mean, this is the position that the SMA is taking. And you're putting in legislation in which the essential body . . . co-operation is necessary. And they have indicated to you that you haven't protected them. And therefore, they will not in fact . . . in fact they will be advising their members not in fact to take blood samples – not to co-operate. And it goes on in this same article and says:

> Serge Kujawa, associate deputy minister, said the criminal law section stating no person is required to give a bodily fluid sample, other than breath, applies to the Criminal Code prosecutions only. However (here is the associate deputy minister saying), however, he agreed the section likely will be used to challenge the provincial law's constitutionality.

Here is the total advice . . . (inaudible interjection) . . . I don't care if there's a press. I'm trying to get some sense into you. I know you operate for the press. I operate for the people of Saskatchewan, not for the press.

SOME HON. MEMBERS: — Hear, hear!

MR. KOSKIE: – You go around saying the Minister of Justice has said that he won't go and prosecute. Here, right in this article, the associate deputy minister of justice in fact says:

> He agreed the section likely will be used to challenge the provincial law's constitutionality.

We ask you: under the Criminal Code in case you don't know – and I don't think you know very much, don't know very much, Mr. Minister – under the Criminal Code there's a provision which says that the only sample that you can take is breath, and it excludes any samples being taken. That's a provision of the code.

And secondly under the Criminal Code, there is a section known as common assault which indicates that if anyone takes a sample – it doesn't say "take a sample" – but anyone who . . . (inaudible interjection) . . . Well, I'll show you what an assault is under the Criminal Code. I can demonstrate it to you. But I want to say here . . . Now don't laugh, but here.

> 'Lawyers warn liability in new blood sample law.' Doctors and nurses who take blood samples without consent from suspected impaired drives will find little protection from liability in the new Vehicles Act, according to two Saskatoon criminal lawyers. Gerry Allbright and Mark Brayford said they will advise doctors who are clients not to take mandatory blood samples because they could be charged with criminal and civil assault. The constitutionality of the new law will be called into question because it duplicates the criminal law and encroaches on federal jurisdiction, Brayford said. They also will risk criminal charges.

Here is the evidence of two leading criminal lawyers.

> They will also risk (that's the doctors) criminal charges for assault despite assurances that any proceedings could be halted by the justice minister, the lawyers said, and accused could launch a private prosecution without the minister's approval.

And there sits that minister with his smile on his face, knowing full well that there is the medical profession which has advised their membership not to take samples. He is trying to let out to the public that he is doing so much to curtail drinking divers, and he knows when he is attempting to pass it that one, the key body in Saskatchewan, the medical association, will not even participate. All he is doing is throwing out mirrors

and smoke-screens, or else his total stupidity in not understanding the implication is to the forefront. I leave to hon. members to decide which it is. Either he is utterly ignorant of what he is doing, and as I said, despite the assurances of the Minister of Justice that he is not going to prosecute, there is still is the right for every individual to initiate a private prosecution for assault.

We on this side of the House ask the minister . . . On the important side of this House, on the important part of this side of the House, I want to say we in fact give the minister an opportunity, because he couldn't make a reference to determine the constitutionality. Even the associate deputy minister of justice has indicated that it's going to be challenged on constitutional grounds. And that fellow sits there with a smirk on his face knowing full well that there's no additional protection for the public. It's just smoke-screens, or else he doesn't know what he's doing. I leave that judgement to hon. members. I know what we think of what is happening here, but I hope that many of the back-benchers around, and I see a new advent of a . . . I don't know if he's still in the goon squad or not yet, Mr. Deputy Speaker, but they move about. And I want to ask the minister, in closing the remarks on this, can he in fact give us the assurances that the Saskatchewan Medical Association, the nursing association, will in fact take the risk of participating in respect to take blood samples. I ask that. I ask you to direct to the main issue. I ask the minister to address the main issue of whether or not he disagrees that the criminal lawyers have said that both civil and criminal charges could be laid by an individual, despite the assurances of the Attorney-General. These are serious questions.

I think we have seen here today, Mr. Deputy Speaker, the ultimate of incompetence. We have incompetence demonstrated here in this bill here and we had the ultimate, ultimate of incompetence with the previous Bill 104. I ask the minister to outline in some detail, outline in some detail – I challenge you – and I suspect that if you go ahead that all that will happen is that there's going to be challenge constitutionally, because when you have done is in fact incorporated Criminal Code provisions. And even if you had redrafted them in respect to the protection of highways you might have got around it. But there is no way that constitutionally it won't be challenged.

I ask the minister to address this. I know he will give the same answer which of course had been contradicted by the associate deputy minister of justice, has been contradicted by the legal profession, has been contradicted by the medical association, has been contradicted by the nurses' association, has been contradicted by the opposition what we want is the minister to take a look at it and get a feasible and a system which in fact will protect and keep drunken drivers off the highways.

But we don't want you going in . . . What you have here is you have the Criminal Code saying that you can't have any other sample other than breath. That's what the Criminal Code says. Now he says, "Well, you can expand it." But all the evidence of the various associations which have to participate are saying we can't participate, because our liability is not restricted sufficiently, or indeed at all, within the purviews of the new Vehicles Act.

And so I ask the minister to address those two concerns of the people of Saskatchewan and indeed the concerns of the medical profession and the legal profession. Thank you, Mr. Deputy Speaker.

MR. DEPUTY SPEAKER: – I must bring it to the attention of the Assembly that the

Minister of Highways is about to close debate on second reading of Bill No. 101. If anyone wants to speak, they must do it now.

MR. GARNER: — Mr. Speaker, I'm just going to take a few brief moments of the Assembly's time and try and clarify a few issues for the member opposite and the people of Saskatchewan. I think it's very evident the people of Saskatchewan understand the issue. Now if the member opposite could have one little bit of degree of courtesy to keep his mouth closed while I'm on my feet. He's had his chance. Maybe he could extend the same courtesy to me. I know it would be difficult, because he believes he's a legend in his own mind. But hopefully he will give us a break this afternoon, Mr. Speaker.

I would just like to clarify a couple of points. The only confusion seems to be in the members opposite and a little bit of their scare tactics. You know, we had them stand in this Assembly and vote in favour on second reading. We had them stand in this Assembly and vote in favour on third reading. I think it's just a prime example of what has taken place in this session. What has taken place in this session, Mr. Speaker, is an opposition that has been flip-flop, flip-flop – never pulling straight ahead, never very serious about the lives of the people of Saskatchewan.

Mr. Speaker, it is their friends, the federal Liberals . . . The federal Liberals is why we have this problem in Canada today, because their friends, Mr. Deputy Speaker, their friends, the federal Liberals, cannot screw up their courage as the opposition to bring in an amendment to the Criminal Code to solve this problem for not only Saskatchewan but for motorist and the travelling public throughout Canada. Maybe they can get that message across to their friends before we received proclamation on this bill as of September 1. Very hopefully, they can talk to their friends when they're down there on their little social visits, Mr. Deputy Speaker, and get that message forward.

I believe the safeguards are in place in the province of Saskatchewan. They're in place in the province of Saskatchewan. Everyone has to accept a little more responsibility, and the bottom line, Mr. Deputy Speaker, is that proclamation will be about September 1. We will look at it at that time if we have to extend that section further. But the advice that I have from the very competent people in the Attorney-General's office, the very competent people that are working for the Department of Highways and Transportation, tell us that this is the direction to go. We are on safe ground. We will be moving ahead and accepting this responsibility, not like the members' opposite friends, the federal Liberal government in Ottawa.

I now move second reading of this bill.

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

COMMITTEE OF THE WHOLE

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

Clause 1

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

MR. SANDBERG: – John Weir, vice-chairman of the licensing commission. To my life, Mr. Gerald Cairns, ministerial assistant; Mr. Al Dennett, director of financial services at liquor board, and Mr. Barrie Hicks, who is senior inspector.

MR. KOSKIE: – Yes, Mr. Chairman, I want to indicate that we have set out to the minister our concern in respect to Bill 93. We have indicated to the minister that what is in fact taking place here in the expansion of the outlets in Saskatchewan. We have put forward the various organizations and the church groups that have voiced their concern, and what I want to ask the minister: how can he justify the steps that he has been taking in respect to the increase of availability of alcohol, and at the same time attempt to have a government position that is attempting to curtail the abuse of alcohol? It just seems tome, Mr. Minister, that there's a contradiction in the approach of your government, and I think there certainly is ample evidence that in respect to increasing availability of liquor, you will in fact increase the abuse of it.

And I know what you're attempting to do here is to sidestep it. I think that we saw it in the second reading – that ordinarily on issues of liquor in the past, that the member from Assiniboia had indicated, this was a free vote, and individual members could vote according to their conscience. I see that all members in the government side have been now muzzled into a direction, and under the phony disguise that you're transmitting the power over to the municipal level and accordingly over to the so-called people.

What I want to ask the minister is: how does he justify, and on what basis, the need at this time for greater proliferation of liquor outlets?

MR. SANDBERG: – Well, Mr. Chairman, I will remind the member opposite that this is essentially a housekeeping bill in the major portion of the bill. The portion of the bill that the member opposite finds controversial refers to the granting of enabling legislation to allow the citizens of Regina the right, through a free vote or referendum, to state their wishes as far as the service of light beer is concerned during Canadian Football League games in Taylor Field.

He sat there yesterday and listened to my colleague from Arm River, whom I admire very much as a legislator, as a representative of his constituents, stand up here and state in clear terms that he was not in favour of the sale of light beer at Taylor Field for his very own personal reasons, but he said he was in favour of the democratic process of allowing the citizens of Regina the vote through referendum their wishes as to what they wanted to happen at Taylor Field. And that is simply what this bill says.

The council of the city of Regina has indicated through a vote that they wanted the service of light beer at Taylor Field, for whatever reasons. That is a matter between them. Whether or not it amounts to increased availability of alcoholic beverages or not is up to the citizens of Regina. This legislature is not making that decision for them, Saskatchewan. And I would suppose that the member opposite should be intelligent enough to realize that — that this is democracy, and a referendum allows the citizens of Regina, through a democratic vote, to express their opinion. And those who were opposed can certainly express that opinion in the referendum. They can rally their forces if they wish and I don't deny them that right at all. I am not going to rally anyone's forces on this issue. We are simply providing the enabling legislation for them, Mr. Chairman, and this is good and democratic legislation, and surely the member opposite can understand that.

MR. ENGEL: – Thank you, Mr. Chairman. Mr. Minister, you're standing up and

endorsing the actions that a mutual friend has taken in speaking in this bill. You used the example that the member for Arm River isn't interested in the sale of liquor in Taylor Field either. Tell me how that member and some of his friends or myself and some of the people that I represent in the Assiniboia-Gravelbourg area are going to have a democratic right to expressing our desires of not having liquor sold in Taylor Field. How am I going to exercise that franchise? That's the only place I can go to see the Roughriders play football. That's the only place I can go, and yet I don't have any say whether they have liquor there or not. Tell me how I have a democratic right other than in this House to say whether there's liquor there or not. Once you give that right to the citizens of Regina, they decide for all of us. That's no democracy there. We don't have a vote on that.

MR. SANDBERG: – Taylor Field, of course, is in the jurisdiction of the city of Regina. It is the city of Regina that should make that decision. If you go to a football game in Winnipeg where they serve beer, you didn't have a vote as to whether there was going to be sale of beer there or not. If you go to a baseball game in Olympic Stadium in Montreal, you didn't have a vote there. It's ridiculous to assume that everybody in the country should have a vote on whether beer is served at Taylor Field or not. There are people from Vancouver that attend games at Taylor Field, people from Alberta, Manitoba, and the rest of the country, and the United States of America – they won't get a vote on it either. But Taylor Field is in the jurisdiction of the citizens of Regina. They are the ones that should vote on the referendum.

SOME HON. MEMBERS: — Hear, hear!

MR. ENGEL: – Well, Mr. Chairman, Mr. Minister, you just stood up in your previous statement, before you made this last one, and said that you are giving – this is housekeeping legislation, just plain, old housekeeping legislation – and you're giving the democratic right. And the point I'm trying to make, Mr. Minister, is that we don't have a democratic right outside of this Chamber. If the Regina Roughriders would be the Regina Roughriders, then the point you're making is valid. And the people in Manitoba, if they want to decide to have liquor at their sporting events – or booze there –that's their prerogative, but we're dealing with a Saskatchewan situation and Saskatchewan example.

We were in the forefront in sports. I cited a number of examples where they opened up sports to booze, and I cited the example where college games are attracting a youthful, exuberant crowd, and yet there's no rowdiness there. Yet you get to the major league games where they are selling booze, and they have the examples of rowdiness and uncontrolled crowd behaviour, where they have policing and arrest. Is this what you want for the people of Saskatchewan? Is this what you want, to create the kind of atmosphere where I have to be careful where I buy box seats or what kind of clothes I wear to a game, as far as our audience is concerned? I've been to games at Candlestick Park. I've been to games in Montreal. I've been to games in Winnipeg, and I know what the difference is. I know what's going to happen. If members opposite arresting here, if the member of Arm River thinks it's great, if you think you can muster some support to have a vote from your constituents on Taylor Field. I'd like you to stand up and tell me how we're going to do this. I'd like you to stand up and tell us how we're going to do it, because it can't be done.

MR. SANDBERG: – I should ask the member of Assiniboia-Gravelbourg if there are any licensed outlets in his constituency. And you would say, "Of course there are." They have been provided through a free-option vote in that constituency, or the

community in which they exist. This is what we are allowing for the city of Regina through this referendum. It's the democratic process.

If I might point those three fingers back to you that you were pointing at me yesterday, and again today: it was your administration that licensed the Green and White Room in Taylor Field stadium. You're talking about proliferation, and when you were in government you allowed the licensing of the Green and White Room in Taylor Field. What are you talking about? Why do you continue to speak from both sides of your mouth and continue to be hypocritical? As I pointed out also yesterday, when you were government you increased the number of dining-room and cocktail licences, for example, in the city of Saskatoon, when there was an allowance for 44 previous to 1978 to an allowance for 88 after 1978. Then in 1980, you removed the limit completely.

Don't talk to me about proliferation. When you were the government, you were the proliferators – not this government. All we're saying is we're giving the citizens of Regina the right to a democratic referendum to vote on whether they want the service of beer at Taylor Field or not. I guarantee the folks that are against his will have the right to voice their opinion. They can influence the citizens of Regina in any way they wish . . . (inaudible interjection) . . .

The Minister of Highways has reminded me that you are indeed a flip-flop opposition. You've demonstrated it in many ways today, and demonstrated in many ways in the first 14 months that this government has been in power.

MR. KOSKIE: – Can he give a guarantee to this House that the extent that liquor will be made available at Taylor Field will be restricted to light beer – for next year, or whatever year, and thereafter – or will it in fact be expanded into hard liquor and into not light beer but the ordinary ordinary beer? Can you give us a guarantee that the direction that the government and the decision that we've made today is the limitation for a day and a year, and for the future; that your policy here, enunciated today, restricts that solely and entirely light beer? For tomorrow, if the residents of Regina according to your referendum endorse it, I ask you in fact: will you give to the citizens of this province a guarantee that this is not in fact just the tip of the iceberg? I ask this on behalf of many government members who are concerned. I ask this on behalf of many government members who are concerned. I ask this on behalf of many government members who are concerned with this issue. 10 or 12 that were very concerned in that caucus about the proliferation of liquor into the Taylor Field . . . (inaudible interjection) . . . I have my contacts.

I want to say, Mr. Minister, I want to ask you: can you give a guarantee that in respect to Taylor Field, and in respect to sporting events across this province, that it is the policy unqualified by this government that it will not go beyond light beer.

MR. SANDBERG: – Well, number one, this is not policy, to the hon. member opposite. It is legislation, and I do indeed intend to have an amendment introduced later on, when we go through clause-by-clause study, that no such licence may permit the sale of any alcoholic beverage other than light beer. Common sense would tell you that no government in its right would allow the sale of hard liquor in the stands. Of course, common sense is hard to come by from that side.

MR. KOSKIE: – I ask the minister for an unqualified statement because the . . . (inaudible interjection) . . . No, I didn't . . . (inaudible interjection) . . . Did you say

you were bringing in an amendment? Well, I never know from one day to the next what your position is. One day you came out of the House, and you indicated to the press, you said you're going to have a referendum for light beer at Taylor Field, but it won't apply to Sundays. The next day you walked out and you said, Well, I made a mistake. It applies on Sunday." Today you say, "Well, it won't apply to hard liquor," when in fact we developed the scenario is being granted. Are you in fact taking that discretion away from the Liquor Licensing Commission, which you previously said that you had faith in, and therefore had no concern? But you also admitted that the commission had the right to extend it to ordinary beer, 12 per cent or whatever it is, and to hard liquor.

So what I'm asking you now: do you know what you're talking about? – and if you do, stand up and give us a succinct, clear, definition of what your policy is, and indication of the future.

MR. SANDBERG: – Mr. Chairman, I'll read it for him again because obviously he didn't have the wax cleaned out of his ears when I read before:

> No such licence may permit the sale of any alcoholic beverage other than light beer.

That's the amendment. It's in legislation. That's all that will be served at Taylor Field during Canadian Football League games.

MR. SHILLINGTON: – I want to apologize for my absence. I was outside the Chamber apologizing for the fashion in which this government trampled on workers' rights. Mr. Minister, you said initially that the legislation allowed only light beer and only on Sunday. Why, Mr. Minister, have you chosen to implement part of your earlier announcement, but not all? Why have you not also brought in an amendment prohibiting the sale of alcohol at sporting events on Sunday? Surely we can have one day of the week when alcohol doesn't have to be a part of our daily lives. I ask you, Mr. Minister, why don't you completely implement the bill which you announced?

MR. SANDBERG: – Well, it wouldn't make any sense for the citizens of Regina to vote on the issue at all, if indeed the city does intend to go the referendum route and disallow the sale on Sundays, because the greatest percentage of the Canadian Football League games in Taylor Field are on Sundays, and it follows with legislation and policy that is carried on in other Canadian Football League cities.

MR. SHILLINGTON: – Mr. Minister, what you just finished saying is that you're not going to sell as much alcohol because it is not going to be available . . . it will only be available. . . it will only be available for a portion of the home games, not all of them. We've granted you that, and we thought you understood that when you initially understood that when you initially introduced the bill. I wonder, Mr. Minister, did you misunderstand the bill initially or did the lobbyists get to you and change your mind after you made the introduction? What happened: did you misunderstand the bill or did you change your mind?

MR. SANDBERG: – Well, again the members of the opposition are pointing their own fingers back at themselves again. You licensed the Green and White Room in Taylor Field and it certainly is licensed to serve alcoholic beverages on Sunday. Why are you flip-flopping? Why are you changing your position consistently? When you were in government you say one thing and now that you're in the opposition you say

another. Why don't you be consistent?

MR. SHILLINGTON: – Well, Mr. Minister, there is simply no comparison. The Green and White Room, if that's what it's called, is in the nature of a private licence, to which the general public do not have admittance. It's never been this government's policy that alcohol should not be available for consumption in private on Sunday. What we have said, Mr. Minister, is that alcohol does not need any encouragement. The levels of consumption of alcohol in North America don't need any encouragement. You are encouraging them when you associate alcohol and pro football, and we had hoped you would at least limit the damage you're doing by prohibiting its sale on Sunday.

I ask you again, Mr. Minister, to stop raising the red herring, such as the Green and White Room, that has no bearing on the issue of public sale. I ask you again, Mr. Minister, what lobbyist got to you and made you change your mind?

MR. SANDBERG: – I can assure the member opposite that no lobby gets to me – none whatsoever. I can point out again that it was those people, Mr. Chairman, when they were government in 1980, lifted the lid completely in Saskatchewan as far as dining room and cocktail licences are concerned, and it's common knowledge that dining room serve alcoholic beverages on Sundays.

MR. SHILLINGTON: – Mr. Minister, you may if you wish defer to the House Leader on this issue. But one of the most disturbing aspects of this legislation is the way it's being brought in and the fact that the whips are on; and it's therefore in essence not a decision of this Assembly so much as a decision of cabinet, which you are using your government caucus to get it through. That's a departure from policy, Mr. Minister.

Mr. Minister, we have not had a vote on alcohol, upon which the whips have been on, for decades. We have always had a free vote, Mr. Minister, what that does is give the public a chance to be heard because they can go to their MLAs and they can make them accountable. I share the experience of the member from Assiniboia-Gravelbourg. I recall that vote on the alcohol – I believe it was increasing the minimum age. Everyone thought that the decision of this Assembly would be a wet decision. When the public of Saskatchewan were heard, we found that the public of Saskatchewan wanted the sale of alcohol restricted and not encouraged.

I say to you, Mr. Minister, that one of the reason why you decided to move this with the whips on was because you were afraid it wouldn't pass if this were a free vote. However smug you may be, you were afraid it wouldn't pass. I cannot think of any other reason. If you had been confident that this would have passed on a free vote. I don't know why you would embarrass members of your caucus – and some of them must be embarrassed. I know then too well to think that they enjoy voting for this legislation.

MR. SANDBERG: – Were you not here yesterday when the member sitting right there indicated this opposition to any proliferation of alcohol services in the province of Saskatchewan? What he did say what that he was for the right, the democratic right, for the citizens of Regina to vote on this issue, because they've indicated they want a vote on it. You should be able to understand that, or did you get your lawyer's degree from Sears? You never cease to amaze me in your misunderstanding of the issues.

And as far as I'm concerned, I am not involved in the morality of this issue. I'm not involved in it. All I am saying, just as the member for Arm River said, that I, as a free

enterpriser and a believer in the democratic process, believe the citizens of Regina should have the right to vote on this issue, just like the citizens in Assiniboia-Gravelbourg have the right to vote on whether they want a dining room, a beverage room, or a cocktail lounge, or a club licence, or whatever, in their community. And surely, you wouldn't deny them that right, wouldn't you? Why would you then deny the citizens of Regina the right to vote on whether they want beer, light beer, in Taylor Field during Canadian Football League games? It's contradictory – and hypocritical.

MR. KOSKIE: – Well, I want to indicate to the minister that his simplistic approach to whether or not the Roughriders are in fact a Regina team or a Saskatchewan-based team . . . I want to say that the dependency of support is throughout Saskatchewan. I think that fans come from every corner of the province. And, therefore, I think that fan support that keep the Roughriders operating is not . . . you cannot compare it to an area, a local option vote in the constituency of Assiniboia. You can't reduce the concept of having liquor at the stadium here in Regina to a concept of an issue solely within the confines of Regina, because certainly it reached out for fan support throughout the whole entire province. So I ask you: if you want to make it totally democratic, why don't you allow all of the people of Saskatchewan who want to participate have a provincial referendum on it?

And, secondly, I would like to ask you: have you in fact met with many of the church groups which have indicated their opposition to the extension of booze to the stadium? I ask you: how do you counteract the head of the alcoholism commission, Dr. Cohen, who made a submission to your own commission indicating his opposition to the expansion of the outlets into Taylor Field –directly he did. And he gave total recommendations against it. So I ask you: address those questions once and for all and don't try to hide under the umbrella that it's just a Regina question. Why not let the people of Saskatchewan, why not allow the church groups who are concerned to voice and to educate the public into their view if they can? Give them an opportunity. This is an issue which is going to affect young people from across this whole province, and why should we have it restricted to one city? I ask you: why in fact will you not hold a referendum for the rest of Saskatchewan?

MR. SANDBERG: – Another typical display of their speaking out of both sides of their mouth, Mr. Chairman. I'll refer the member for Quill Lake again. . . (inaudible interjection) . . .

MR. CHAIRMAN: — Order, order! The minister would like to reply to the answer, and we can't hear him when everyone is talking. When everyone is talking, it is very difficult to hear him.

MR. SANDBERG: – I'll refer the member again to the letter he wrote to the liquor board: December 7, 1976, from one Murray Koskie, MLA, NDP, of the Quill Lakes, to the chairman of the liquor board. And please remember, ladies and gentlemen of the Legislative Assembly, that he's been standing there for two or three days or more and saying, "No more proliferation, no more proliferation." That's what he's been saying in his bellering, goose voice.

To the chairman of the liquor board, from Murray Koskie:

> Please advise whether there are any appointment available and whether the board would approve establishing a special vendor in St. Gregor.

"Please advise me, I beg of you Let me have another liquor outlet in my constituency. Let me have another liquor outlet," he says. Now he's talking out of the other side of his mouth. He doesn't want to allow the citizens of Regina just the privilege of having a free vote through a referendum.

In addition to that, Mr. Chairman, backing 1973 – I don't know if the member from Quill Lakes was here then – but a committee led by Dr. Don Fairs recommended . . . Recommendation 23, no. 23, Mr. Chairman. The recommendation says: "That the Saskatchewan Liquor Licensing Commission in its discretion allow the sale and consumption of beer at sports events." Where are you coming from now? Where were you coming from then? Why can't you show a little consistency? Why are you so hypocritical? Why don't you tell the citizens of Saskatchewan why you're so hypocritical? We are saying that we will allow them a referendum, a free vote, a democratic vote on this issue.

MR. KOSKIE: – Mr. Chairman, you know the minister earlier accused me of having wax in my ears, and that might be a problem. But I want to say that his problem is what he has between his ears. What he has between his ears is not very much. I want to indicate to the minister here that it's hardly very relevant to raise a letter in which I was writing on a representation on behalf of a town in my constituency, which was requesting, and I ask within the guide-lines of the existing regulations, whether or not there was availability, and whether they could be considered. Totally unrelated to the issue that we have here altogether. Not only that in respect to liquor outlets, you wanted to go the full route of unlimited number of liquor outlets and I want to tell you that the opposition during this session changed your mind on that, and you did put a limit into the amendment. So don't you start turning it around. We know our position, Mr. Minister. The problem is that you don't now where you're going or where you came from.

I want to ask: do you have any particular concern, Mr. Minister, with the continuing alignment of alcohol, and alcohol sponsoring, and the association, of alcohol with sporting events? Sporting events, whether it's professional hockey, whether it's professional baseball, whether it's professional football, or whether it emulates into the various communities where every sporting event will have its booze-hall? I'm asking you: do you not as a responsible minister have some concern with the tendency of the association of booze with sports? And I'm concerned with that. I think that the two do not go together.

I think to be an athlete and an outstanding athlete and to participate in sport, one should not associate the sponsorship or the availability of it with those sporting events. And what you're doing here is changing the rules. You are enforcing that association of booze with sports, and that is of concern to me, and it's a concern to church groups; its concern with what the young people of this nation will have in respect to the people who are associated with sports. I'd like you to give us here a sort of an outline of whether or not you indeed have any concern of associating booze with sporting events?

WELCOME TO STUDENTS

MR. LINGENFELTER: – Yes, I would ask for leave while the minister is getting read to prepare to answer to introduce some students.

Mr. Chairman, I would like to introduce the Assembly through the Chair and to members of the Assembly, a group of students between Grades 5 and 8 from the

McCord School in McCord, Saskatchewan, and they are here today with Mr. and Mrs. Wilson, the Munfords, and their teacher, Mrs. Hazel Blake. I would also like to express on behalf of my colleagues from Assiniboia-Gravelbourg, who used to represent the area, how much we wish that they would enjoy their stay here in the Assembly. We are debating amendments to the liquor act at the present time, and we hope you enjoy your stay here and have a safe trip home.

HON. MEMBERS: — Hear, hear!

COMMITTEE OF THE WHOLE

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

Clause 1 (continued)

MR. SANDBERG: – Mr. Chairman, I would reiterate again that I'm not here to debate the rights or wrongs of alcoholic beverages in professional sport stadiums. What we have done through the introduction of this amendment is to simply provide enabling legislation to allow the citizens of Regina through a free and democratic vote, a referendum, to make the decision themselves.

MR. ENGEL: – Thank you, Mr. Chairman. Mr. Minister, you've been standing up and answering questions in this session and taking this opportunity to hurl insults at the members of the opposition. You're looking for old mail to dig up, if you can drag it in the mud, and just see what you can come up with, and call what has happened in the past as baseline to give you the authority or the right, or the moral right, to broaden the sale of liquor – to broaden the sale of liquor.

All you have to do is stand up in this House and say that you and your caucus decided you want to open the door, you want to broaden it to sporting events, you want to have as vote, and you want open liquor. But you won't do that, you're trying to shove the blame and shove the responsibility on the administration that's in charge of Taylor Field, and on the city of Regina, and on the municipalities. You say, "Oh, here we are; we're the clean ones. We haven't done anything different." But what you're doing with this act is increasing, and I'd wager even doubling, the amount of liquor that's going to be sold. And if you just take Sundays into account, I bet it's more than triple of the amount of liquor that has been sold in the past – on Sunday.

You compare how much liquor was sold on Sundays over any given year in the past, and then how much liquor will be sold on Sundays with this new legislation once it's passed. You'll see how much more it is, and I'll bet you it's a 400 or 500 per cent increase in the first year once it's done. Some of your officials are shaking their heads. If that isn't the case, why are you doing it? Why are you doing it? And on this issue, you'll have to take the responsibility. Mr. Minister, don't blame it on the former administration; don't blame it onto anyone else. You are the one that's opening up the door; you're the one that's opening the sales.

MR. SANDBERG: – The member makes a ridiculous analogy, because they licensed the sale of alcoholic beverages on Sunday, through dining rooms, through community event permits, and through other licences. Now, as I said, I'm not here to discuss the pros and cons or the morality of the sale of beer on Sunday. We're simply here to discuss the amendment that provides for a referendum for the city of Regina to decide whether or not they want the sale of light beer in a stadium under their

jurisdiction – a request that was made by the city of Regina to the Liquor Licensing Commission, because their council voted in favour of asking the licensing commission for that right. And again, they're using the same old, tired, worn-out argument where they're pointing the finger back at themselves. They' re the ones, when they were government, who caused the great proliferation of outlets in the province of Saskatchewan – in 1980 when they lifted the limit completely, completely, Mr. Chairman, on the number of dining room and cocktail lounges in the province of Saskatchewan. For example, pre-1978 there could be 44 dining room and cocktail licences in the city of Saskatoon. Now there are 151 – a threefold increase under their administration. So don't stand there and pontificate to me; it doesn't make any sense, or to anyone else in this Assembly. All we're saying is that we're giving the citizens of Regina the right through referendum to vote on this issue.

MR. ENGEL: – You still didn't answer the question you were asked. How much liquor is sold on . . . What percentage of liquor from a seven-day week . . . What percentage of liquor that's sold – and you gave us the numbers last session . . . What percentage of liquor is sold on Sundays now? Is it a 7 is it less than that?

HON. MR. SANDBERG: – We don't have that information on hand, Mr. Chairman, and I don't know if we could get it specifically, because all the liquor that is purchased is purchased through the liquor board stores on non-Sundays. The liquor board stores aren't open on Sundays, so we have no indication exactly how much is purchased for specific consumption on Sundays.

MR. ENGEL: – You must have a good idea, and I know the minister's aware of it, because the amount of liquor that's consumed or purchased . . . I've never asked for the amount of liquor that's consumed on Sunday – the amount of liquor that's purchased on a Sunday. The only place you could buy it is if you're having a meal. Is that right or isn't it?

HON. MR. SANDBERG: – Well, that information would be very, very difficult to come by. For example, clubs can serve alcoholic beverages on Sunday without being accompanied by food. So we don't monitor them on how much they sell on specific dates. The liquor board, I should say, doesn't monitor them.

MR. ENGEL: – But you will concede to the fact that opening liquor sales up, even if it's light beer – opening liquor sales up at a sporting event like Taylor Field that attracts thousands of people . . . What is the seating in Taylor Field? Twenty-thousand-plus? Twenty-seven thousand. If half of them buy liquor, there is an opportunity for an additional 12,000 or 14,000 people to buy liquor. That consumption that's going up by just one place being increased. If you spread that throughout the province, and if all the areas where there are sporting events on Sunday have their votes and buy a licence, just look what that's doing to the sale of liquor. The points I made last night . . . I hope your officials read that and look at it, because the point I was making last night . . . I hope your officials read that and look at it, because the points I was making last night . . . and I didn't bring my file back in because I didn't think we had to go into detail. I thought the minister would take the responsibility in this case and come forward and realise that he is the one that's opening up these additional sales, and particular when . . . If I have to make the arguments again I'll make this one that is particularly bad, is when you associate liquor with sports. Here you have leading sportsmen and the association of the associate liquor with sports. Here you have leading sportsmen and the association of sports with it, and with as many liquor companies that are buying teams and they're getting involved. We had the example at Saskatoon with a hockey team, and I'm sure that if they'd have gotten involved and the franchise would have been through here would have been another area where they would have been promoting their product

just with all the effort they could to make that team pay, and that's where they're using it.

Like I said last night, you are selling . . . For a buck, you are selling the lives of so many young people that will either come out where we will have some young people growing up, and the other ones that are associated with liquor and will turn out to be beer or the liquor becomes number one in their lives. The Minister of Agriculture knows I know what I'm talking about in that case.

AN HON. MEMBER: — You hide it well.

MR. ENGEL: – Okay, Thank you. I think the minister has to stand up and take the responsibility that with this act he is opening the door to selling more liquor and that the consumption of liquor on Sundays will increase four and five and sixfold – skyrocket.

MR. SANDBERG: – Well, the member opposite is dealing a great deal in speculation as to how much consumption will be on Sundays. As I said, we don't have any specific figures on that at this time. I point out again that if and when the city of Regina decides to hold a referendum, and if and when the citizens indicate either pro or con for light beer at Taylor field, then it will be decided how much will be consumed or it will be determined how much will be consumed on Sundays.

Again, I say this is simply enabling legislation that allows the people of Regina the democratic right to vote on an issue that they want to vote on, and I don't think that even the NDP opposition wants to take that away from them, Mr. Chairman.

MR. ENGEL: – Mr. Chairman, the minister says it's speculation. I read into the record last night indications whereon team in United States – and it wasn't the largest team, it was the Sonics – made $500,000 on the sale of liquor in their seasons; $500,000. You say that is a small increase. That's the profit that this one team made. Just because there's only eight home games . . . Has the minister not attended any games where liquor is available, and realized how much – and how many of the fans, once it becomes a popular thing and with the pressure that's on, on a hot day and a hot afternoon in the stands — the amount that's consumed?

I think the minister is opening the door here to something that the people of Saskatchewan will live to regret, because every time you broaden the opportunity and you open the door some more, you have more consumption. Where liquor is sold in every corner grocery store or any time or any hour of the week in California . . . I'm familiar with what happens down there, and I know what percentage of people, even my own relatives, that are involved, and where alcohol has ruined their lives and have ruined the homes of young families.

I know what alcohol does because I've been directly involved, and I think any time we could control and limit the sale of alcohol we're doing our province a favour. And here you are, taking on the responsibility. The onus is going to be on your head, Mr. Minister, not on mine.

AN HON. MEMBER: — I take it you're going to vote against this bill.

MR. ENGEL: – I sure will.

AN HON. MEMBER: — Are you in favour of prohibition?

MR. ENGEL: – Yes. Now that would be the ultimate.

MR. BLAKENEY: – Mr. Chairman, I want to raise a narrower point and that has to do with the specific proposal that there be sales of alcoholic beverages of Taylor Field, which holds 25,000-plus people. And that raises the issue, not of the consumption of alcoholic beverages per se, but the consumption of alcoholic beverages by people who are organized and gathered in a very large group and who are at a sporting event where they are encouraged to be exuberant and encouraged to be active and encouraged to be excited. That indeed is why they go.

And I want to refer the minister to an article with which I am sure he is familiar, the article in *Sports Illustrated* of January 1983. And no will accuse *Sports Illustrated* of either being opposed to organized sport or opposed to the consumption of alcoholic beverages – that is not the direction of *Sports Illustration*. They are however, pointing out the very real problems which have arisen because of the consumption of alcoholic beverages at sporting events where a very large number of people were present and where the game was one which engendered a high degree of enthusiasm.

And it's a different thing to have it at a baseball game, which is a quiet and sedate game, than it is at football or soccer, which are anything but quiet and sedate, and where the fan participation is frequently very active. I'm sure he is aware of the article. I will not highlight the article. It recites a very large number of instances of difficulties at major sporting events in the Untied States. It does not deal with the Canadian experience, but it cites many, many instances in the United States.

And I want to put into the record some of the finding of the people who researched this article, and I will not quote extensively from it. Although obviously I could, because the whole burden of the article – and it goes on for many pages—suggest that this venture of the sale of alcoholic beverages at sporting events where there are major crowds ought to be treated very, very circumspectly. And I am now going to quote a person by the name of Pat Sullivan whose family operates the Patriots, and he's the club officer concerned with crowd control.

> Having listened to various theories (and I'm now quoting) about why spectators are so unruly, Sullivan says in effect that while the ideas are interesting, the main thing is that so many of the fans are drunk.
>
> Many other sports officials have made the same observation. Buffalo's Don Guenther, the manger of Rich Stadium, the home of the Bills (that's the Buffalo Bills) says he think 99 per cent of the arrests at games are related to alcohol.
>
> Dick Vertlieb now is entertainment and financial consultant in Seattle, but in the past has been the general manager of three NBA teams – the Warriors, the Pacers, and the Sonics – and of baseball's Seattle Mariners.
>
> "The problem," says Vertlieb, speaking of fan violence, "is the blink-blink beer. All teams do is push beer and push beer, and then when someone gets out of line, they send the cops after the guy. When I was with the Sonics,

> there was no beer in the Coliseum and it was a family event. Now it's difficult even to take your wife. It's an outrage."

And it goes on to say:

> The connection between guzzling and fan violence needs very little explanation. Nobody has ever suggested that a good way to calm down a crowd is to fill it to the gills with drink. To a greater degree than at any other assemblies, except perhaps stag conventions, alcohol is made available to sports spectators and they are encouraged to use it freely. There are 63 stadiums and arenas in the United States that serve major pro teams. Beer is sold in 61 of them and hard liquor in 24. Only a handful of colleges sell beer at their games. This is almost universally accepted as the principal reason why collegiate crowds, despite their youth and exuberance, present fewer serious security problems than do professional ones.

He goes on to say:

> The relationship of beer and booze to sports is so profitable that managerial types are loathe to finger in-park sales as a contributing cause of fan violence. Invariably they say the real problem is with the contraband stuff, i.e., the alcohol that's brought into the ballpark, in this case by fans in coolers or brown bags or their bloodstreams.

Now this is the . . . I won't go on; the article continues in the same vein illustrating the many, many problems which have occurred at major sports stadiums in the United States where beer and spirits are freely available, and the fact that these problems are not evident at stadiums where beer is not available. And I want to point that one out. By and large, only small problems arise at collegiate games where beer is not readily available; notwithstanding the fact that they equally can bring their spirits in brown paper bags and the like. But the problems are found where on-sale facilities are there for the sale of beer and spirits, and beer alone in many cases. And the minister must be aware of the fact that in the eyes of many people this has made the sporting events far less enjoyable events to attend. To paraphrase Mr. Vertlieb again:

> When I was with the Sonics, there was no beer in the Coliseum and it was family event. No its difficult even to take your wife. It's an outrage.

Now I hope that this does not happen in our stadiums, but I wonder whether there's any reason to believe that our fans will be any less affected by the sale of beer in the stadiums than has been the case in the United States. Certainly our beer, the light beer, is about the same strength as U.S. beer, and there is no reason to believe that our people will be any more given to sobriety or temperance than the sporting fans in the United States.

I ask the minister to advise the House whether or not he has considered this aspect of his bill, and whether he has satisfied himself that there will not be instances of fan violence as has happened so often in the United States, and there will not be instances of unpleasantness which has made many of the sporting events no longer family events in the United States, because the Riders are supremely, I believe, a family team. All manner of people take their children; all manner of people have young people go there with their parents. My children have gone there in the rookie section, and I suppose other people's children have gone there. They are not always sitting in the

rookie section. I'm sure everybody can recount the same stories. I'm asking the minister whether or not he has considered their aspects and satisfied himself that there will be no such problem at Taylor Field.

MR. SANDBERG: – Well, it seem like the Leader of the Opposition is assuming, number one, that this referendum will pass in the city of Regina, and indeed the city of Regina will decide to hold a referendum. We have no reason to believe that it will pass, and we have no reason to believe that it won't pass. That's up to the citizens of Regina. But it seems to me that the Leader of the Opposition is putting down the people of Regina, and the people of Saskatchewan, as a bunch of drunks. They're all going to go into that stadium and just get pie-eyed on this light beer, and come out staggering, dead drunk, and jump into their cars and kill a bunch of people. I have more faith in the people of Saskatchewan than the Leader of the Opposition apparently does, and than the other members over there in that gang of eight. I believe that the people of Saskatchewan, and football fans here, are very responsible people, and that they will conduct themselves with decorum, and if they decide through a referendum that they want to have the service of light beer at Taylor Field, that they'll conduct themselves in a responsible manner, that they will have only what they feel is necessary, maybe to quench their thirst on a hot day. But again, that's assuming that this referendum is gong to pass.

I'll quote from an information report from Manitoba:

> The experience with the sale of beer at major sporting events in Manitoba is reported to be favourable. There were some minor problems initially, but with better policing, and with points of sale being restricted to certain areas, the complaints are now few.

In a report to a forum here in Regina, the president of the Saskatchewan Roughrider Football Club said if and when the sale of light beer was permitted at Taylor Field, there would be no sales made in the stands; only in the concourse area. All beer would be in paper or plastic cups; only two cups may be purchased at any one time. There will be security policy personnel at each outlet, and there will be no sales of light beer after the start of the fourth quarter.

So, I put more faith in the people of Saskatchewan and football fans in this province than apparently does the Leader of the Opposition and his caucus.

MR. BLAKENEY: – Mr. Chairman, I'm sorry if anything I said invited a comment that I thought the football fans in Regina were a bunch of drunks, and I invite anyone to read in the record what I said and see how any rational person could reach that conclusion. And I think he cannot. And I think we're seeing the minister trying to extend the argument because he doesn't want to meet the point I make. He wishes to meet another point, and he wished to misconstrue my argument in order that he can support his case.

My question was this, sir: have you satisfied yourself that there will be no problems with respect to fan violence in Taylor Field, and have you satisfied yourself that, if this referendum is passed and if beer is sold, there will be no denigration from the type of family sport which is now there when the Roughriders play in Regina? Have you satisfied yourself on those points?

MR. SANDBERG: – Well, I cannot predict the future, but I know that our liquor licensing people will be inspecting the facility. If, indeed, it does come to pass that light beer is served at Taylor Field, I am satisfied through reports that I have received from other jurisdictions that there are major problems there. I have faith in the people of Saskatchewan, that they will conduct themselves in a responsible manner.

Again, I'm saying that the main thrust of this legislation, the crux of this legislation is to allow the people of Regina to decide the issue themselves. If they feel that there's going to be a problem in allowing the sale of light beer at Taylor Field, I'm sure that they'll vote against it and defeat it in the referendum if I need it does go that far.

MR. BLAKENEY: – One question to the minister, Mr. Minister, I refer now to the possibility of a referendum that your bill provides for, and I ask whether or not your department or your government proposes to make any arrangements so that if there is referendum both the yes side and the no side will be equally, or approximately equally, funded so that each can put its case to the public, and we will not see the case of a well-funded group who have an interest in opening up this sales outlet being able to mount one kind of a campaign, and another group who are much less adequately funded, since they have no financial interest in the outcome, not being able to put a similar case for the no. Will you give your assurance that there will be some measure of equality of funding?

MR. SANDBERG: – The liquor board nor this government does not intend to fund or take sides with any groups or any individuals involved in this issue.

MR. BLAKENEY: – Sorry, Mr. Chairman, I wasn't asking whether you were going to take sides. When we provide for funding of our election campaigns through candidates of each party, we don't thereby take sides. We try to provide that each side will have an opportunity to present its case to the public. Now it is your legislation, which is providing for this referendum. Are you equally going to provide facilities so that each side will be able to place its case before the public with approximately equal funding?

MR. SANDBERG: – That would be up to the city of Regina, Mr. Chairman.

MR. KOSKIE: – I just want to ask a couple more questions to the minister. I note that he has put in a House amendment: "No such licence may permit the sale of any alcoholic beverage other than light beer." He has indicated here today that he has total trust in the people of Saskatchewan and, secondly, he had transferred the issue over to a referendum in the city. Now if you have no fear whatsoever, insofar as liquor at any of the events, then why did you curtail the sale to light beer rather than allowing, as you say, that you have confidence in the people or with referendum in Regina, of carrying out the referendum; you have total confidence in people that go to the football games that there'll be no abuse, then why didn't you take it to the full extent of allowing the full issue of being decided?

Obviously, by the very restriction that you have placed in here, you have demonstrated what we have been saying – a fear of the consequence of having liquor at sporting events. Can you indicate to me how you can on one side say that there will be no

problems because, "I have confidence in the people of Saskatchewan that go to football games; I have total confidence in the people who are running the football field; I have total confidence in the people, so I turned it over to a referendum in the city of Regina"? If there is not a major concern at all liquor and if there's total responsibility in respect t handling it at sporting events, if there is not problem, then why do you put the restriction on?

Obviously by the very amendment you are indicating that you have to be very cautious because there are problems or can be problems; there are potential problems. You can't have it both ways, Mr. Minister. On one hand you say, "We'll turn it over to the city and they'll have a referendum; they'll decide." And secondly, you can't have it both ways. So by your very amendment you have indicated a caution and a concern. But what you have done is heeled under some pressures by certain organizations to expand it.

And I want to say that since you have taken over as a minister, there is no doubt . . . I mean you're extending it to sporting events here, you've extended the number of liquor outlets, you wanted to go to an unlimited number; there's no doubt that your whole policy is that way. Can you explain the obvious contradictions of what you're saying and what you're doing?

MR. SANDBERG: – Well, the member opposite could vote against the amendment that specifics light beer only. You cold do that if you wish. But the original intent was that only light beer would be served at Taylor Field if the referendum passed. So to satisfy concerns expressed by the people in Saskatchewan I have agreed to put in the amendment specifying light beer at Taylor Field. This clarifies our intent that only light beer will be served if indeed the referendum does pass.

MR. KOSKIE: – I'm gong to repeat my question, because you don't even come close to listening I ask you: how can you have such a contradictory explanation, that on the one hand you say that you're going to turn it over to responsible people to have a referendum as to what they need and what they should have, saying on the other hand that there's no problem with the Saskatchewan Roughrider fans, that there aren't drunks, you say? So I am asking you: if that is the case then why do you put in the amendment? Obviously, you have a concern with liquor at sporting events because you had limited to the light beer. Are you saying that the potential to have hard liquor and the ordinary beer at the functions are too risky, but we'll take this little risk? "Oh yeah, there'll be some problems all right, but we're prepared. Because of the pressure put on by a certain group, we'll take this little risk. This will be the tip of the iceberg. No, we don't do it all at once because there's opposition out there by church groups and so on. What we'll do is sneak it in a little at a time. "That's what the obvious direction that you're going, is that you're going to go piece-by-piece and in a total relaxation.

I want to ask you again: how are you consistent, on the one hand saying that there's no problems with the fans, there'll be no problems, they're responsible? You go out of the House and say, "Well, you can't have those fans before. What they were doing was going into the stands and getting drunk, bringing liquor themselves." Next time, you turn around and say, "They're responsible." What I'm asking you: do you have any concerns in respect to the sale of any alcoholic beverages at sporting events? Do you have any concerns or reservations? Have you done a study across the United States? Have you done a study across Canada in order to evaluate, because certainly you

haven't very well, because the Leader of the Opposition has brought in from *Sports Illustrated* a documentation of the problems that are happening in North America at sporting events in which liquor is being sold. So I ask you to explain: what is the philosophy of this government? Obviously, the direction that you have demonstrated to date is that you're in favour of more and more relaxation in respect to the availability of liquor at sporting events, and you have expanded the number of liquor vendor outlets. You've expanded it in the direction of golf courses, and certainly you've expanded gambling under your portfolio. And you're not here . . . I get a little bit concerned when a civil servant comes in sitting next to the minister shaking his head, because I don't think he's participating other than give answers. I ask the minister, I ask the minister, can he in fact justify his contradictions?

MR. SANDBERG: – The intent was quite clear, Mr. Chairman, from day one, that we would present an amendment that would allow a referendum in the city of Regina, and the intent was only for light beer. There is no question about that, and this is why I've introduced this amendment. I'll advise the member opposite that we are government that listened to the people of Saskatchewan as we did in regards to The Liquor Act in expanding the numbers of special liquor vendors by 25. There were requests that were on file, many, many of them – even when you were in government – for expanding the special liquor vendors. I'll remind the member from Quill Lakes that he was one of the members that asked for expansion. Quote: December 7, 1976, one Murray Koskie, asking for " . . . an expansion of special liquor vendors." Now he stands up here in his hypocritical tone again and says, "No, I didn't do that.

I would also point out that we have referred to studies and surveys and conducted across the country, and one of them was conducted right here in Saskatchewan – beer sales favoured at Roughrider games. That's the folks of Saskatchewan speaking. That's the folks we listened to. That's the folks you didn't listen to, because they turned you out on your hind ends on April 26, 1982. You should take a lesson from this – 68 per cent up to the age of 50 favour the sale of beer at Taylor Field. We listened to folks. Why don't you listen to them? It's very simple.

And again, your report of 1973, your Dr. Faris report of 1973 recommends the sale of alcoholic beverage at sporting events. Why are you now suddenly changing your minds? Who are you trying to pacify? We're not even going this far. We're just simply saying to the people of Regina, "Here you are folks, a referendum. You can decide for yourselves." It's quite possible if and when they hold a referendum that they will vote against it. That's up to the people. I am not going to influence their decision in any way, shape, or form.

MR. ENGEL: – Mr. Chairman, there's just one other observation I want to make with the minister. You talk about the polls that are conducted. You talk about listening to the majority. Mr. Minister, the point I want to raise: last April the people of Saskatchewan elected you not to follow, not to follow, not to see what the majority are going to do and then follow; they elected you to govern. They elected you to lead. You stand up and go out in front and you lead – not follow. I think what you are doing is you're leading the way. You're opening the door. You're out front. You can't follow behind and blame the crowd for this one. This is the one where you have to take the full responsibility and get out front where the people elected you to be – not in behind and try and blame it on the city of Regina or on a large group. You're elected to represent and speak for the minority groups. you're there to listen to all the concerns for those that want and those that don't want to. I think you have to take the responsibility for this one, Mr. Minister, and get out

front and govern like you were elected to, not try and govern by polls and follow a mile behind.

AN HON. MEMBER: — Hear, hear.

Clause 1 agreed to.

Clauses 2 to 6 inclusive agreed to.

Clause 7

MR. CHAIRMAN: — Oh, clause 7 has an amendment.

> Section 7 of the printed bill, amend clause 102(1)(d) of the Act as being enacted by section 7 of the printed bill by adding after 'games' in the last line the following: 'but no such licence may permit the sale of any alcoholic beverage other than light.'

Clause 7 as amended agreed to.

Clause 8 agreed to.

The committee agreed to report the bill.

MR. CHAIRMAN: — I'd like to thank the minister and his officials.

Bill No. 108 – An Act to amend The Condominium Property Act

Clause 1

MR. CHAIRMAN: — Would the minister introduce his official, please?

MR. LANE – Mr. Ron Hewitt, familiar to the members.

MR. BLAKENEY: – Mr. Chairman, and, Mr. Minister, I want to ask a couple of questions and particularly wanted to focus on a couple of comments made by the Minister of Justice just a day or so ago. And that has to do with where he believes the legal aid clinics should be housed. And that isn't really as irrelevant a question as the member may think.

AN HON. MEMBER: — The other bill. You're on the wrong bill.

MR. BLAKENEY: – We're not on legal aid? . . . (inaudible interjection) . . . Look at that. Look at that . . . (inaudible interjection) . . . I will withdraw but only after the member for Saskatoon Sutherland stops laughing because he was on the wrong bill.

MR. CHAIRMAN: — It's Bill 108 – An Act to amend The Condominium Property Act. Are there any questions? Is clause 1 agreed?

Clause 1 agreed to.

Clauses 2 and 3 agreed to.

The committee agreed to report the bill.

Bill No. 96 – An Act respecting the Provision of Legal Services to Certain Persons in Saskatchewan

Clause 1

MR. BLAKENEY: – Now, Mr. Chairman, and, Mr. Minister, I want to ask a couple of questions about where legal aid clinics have their offices. I have run into some fears expressed by people in the legal aid organization that there will be a move to house the offices in government buildings I ran into one fear expressed, particularly in Prince Albert, where it was believed that the legal aid clinic there would be moved into the McIntosh Building, with the result that the court room would be there named by the minister on another floor, and the legal aid people, the legal aid lawyers, appointed by the commission appointed by the minister would be on another floor.

While I know that it shouldn't make any difference in a theoretical sense, it's very difficult to convince the public that this isn't just a sausage mill – of all the people being employed by the government—and it's going to be difficult to persuade those clients who have legal aid lawyers serving them that they're not fraternizing with the Crown prosecutors in an improper way and all the rest of it.

The legal profession are well aware of the fact that lawyers can have coffee with each other at one hour, and one hour later be putting up the stoutest sort of adversarial arguments. The public are not fully aware of that, and it certainly doesn't help any if the legal aid clinic is in the same building as the Crown prosecutors and the court.

I was glad to hear the Minister of Justice saying that that was not his idea. I was glad to hear him say that. I am aware now that the Prince Albert legal aid clinic is in a separate free-standing building. It seems to me, and I don't know the premises, but it looks to me like a good location, more or less downtown, more or less away from the government I know that the Regina legal aid clinic is separated and I think that's sound. I know the North Battleford one is – it's in a separate house and that's a good location.

I ask the minister whether or not he believes he will be able to follow up on the comment he made – I believe it was yesterday – indicating that in his judgement it was best if the legal aid clinics were not housed in the same premises with the crown prosecutors and with the court-rooms.

MR. LANE – I don't wish to appear to be flip, but the problem that you raise is exactly one that the MacPherson report raised, that that was the past practice, that too many of these local clinics were in government buildings. And if I can refer to . . . Oh, it's not numbered. I gather it's the second page of the report:

> I visited 11 of the offices. Almost all are in commercial office buildings, which are a far cry from the unused store in a working class district anticipated by the Carter committee. More are being moved into government buildings or into surplus government-leased space. Whereas many of these premised have advantages of comfort and convenience, they are not, in the opinion of many of the legal aid lawyers, in the tradition of those who serve the poor. Furthermore, such accommodation gives the office an appearance of being part of the government, prejudicial to the independence, which the lawyers

profess to enjoy.

I agree with them. There will be more on independence later. The North Battleford office is appropriately in a remodelled house near the centre of town.

So I suggest to the Leader of the Opposition that the concern and perhaps criticism that he has is what has developed under the existing plan.

I happen to agree with the recommendations of the MacPherson report that we should try and in fact get them away from the government buildings if at all possible. I think in fairness that one of the reasons that they did tend to move into government buildings in the past was because of funding constraints. I suspect that the general constraints will be with us for some time. Whether the problem will be addressed quickly, I simply cannot comment. I would hope that it is. But I'm sure that the commission will be more than familiar with that concern as expressed in the MacPherson report and will respond to the concern in a positive way to try and alleviate the concern.

So I simply suggest to the hon. member that that is . . . The criticism that you make is the existing situation under the existing legislation. I'm hopeful, in the future, that the problem will be alleviated. I can't give that guarantee, but I hope that it would be, because I share the concern.

MR. BLAKENEY: – Mr. Chairman, and, Mr. Minister, Judge MacPherson, and now the minister, has raised two separate issues, two separate issues. One is whether or not the offices seem to be in proximity with government offices. The other is whether or not they are store-front offices, or offices in office buildings, which may be well appointed. Those are two quite separate questions. I think almost everyone can agree that it is undesirable to have the legal aid offices cheek-by-jowl with other government offices in the same building, and appearing to be government offices.

With respect to the other issue of whether legal aid lawyers should be in store-front offices or in office buildings as other law firms are, you can get an argument when you advance that one. I know that some legal aid lawyers say, "No, we should be down there where the people are in store-front offices." And others say, "No, we should be up in the same office tower that the other lawyers are. The client should feel that he's getting the same class of service from the same type of office."

Well that's a philosophic point. The point I want to make is that as I don't know all the legal aid offices, but I know the one in Prince Albert is away from government offices. I know the one in Regina is away from government offices. My recollection is that the one in Saskatoon is away from government offices. It's in some space leased by the government, but there aren't a whole bunch of government offices around it. The one in North Battleford is away from government offices. I'm running out of personal knowledge of the offices now. I happen to know the ones in the major centres and not the ones in the smaller centres.

I don't, I think, necessarily share the judge's – Judge MacPherson's — view that they should necessarily be store-front. Although I must say that the Regina operation, I think, is a good one; the North Battleford operation is a good one in that regard. It's certainly at least a desirable . . . I don't say it's the only desirable way. I am not suggesting that everything in the past has been as it should be. I am saying that the

suggestion that was put to me was that there was going to be a greater consolidation in the government offices – perhaps a wrong perception. If that is the case, I would invite the minister to resist that to the extent that it is possible, funds permitting, and to have the offices separated from ordinary government offices, whether or not in government-leased spaces is irrelevant so long as they are not in proximity with government offices. Nobody knows how pays the rent; they just know whether or not it's in a government building.

MR. LANE – Well, in my view the real issue is accessibility in terms of location of the offices and the form of the office; in terms of whether they should be well furnished and the same as other law offices to be competitive, I suppose, in perception – if I can use that phrase – I frankly have some doubts. I think the hon. member and I can agree that there are some very prominent counsel that manage to establish some very great names without great lavish offices, and if we realistically look at legal advice, so much of it is based on personal contact, and so much of it is based on the ability to deliver competent legal services. And realistically, I think that will be the determinant in the future, and the others are not arguments that hold much weight with me. I'm very sympathetic to the question as I have indicated earlier, about seemingly separate from government, but I think really the question is accessibility and the competence of the legal advice given, and those are areas that we believe that the direction that we're taking will be improved.

MR. SHILLINGTON: – You'll have to ask the author of that. I want to ask the minister about a comment you made when the MacPherson report was first made public. You indicated your job at receiving the recommendations because you thought that would save you a million dollars.

I wonder if you would mind telling this Assembly how the full implementation of Mr. Justice MacPherson's recommendations would have save this province a million dollars.

MR. LANE – As I very carefully indicated at the time, that the advice that I had from people within the commission, that we could save up to a million dollars, and that is the precise words that I used. I don't recall expressing joy, I can remember expressing joy on April 26, last year, but I don't remember it as it applies to my response to the MacPherson report. That was the advice that I'd given, that with efficiencies . . . I'm frankly not of the opinion that we would do that without some very Draconian measures which I wouldn't endorse. I do believe that there is room for significant administrative improvement, and I believe that the present director of the commission has indicated that during public accounts committee that he was now swayed to a more centralized committee and the advantages that will result there from.

MR. SHILLINGTON: – I have no doubt but what the bureaucracy wants a more centralized administration. That doesn't surprise me at all, because, of course, it is in the nature of a bureaucracy to want a systematized form of control. What you have here is something different.

Mr. Speaker, do I now take it that you admit that that initial reaction was ill-advised, and in fact to implement the MacPherson report from one end to the other would cost this government money?

MR. LANE – Well, I hate to tell the hon. member, but there's an old saying which comes to the fore, and which now is being accepted by the vast majority of people, and

that is, 'There's no free lunch." Certainly, the implementation of the MacPherson report of the implementation of legal program is going to cost the taxpayers a significant amount of money.

When we look at the original proposals that it was originally to cost about $1.93 per capita – that was the Carter report, which would have come to under $2 million – that the way it began to operate . . . Under the Carter recommendations, it's up to triple that, about $6 per capita; $6 million, I happen to believe that a centralized system in this case will in fact save a significant amount of money. I am advised that we should expect some reasonable savings.

In terms of the desire of the bureaucracy to expand itself, I simply caution the hon. member, and state that if one accepts his argument that the bureaucracy will expand itself . . . Remember that right now we basically have – what? – 11 bureaucracies out, all fighting for the same dollar. So I have difficulty with that argument . . . (inaudible interjection) . . . Well, I mean each one is a bureaucracy on its own, and that is the system that you advocate. I simply suggest to you that I do see some potential for administrative savings. We will know in due course.

MR. SHILLINGTON: – One of the problems with legal aid, and one of the primary problems with legal aid is not that there's money to be saved, but that more money should be spent. Mr. Minister, I draw to your attention the absurdity of some legal aid clinics not providing divorces, uncontested divorces. That is just absurd, Mr. Minister. And don't tell me it doesn't happen, because it doesn't, and that was confirmed in public accounts. I can give you a personal example of the kind of situation one finds himself in. I had a client who was on welfare, whose husband was on the big rigs working in the Middle East, and she couldn't get legal aid. Can you imagine the expense of a divorce where a husband resides in the Middle East? But she wasn't eligible for legal aid because it was uncontested; it was just that she couldn't find him.

The problem with legal aid has not been that there's savings to be made, but that more money needs to be put into the system. I think that's virtually all that's wrong with it.

I want to get though, Mr. Minister, to what I think was the central fallacy of Mr. Justice MacPherson's report. He approached, as I would, and with every due respect, because I have a good deal of respect for Mr. Justice MacPherson . . . He approached it from the point of view of wanting to sharpen the quality of legal services provide. Given the nature of his background and training, I would expect that to be his viewpoint. He is one who has lived his life in pursuit of professional excellence. That's a desirable goal. I'm not in any sense admitting that the level of service provided by the legal aid clinics was not satisfactory, but when the system was set up, it wasn't set up with a view that the only goal with excellence of service. The central theme of the legal aid system was that poor people should control their own services and that it would be separate and apart from government, and you have violated both of those principal tenets with which it was set up.

The Leader of the Opposition quite eloquently questioned you and incisively questioned you on the extent to which you will now be merging defence and prosecution. Hey are both going to be agents of the Crown. But equally as serious, Mr. Minister, is the loss of local autonomy. It should be a local community's decision. If there isn't enough money to do everything – and there's never been too much money – but if there isn't enough money to do everything, then the local community should decide and those involved with poor people in the community should decide. Do you

want to cut out uncontested divorces? Do you want to cut out defence of impaired driving cases? That should be their decision.

Should resources be put into a project like use of police dogs? Because that takes time, and if somebody puts time into that, it's time away from uncontested divorces or whatever else it is. But that should be a local community's decision, and heretofore it has been. I think have lost something very valuable. I think we will into again have legal aid clinic which is in the forefront of fight to change the use of police dogs in a community, I don't want to get into that dispute for the moment, although I do question the use of dogs for arresting. But that's not the issue. The issue is the right of poor people in a community to sue those resources in the fashion in which they want. You cannot ever convince me, Mr. Minister, that a legal aid clinic will ever do that again. When they don't have local autonomy, you can't ever convince me that a legal aid clinic will again take up the fight for more responsible use of police dogs. That's the kind of thing we'll lose when a clinic doesn't make the decision as to how it controls its resources.

I know the bureaucratic process as well as you do. The process now is the local group will have to ask for permission to get into this new area. The matter would be considered. It will not thought to be in the best interests of law enforcement, and it just won't happen. They just won't have the time to do it, because that won't be a priority. So I say to you, Mr. Minister, that you have thrown to the winds, you have thrown away, an important element; that's local autonomy. It is an element that local people and corporate organizations valued. They said so, and it has been sacrificed to the needs of a bureaucracy for amore efficient and more understandable lines of control. I say that the passion of the bureaucracy for neatness should not have been given priority over the desire of local poor people's organizations to control their own destiny and to decide whether they want their resources used on the police-dog fight or contested divorces.

MR. LANE – Well, I'm not sure whether the minister, or the member, isn't trying to get a debate going on the question of police dogs, because the argument is less than accurate for the most, and then secondly, inconsistent. I have difficulty with the existing legal aid system that in fact in some cases doesn't handle uncontested divorces for people that need and should have the service. At the same time, another local legal aid clinic is carrying on tax advising and giving income tax advice. Surely we're far better off with a centralized system that is going to make sure that there's an adequacy of services across the province.

I suggest to you that your own argument is a very strong one in favour of a centralized system. Secondly, when we talk about an uncontested divorce for someone in the Middle East and the cost, I don't want to get into an argument or a lecture as to whether the individual is eligible to get a divorce within the country. I suspect that certainly after a five-year time passage that she would, if for no other reason . . . and I suspect that the time may be less than that. So she would be. So I don't see the question of cost being an abnormal one. Well, there's provision for service as well that the courts can deal with. But far be it from us to get into a debate as to that particular matter. The person here, if she was ineligible for legal aid, there perhaps is other reasons.

Secondly, the question of whether some clinic should pick and choose which type of service . . . I happen to believe that there are some basic services that should be available across the province. I would be against autonomous local boards saying that

these basic services should not be available. So there are some advantages on your own argument for a centralized service.

On the question of excellence of service and the question of control, you, I believe, made the statement that the MacPherson report has chosen the issue of excellence of service as opposed to the issue over local control. It strikes me that in any profession, the excellence of service should be the prime objective. That it means nothing to the people using the legal aid plan that they are talking less than adequate service in order to have their own control – I don't think that's a proper approach to take, and you and I disagree on this. I happen to believe that the legal aid plan should, as much as possible, supply the best legal advice to those using the plan. And if it means a sacrifice of local control to do that as you indicate that there are two different positions, then I'm quite prepared to accept that, quite prepared to put that as priority. I agree with the MacPherson report in that area.

The final point I'd like to respond on is the question of more money, and in that area you and I probably are not very far apart. And there's little doubt that the legal aid plan will have to have the funds, and will need the funds to supply reasonable services to those needing it. I think there's a greater problem that goes beyond the legal aid, and that is the supply of legal services to the middle class. And legal advice in many classes is pricing itself out of their ability to pay and use the services. That's another argument. I've made it quite clear that I would hope that the legal profession itself would show some initiative in terms of legal insurance, the ability to buy legal insurance, making it available to the public at reasonable cost. We can debate that area and I would venture to guess that we may find common ground. I happen to be very supportive of the legal insurance concept. I hope it becomes more available to the public, to the general public, and I would really hope that the professional association of lawyers across the country will take the initiative in this and respond to a professional association of lawyers across the country will take the initiative in this and respond to a problem, which I believe is becoming a very serious one. So on that latter question of money, we may not be too far apart. Certainly on the other areas we do have a difference of opinions. I happen to believe that the excellence of service . . . that people using legal aid services should be entitled to the best possible advice.

MR. SHILLINGTON: – Well, you're certainly right that you and I disagree about whether or not services shall be uniform throughout the province. Conditions vary, and you and I probably will disagree about the use of police dogs for arrest purposes. I can tell you, Mr. Minister, the only reason that wasn't a lively topic in this Chamber was because I personally reviewed it and decided it probably wasn't a provincial issue. The decision was not taken by your department.

But I think a local community should have the right to decide, "Listen, we got a problem, and we need to deal with it. And if it means we set aside something else to deal with this problem, we have the right to do so." And they did. The difficulty with your homogeneity is that the local people couldn't decide, "We have a problem with police dogs and we've got to deal with." That option isn't open to them now; they have to live with it.

Mr. Minister, I think the local community is in a better position to decide their priorities than you are. I don't see the value of consistency across the provinces, when you are consistently applying services to different conditions. I would be surprised – again to use the example – I would be surprised if police dogs were a problem in Yorkton where the RCMP do the policing. So it's not . . . (inaudible interjection) . . . I don't care whether they're there or not; I couldn't care less. But I'd be surprised if it were a problem in Yorkton where you have the RCMP. But it happens to be a concern of the Regina

community and they should have the right to utilize what resources are available to the to rectify what they believe to be a bad situation and that's what they're doing. So, I say, Mr. Minister, you are applying consistent services to local conditions which vary very markedly.

MR. LANE – I suppose we can continue to debate this. I think the hon. member is mixing up the supply of social services as opposed to the question of legal advice. The hon. member . . . (inaudible interjection) . . . Do you want to adjourn the House while you clean up the spilled drink?

The supply of legal services is the question. If you're talking about the supply of social services, why should one legal aid clinic, as opposed to another, assuming eligibility, decide who can get a divorce and who can't, because they choose the question of, perhaps a zoning matter as opposed to the question of granting a divorce? I frankly think that there are some services that should be supplied across the province and you argue for the supply of the social services; I'm arguing the supply of legal service.

I do call your attention to section 14 of the legislation, which empowers the advisory committee to advise the commission respecting the legal services requirements of the area, so that there is that opportunity for input. Now you may say that that's not adequate – certainly the power is there. I just believe that there are services that we should be supplying across the province and the bill, it is to be hoped, will ensure that.

MR. SHILLINGTON: – Well, I want to disagree with one other assumption which underlies your remarks, and certainly underlay Mr. Justice MacPherson's, and that is that there is something in the existing legal aid system which encourages incompetence. That's putting it too strongly, and I don't want to do injustice. But there was a suggestion in his report, a suggestion in your comments, that the structure, somehow or other, does not encourage and does not provide the best of service. There's nothing in the structure of the legal aid clinics which in any way discourages the top-flight counsel from choosing that as their career path.

If there was a problem with legal aid clinics, it's that the lawyers were overworked consistently, so did not have the time it takes to provide top-flight service. And you and I both know there are some things in life which can be rushed and some things which can't be. And a proper defence of a legal case is one of those things that you sometimes simply can't rush. It just takes time to work through, and when you start to rush it, quality may suffer.

The other thing that . . . Mr. Minister, you're only going to improve the service in two ways. One is to get more senior counsel – and that's a pure factor of salaries. But far more important is to provide more bodies . . . (inaudible) . . . legal aid clinic which encouraged incompetence. They just didn't have enough staff and the salaries which were paid did not attract senior counsel.

So if you're going to solve the problems to which Mr. MacPherson referred – that's easy – just more money, more people, and more senior people. I suggest to you that . . . (inaudible) . . . if there is a problem, that the quality of the legal services provided by legal aid clinic . . . I, for one, am not convinced that the quality provided by the private bar is, on the average, any higher than that provided by the legal aid clinics. But if there is room for improvement it's going to come about by having more senior people and just more people so that they've got time to do the work properly.

MR. LANE – Well, again, I can't agree at all with the hon. member in terms of there are only two ways of improving it. I will give you other ways of improving it. And first of all, you can improve the quality of legal advice by a proper allocation of work, so that experience is developed – and that can be from junior counsel. Secondly, you can, with proper allocation or work, ensure that junior counsel is getting varied legal work so that skills improve. So I suggest to you that in fact there are other ways.

Finally, you can improve the quality of legal services by encouraging some type of specialization once the skills are adequate without, again, the need for more lawyers or without the need for hiring more senior counsel. So I suggest to you that there are other ways and that a centralized system allows us to approach those other ways.

MR. KOSKIE: – Yes, Mr. Chairman. Mr. Minister, I want to come to the question of the centralized control which had been alluded to by my colleague from Regina Centre. I know I have gone through it in estimates in detail, indicating the concern throughout the province in respect to the thrust of the report and the centralization of the control of the legal aid system. I don't want to prolong this long, because I have in fact, I think, documented it. I think I have indicated the concerns of the former dean of the College of Law, Mr. Carter. I've drawn to your attention the representations form the clinics throughout the province. I've draw to your attention the concern of the poor, of the legal students, who were against the thrust of the report – that is the centralization.

I want to, just for the record here, indicate from an article in the Saskatoon *Star-Phoenix* where it says:

> The thrust of the report's recommendation (They're referring to Mr. Justice MacPherson's) is that local autonomy should be taken away from the legal aid clinics in the interests of greater efficiency and possibly greater economy. The latter point is in some doubt, however, since there is also a recommendation that more legal aid work should be directed toward lawyers in private practice. This can hardly be seen as a measure to save money.

What I'm indicating to you . . . In reply today that you said centralized control may have an advantage of economies and savings. The other thing that you said that you wanted something along the lines of some basic services. I ask you: Why wouldn't you in fact look more favourably on the decentralized local autonomy type to encourage or at least set guide-lines within that, if you think that the basic services are so entirely necessary? You seem to hinge your arguments on centralization on the basis of savings or on the basis of basic services, because that's what you have alluded to today. When asked why are you going to the centralized route, you say you had trouble with one of the boards down in Swift Current. It seems to me that there is a voice out there that is indicating that the direction of centralized control is in fact taking it away from the very people who are involved and require the services.

And so I ask you: why are you so overwhelmingly supportive of a total centralized control? Certainly, in the bill itself, I want to say that there can be no other interpretation that in fact what you have done is taken away completely the local autonomy. You have allowed the advisory committees to exist, but totally restricted the input in respect to the local boards. So I ask you: do you not have any further evidence of why this system is better? Because what you are in fact doing is destroying what is a unique legal aid system in Saskatchewan where you had local autonomy and input of local communities.

I know my colleague from Cumberland will in fact be detailing some evidence here of the need for the local autonomy in areas which he represents. And what you have done is go to a very centrally controlled organization of the legal aid. And it seems to me what you will be doing is curtailing it in the direction, as the member from Regina Centre alluded to, toward the legal excellence which I think Mr. Justice MacPherson zeroed in on.

But, beyond that, I want to say that with the local autonomy, local control, they were able to there expand into counselling and legal education much more than I suspect will happen under a very centralized direction of the government. And certainly it seems that the pattern of this government is not consistent. If opposition is raised by the poor in this province, by those who need this service, who want a voice in it, who in fact want to have some decision-making processes in regard to it, then there is no hearing You go forward and march over those with less than a strong voice.

But then when you get into a liquor question, well, then all you say, "Well, we're going to listen to the people." And here we have had organization after organization asking for public inquiry. We've had support, as I have indicated, from the *Leader-Post*, we've had it from the Prince Albert *Herald;* we've had it from the *Star-Phoenix*. All of these papers are indicating that it would be in fact right at least to have a public hearing. So really what I'm asking you, Mr. Minister: can you try to convince this House why you are so hell bent on heading for centralized control? I can see no other merits to it that not undermine the rights of those to which it service – undermine the influence that they would have in the structure of the legal aid.

MR. LANE – Well, I've already the members of the House with an open mind, and I suggest to the hon. member that he simply hasn't been listening to the debate. Let's take a look at the inconsistent argument that the member has just given. First of all, he says that the government should be maintaining in these autonomous local boards because the community should make its own decision; that if it decides people shouldn't get divorces but get tax advice, that that's their decision; that people shouldn't get divorces or have a criminal defence; but that there should be an issue on the use of police dogs, that that should be their decision. That was the argument of the NDP that there should be these local boards. Now he has just said, "Why don't I impose standards and some direction for the local boards, if I were concerned that way?" So that strikes me, on the one hand you saying give them autonomy, and on the on the other hand, take away the autonomy . . . (inaudible interjection) . . .

The problem is . . . The problem that the hon. member has is that he doesn't know which position that he's taking. That's really the question. The hon. member doesn't know whether he's coming or going, and still does not understand what the government is attempting to do. The public understands; the people in this House understand; but the hon., member doesn't.

So, first of all, he's got the inconsistent position that he's already given. Secondly, he then stands up and says that we should be listening to Mr. Carter because he drew up this report, and he's now against us changing it. Well, what did you expect him to say? What did you expect him to say? I noticed that Mr. Carter, Professor Carter, did not stand up when he said, "You shouldn't change my legal aid plan" . . . did not stand up and give an explanation to the people of Saskatchewan why, when he devised the plan he said it was going to cost $1.93 per capita; $1.93 for each man, woman, and child – about $2 million. And five years later, it's already up to better than $6 per capita, or very

close to $6 for every man, woman, and child. He's only out by 300 per cent. I didn't see him respond to it, and I didn't see you respond to it, either. You people stand up and you're going to spend all sorts of money, but when you come into the question of, for more efficient management . . . Let's go to one person.

I suggest to the hon. member, and I know he's now turned away and he's turned his head away because he's not listening. He's not listening. I'm gong to give him a minute to listen. Thank you. No, he's not listening any more. I know you're reading; your lips are moving; you're reading your next question.

I suggest to the hon. member that there is someone who has been fully involved with the development of the legal aid system within Saskatchewan, that has, I believe, been with the legal aid commission since its inception or at least the last five years, and that's the present chairman, Mr. Ian Wilson. He's been vitally involved in the development and the operation of the legal aid plan as it now exist. What did Mr. Wilson say during the public accounts? That he is now, albeit reluctantly, of the view that we should move to a centralized plan.

Now you can't accuse Mr. Wilson of having a bias, and you can't accuse Mr. Wilson of being out to destroy local autonomy, and you can't accuse Mr. Wilson of not having served the legal aid system well in the past. Here's a man that's been vitally involved in the existing legal aid plan Again, you're not listening again.

I'm giving the hon. member the opportunity, and I know the public are going to stand up and go to ask the question, "Didn't he listen to my answer?" So I respond. So you use Professor Carter as your answer. I suggest to you that there is perhaps legitimately a bias and a response from Professor Carter that he does not justify to the public the fact that he was out 300 per cent in cost estimates. We do have someone though who I think, in fairness, has served the legal aid system well, admirably well, who argues that he has now changed his position and we should be going to a centralized system.

You argue on the one hand for local autonomy, and then you come forward and tell me to interfere with local autonomy. So I wish the hon. member would first of all listen, recognize that there were some problems, recognize as well that some people actively involved in the existing legal aid plan are advocating the very changes that we are proposing.

MR. KOSKIE: – Mr. Chairman, I want to draw the attention of the minister that he hedges on the basic reason why he has in fact gone so far to the centralization. The obvious reason is that he has decided that legal aid is going to be controlled by big Mr. Justice, Minister of Justice, and he has completely and totally disregarded all of the evidence and the warnings that have been put out.

I want to say that the future of legal aid . . . (inaudible interjection) . . . I want to go on. If you want to sit there and laugh, go ahead and laugh. But I'm telling you that you have centralized the control of this and taken it out of the control of the local people.

> Every system designed to deliver a service to the poor, be it health care, food and shelter or access to justice, will be tested by those on the fringes of eligibility or the unscrupulous. (It goes on to say) If anything, this drastic reduction in local autonomy should make this proposal to redesign legal aid unacceptable to the government which has, in its first year of office, remained committed to the concept of local autonomy.

Exactly what you have done, when I indicated to you that you place your argument that there has to be basic services and when I indicated to you that you could set some guidelines . . . Of course there's some guide-lines before. We think that it could be controlled totally by local autonomy. And you're saying that because local autonomy didn't give the basic services that you have to do away totally and unequivocally with the concept of local autonomy. And what is worse, not only do you defend what you're doing on the basis of a single man's report, not on Mr. Justice Carter who had several people on his commission. The report by Mr. Justice McClelland – there were several representative people on it. What you have done, Mr. Minister, in the centralization, is that you have gone even beyond what was recommended insofar as the establishment of the commission, beyond what Mr. Justice MacPherson has indicated.

Mr. Justice MacPherson indicated at present the commission has nine members, of whom five are appointed by the provincial government, and one by the Attorney-General of Canada. "My suggestion," (and this is Mr. Justice MacPherson) – "My suggestion is that the government appointment should be in the minority." I ask you: why haven't you at least followed in respect to that recommendation by Mr. Justice MacPherson? Because when you take a look at what you have in the bill, certainly you have total control in the appointment of the majority of the members of the commission, and you can't deny it. Why haven't you at least listened to the representation here that the government members, or appointments, be in the minority?

MR. LANE – Well, again, we can repeat over and over and over again – and I suggest that the hon. member again is not listening – that the question of local autonomous boards, and the relationship of the commission in the past, the separation of responsibility and authority, constitutes a breach in a very basic principle of management. But they were separated under the plan, and I suggest we would probably get a great deal of public support to indicate that lawyers traditionally are not noted for their administrative skills, and perhaps that's why the existing program was developed which does breach a pretty fundamental principle of management, and we've been through that.

I've also again stated in response to the Leader of the Opposition last evening in response to the matter that you've just raised, and on the appointments, so we've been through it already.

MR. KOSKIE: – I'm going to ask you again. Why you rejected Mr. Justice MacPherson's recommendation? That in fact where he says in his recommendation, and I'll read it you again:

> At present the commission has nine members of whom five are appointed by the provincial government, and one by the Attorney-General of Canada. My suggestion is that the government appointment should be in the minority.

Why haven't you at least followed that? You have directed central control into the commission. And at least, so it wouldn't be totally controlled by you, or by the government, Mr. Justice MacPherson has indicated that there should be at least . . . the government appointment should be a minority. Why haven't you followed that?

MR. LANE – Well, I'm going to ask the hon. member to take his shoes and socks off because I'm going to count to 11. Okay? So that's more than you've got on the two hands. Okay. And if you look at section 3 of the legislation . . . Are you listening?

AN HON. MEMBER: — Just go ahead.

MR. LANE – Oh no, as long as he's listening – It usually seeps through when he's listening. Okay.

"Three members appointed by the chairman of the advisory committees at a meeting of the chair." I don't know if they're going to select. The chairman of the advisory committee – local advisory committees.

AN HON. MEMBER: — Appointed by whom?

MR. LANE – Well, they're appointed by Executive Council . . . (inaudible interjection) . . . No, but I indicated to you last night . . . I indicated to you last night that by and large we expect to see reappointments. So I know why you . . . (inaudible interjection) . . . Well, obviously some of the members weren't listening last night . . . (inaudible interjection) . . . so there's three. I don't know who they're going to elect as chairman. Three – three; that's one, two three. Okay. Three members . . . "two members by the law society, nominated for the purpose by the benchers of the law society." So, we're not up to five – five, because three and two is five. Okay.

"One member who is member who is a member of the Law Society of Saskatchewan, appointed by the Attorney-General of Canada" – and I suppose that's where your misreading comes in. You probably read "Saskatchewan" for the world "Canada. " So, now we're up to three and two and one. We're now up to six – six. Six, and that's from the advisory committee, the law society, and the Attorney-General of Canada – not the government there.

"Four members who are not members of the law society, appointed by the Lieutenant-Governor in Council or cabinet." So, now we're up to four government – four government. And one member who is an employee. Now we're up to five –five.

You're not going to convince the public that the local advisory committee are tools of the government. You're not going to convince the public or this Assembly that the government has a majority. You know it as well as I do. So I suggest to the hon. member if you add up one and four, is five; and another one is six; and two more are eight; and three more are 11 — that's both hands and one toe – of which four members are appointed by cabinet and one member appointed by the Minister of Justice.

MR. KOSKIE: – Well, obviously the Minister of Finance is trying to diffuse the situation of central control. He knows very well that in respect to the advisory board, the advisory committee in section 12 goes: "That the Lieutenant-Government in Council may in consultation with the commission appoint advisory committee." So the Lieutenant-Governor appoints the commission.

Secondly, the Lieutenant-Governor in Council appoints and designates who is the chairman, and then he goes back over here after he has picked his chairman, and he says that three members appointed by the chairman of the advisory committee. Now, isn't that acute arrangement of local autonomy, of local autonomy that's the Lane version? Eight out of 11 – he has stacked the card against the poor people of this province. Eight out of 11 – eight out of 11 he has chosen to give central control to this

here new version of legal aid. And obviously what he has done is totally taken control away from the commission. He has turned that completely over the government. And also in respect to the advisory committee, I want to say, members of the House, that Mr. Justice MacPherson recommended in his report the following. He says:

> The boards have a purpose and a function. However, I am not suggesting that they be dissolved. Indeed, only they can dissolve their societies. Most did not seem to understand that the existence of societies does not depend upon the act. They have a continuing existence. If they see their future as I do, they could have an enlarged. Function. They will be advisory boards to legal aid offices. They will continue to be entirely voluntary. The societies will then be similar to all other voluntary organizations which have a social or religious purpose.

I want to say that he, in his report, envisaged the continuing existence of the advisory boards in their capacity. And what the minister has done here is within the act, has dissolved or has totally eliminated the existing advisory board, completely left them out and now has taken it under the act and does the appointment of advisory committee through the Lieutenant-Governor in Council. And so totally what you have done is eliminated the particular recommendation of the MacPherson report as it relates to the commission, and you have totally emasculated any of the provisions and the powers of the advisory as suggested by Mr. Justice MacPherson and there can be no other conclusion: that you have centralized it; you have taken it over; you have totally rejected all the advice and the solicitation for a hearing and public hearing into the direction that it should take. You are hell-bent, as I said before, to centralize it and you have achieved it by controlling the commission with eight out of 11 members, and there can be no contradiction of that fact. I think that the uniqueness of the Saskatchewan experiment has gone down the drain with the right-wing, reactionary, central control government that sits opposite, headed up by the Deputy Premier and by the Minister of Urban Affairs.

MR. YEW: – Well, I'll probably be the most hated colleague in this House, prolonging this session as I am going to. I raised some very fundamental question during my brief debate on this bill, Mr. Minister, regarding northern Saskatchewan. I talked about the remoteness, the isolation, the high unemployment rate, the high, sky-rocketing welfare rate, the high incarceration of native people throughout the province – particularly in northern Saskatchewan. I want to ask you at this point in time, Mr. Minister, would you consider giving the people in the northern areas special status, possibly special consideration?

My colleague discussed and argued about local autonomy. We had a board in La Ronge. We had a board in La Ronge, but my understanding with this bill is that that board now is dissolved and all they've become is an advisory committee, whereby they will have no influence in terms of providing training and education in terms of the provincial and federal judicial system. Now my question to you is: will you or will you not consider giving some special recognition to the very unique problems that we have in northern Saskatchewan, or will you not?

MR. LANE – I would like to advise the hon. member . . . I will let him in on a little secret, as we're trying to improve legal services in the North, that we have approved the placement of a prosecutor in La Ronge, which is the first time that that has happened; and that should bring services to certainly that part of northern Saskatchewan. We're in

the process of looking for an individual for that particular purpose.

I call the hon. member's attention to section 40 of the legislation that we're proposing. Section 40(g), where we specifically made provision for northern Saskatchewan . . . (inaudible interjection) . . .

The hon. member is throwing paper airplanes or elastic bands. I hate to see him lose all his legal office's supplies in one day. However, I gather with the great expansion in the legal work because of the government's new home purchase program and grant program for home construction, that he can afford to waste his paper clips and his rubber bands.

However, I advise the hon. member that clause (g) of section 40, which is geared for northern Saskatchewan, "prescribed procedures for granting legal services to applicants who reside in remote areas of the province." So I believe that that provision will allow the commission to be very sensitive to these special needs of northern Saskatchewan. I believe that we have addressed the very concerns that the hon. member raises, and I believe that this is the proper way to address those concerns.

MR. YEW: – I wonder, Mr. Chairman, if you might just . . . It's pretty broad, you know, when you say that this section 40(g) of the act will recognize the uniqueness of the North and it will be sensitive. That's rather a broad statement in fact. Would you kind of be more specific in that? That clause itself is as well pretty broad. Would you be more specific, please?

MR. LANE – It's difficult to be specific when you're trying to address some particular problems. I suspect that the problems in different parts of northern Saskatchewan will vary from one location to another. I think the hon. member would be unwise to demand specific services that are going to fly across the board because I think that would be unfair to the residents of northern Saskatchewan; that there will be conflicting tensions – there will be conflicting tensions because of mining development; there will be conflicting tensions because of the closure of mines and perhaps the closure of town; we're already going through that situation. I believe that population growth areas will continue to be in specific locations and that the demands in those areas will vary and they will vary from time to time and perhaps from year to year.

So to lock ourselves in, we felt, was very unwise. To give the flexibility to deal with them, as the problems arise from time to time, was the proper way to go, and that is the best I can do. We cannot draw legislation which will respond to every situation and I don't think the hon. member is asking for that. So we did it in broad terms but we specifically made provisions and allowed provision that they did have the flexibility to deal with problems of remote areas, and in that we're primarily thinking of northern Saskatchewan.

MR. YEW: – I took special exception a while ago when you told my colleague, the member for Regina Centre, that there would be no more free lunches served. Well, I just want to say to you, Mr. Minister of Justice, that I don't believe anyone is looking for free lunches in northern Saskatchewan. I don't believe that anyone in this province is looking for free lunches. I think people are seeking ways and means of looking after themselves – way and means of being more and gaining more autonomy, more autonomy from government, more autonomy fro the system that oppresses them.

And I'm talking specifically of native people. I believe that my people, the people of my ethnic background, would like to . . . I see the Minister of Northern Saskatchewan is laughing; I'm not sure whether I hit the wrong note or what. But I'm talking specifically of ethnic people of my nationality. We're not really looking for free lunches. I say unique problems in northern Saskatchewan, because I talk about the high unemployment, the high welfare case-loads, the remoteness, the isolation. There are 28,000 people in northern Saskatchewan, Mr. Minister, approximately 28,000. It was somewhere in the neighbourhood of 30,000-plus, but with the closure of the Beaver Lodge mine in Uranium City, and with the dismantling of DNS itself in La Ronge, many, many people have been forced to move out of the NAD and therefore the population has diminished somewhat. But we still have in the vicinity of 28,000 people.

And I want to state this again – I've stated it before – for the record, there is only one lawyer in that whole top half of the province. When you consider the high unemployment, the high incarceration rate of the people living in the northern administration district, and the remoteness of that area and you talk about one lawyer – there is a definite need to recognize the special, unique conditions of that particular area. And that is why I say, Mr. Minister, that we're not looking for free lunches. Let's attack the economic problems in that particular are. Let's provide the jobs that those people need, and we wouldn't have to be asking for special status, special privileges, special recognition, through this act. We wouldn't need to have special recognition with respect to legal aid system or the legal aid program.

So I really would urge your Minister to talk to his colleagues and to try to influence his colleagues in terms of trying to bring about some meaningful economic development program that will enhance jobs, enhance training and education, job opportunities throughout that northern administration district. People are not looking for hand-outs and free lunches. People want to look after themselves. I don't think anyone in this legislature will dispute that.

There is also, Mr. Minister, the problems of language. Linguistic problems is something I think I've mentioned during one of my debates over this bill. I'll give you an example. Take my dad, who has never had the opportunity to enter a classroom in his life. You take that old-timer, who I don't believe has ever committed any major crime or other, who has never been put behind bars except for maybe drunkenness or other, but you take my old man and you put him in your judicial system, put him in your courts. He'll go inside and be convicted of some crime or other, not once understanding what is happening in that courtroom – not once. That is a real problem and a very major problem, a very fundamental problem, that yourself, your department, and your colleagues ought to understand. That is a major problem. That is why I, at this point in time, have to request for special recognition of the very uniqueness of northern Saskatchewan, the very unique problems that we have.

SOME HON. MEMBERS: — Hear, hear!

MR. YEW: – Because if you can't resolve the high unemployment rate in northern Saskatchewan; if you can't resolve the high welfare rate, the reliance on welfare; if you can't resolve the high incarceration roll that we have in northern Saskatchewan for native people particularly, there's going to be a heck of a lot of social unrest. So, Mr. Minister, I would, at this point – I mentioned it before; I don't want to prolong this debate or the review of this particular bill – but I have at least tried to illustrate for you some of the unique problems that we are faced with in many of the remote communities throughout the North.

MR. LANE – Well, I agree with the hon. member. The better off people are, the less likely they are to need the legal aid plan.

MR. KOSKIE: – Mr. Chairman, Mr. Minister, I have some concerning respect – and I think we can let it go after that – to section 31, and that is the conflict of interest section, where it appears what you are doing is circumventing the canons of ethics of the code of professional conduct as established by the legal profession. What you are, in essence, as I understand it, Mr. Minister, doing is saying that two lawyers with the same employer can in fact be representing on opposite sides.

That's the interpretation that the legal aid advisers that we have, and that's the concern that I have, and I would like just to indicate why you thought it necessary to in effect circumvent the canons in chapter 5 of the code of professional conduct. I could go into the particular section, but I think you're familiar with it. I'd like an explanation in respect to what you are attempting to attain because it seems to us that you are saying in effect that two lawyers, both of whom presumably will be employed by the same employer, the commission, will in fact be other than if you're . . . For instance, two individuals hired by the same firm of course can't act on opposite sides. That is the concern and I'd like your justification in respect to that.

MR. LANE – Obviously, to cover the situation where the lawyer in the Regina clinic may be acting for the wife in a divorce and the lawyer in Saskatoon clinic may be acting for the husband, so that there will not be a conflict when that happens. I hope the hon. member is not arguing that if one party to a dispute need legal aid, that the other party who would normally be eligible should be excluded from getting legal aid. This is designed to allow two eligible people to get legal aid, and that's why the provision's there.

MR. KOSKIE: – I can understand the provision, but in respect to the particular legal canon that I refer to, what you are doing in effect, and I see the problem that you're addressing, Mr. Minister, but certainly in the private practice two lawyers which are employed by the same firm could not in fact act on opposite sides. What I am saying here is that you have the commission being the overall employer, and what you are doing is certainly taking perhaps some kind of a risk in that here are two lawyers – one, as in your example, representing the wife in a divorce case, and the husband requiring it. A lawyer from two different clinics but obviously employed by the same employer. And that was the distinct conflict of interest that they were trying to avoid. I appreciate what you are saying and the problem are trying to get around. But certainly you're a very marked departure from what the code of the legal profession is, and I wonder whether you had any contact with the legal profession when you implemented this provision and whether you had any contact with the legal profession when you implemented this provision and whether you have their endorsation for it.

MR. LANE – Well, there was advice from members of the legal profession on the matter and it's really the only way to deal with the problem.

Clause 2 agreed to.

Clauses 3 to 33 inclusive agreed to.

Clause 34

MR. KOSKIE: – Mr. Chairman, in respect to section 34, Mr. Minister, I just draw your

attention to the privilege of information under section 34. But then I revert back to section 6(1)(g) and there appears to be a conflict in that section 34, you indicate a privilege of information, and in section 6(1)(g) it says:

> provide to the minister any information that he may require on any matter respecting provisions of services pursuant to this act.

And there was some concern in respect whether there was a conflict in respect to what you are trying to attain in 6(1)(g) and the privilege in 34. Perhaps I could have your comments.

MR. LANE – I am advised that it's the same as the existing legislation and one deals with the provision of services, services generally as it provides as opposed providing information on specific files.

Clause 34 agreed to.

Clauses 35 to 44 inclusive agreed to.

The committee agreed to report the bill.

MR. CHAIRMAN: — I'd like to thank the minister and his officials.

Bill No. 98 – An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Northern Municipalities Act

Clause 1

MR. CHAIRMAN: — Will the Minister of Northern Saskatchewan introduce his officials please?

HON. MR. McLEOD: – I've got Ron Hewitt from the Attorney-General's department. Mr. Chairman, I wonder if it would be acceptable . . . Since this was a bill that had been in the non-controversial bills committee and came in because of a couple of small numbering amendments, would it be acceptable if this be agreed to by page rather than by section?

MR. CHAIRMAN: — The minister has asked if it's acceptable to move this by page. Is that agreed by the committee?

MR. YEW: – I don't really have any qualms with that, Mr. Chairman. Initially when I got up to discuss some of the related issues that I felt were important to address, I was primarily concerned about the district planning committees, Mr. Minister. I wonder at this point in time if we might not touch base on what your government's schedule is in terms of designating district planning committees or commissions in the northern administration district as it relates to Bill 58.

Secondly, there is quite a concern, there has been a lot of concern and discussions had about corporate boundaries. The communities have also . . . Local governments throughout the NAD have discussed this and have made special requests, submissions, to establish negotiating committees jointly with your department. Mr. Minister, I wonder if you might want to brief us in on what your agenda is like in those

two areas.

HON. MR. McLEOD: – Yes, Mr. Chairman. Very quickly, The Planning and Development Act, as the hon. member knows, is introduced, but it won't be passed in this session. What's the name of those committees? The planning development committees, anyway, for each community, won't be in place until that bill is passed. But as far as the corporate boundaries – and I know the corporate boundaries establishment is the most important thing that the communities are asking about; I agree with you on that — the schedule will be very shortly after we get out of here. In early July I hope to have these negotiations for corporate boundaries under way. I'm hoping to have it under way in the month of July.

MR. YEW: – Have you got the terms of reference for the establishment of those corporate boundaries? Have you got terms of reference established for the negotiating committee, Mr. Minister?

HON. MR. McLEOD: – We haven't got the committee established. We haven't finally decided on the form in which that committee would take place. I'll give you the assurance that I gave you before that there would be representatives of northern elected people on that, and that we'll be under way. The basic terms of reference will be: go out and negotiate corporate boundaries and let's get them established and get the local autonomous communities under way.

MR. YEW: – Thank you, Mr. Chairman. I wasn't quite . . . I couldn't get the initial response to my other question regarding The Planning and Development Act, Mr. Minister. I wonder if you might want to get back to me on that. I got your question on the corporate boundaries and I accept that. And I hope that we can work something out in terms of having local participation and involvement and consultation in place with the northern communities when you establish corporate boundaries for every one of those communities. But now, with respect to The Planning and Development Act, I didn't quite get the gist of your presentation.

HON. MR. McLEOD: – Well, what I would say is that northern communities shouldn't look forward to district planning commissions being appointed until after the passage of The Planning and Development Act, and that act will not be passed now until fall, and those commissions will be appointed accordingly after that act is passed. So it will be this fall or later that this present summer anyway.

MR. YEW: – In other words we have to first find a new Lieutenant-Governor? . . . (inaudible interjection) . . . Well, I understand that we've got a ceremony scheduled for the 21st of June. However that was my understanding as well that we won't implement Bill 58, or any related material, until such time as those acts are proclaimed.

AN HON. MEMBER: — That's right.

MR. YEW: – I raise those two specific areas because of the fact that resources and the environment are of prime importance, Mr. Minister. We've had little scuffles here and there with various communities, like Pinehouse for an example, and I'm sure that a lot of that could be alleviated as soon as those corporate boundaries, those planning and development districts . . .

MR. CHAIRMAN: — Order, order! I would like to see the member stay on the amendments and on the consequential amendments. You're a little bit off there.

MR. SHILLINGTON: – I want to speak to that point, Mr. Chairman. We're dealing with the consequential amendments which over the entire breadth of the bill, and he was clearly talking with in the subject matter, I thought – within the subject matter of the previous bill. I'd ask, Mr. Chairman, to give us some advice as to what's included, because I thought the member was clearly within the confines of the former bill and this covers the entire length of the former bill.

HON. MR. BERNTSON: – If I could speak to the point raised, quite frankly, I don't care what your ruling is. We can stay here and talk all night about the whole North, if we'd like to. But while you're considering your ruling, I would ask you to consider also, Mr. Chairman, that it was at the request of members opposite that this very bill went to the non-controversial bills committee and, because of a number error in one of the sections, it was sent back to correct that numbering error. So, all of a sudden, something that was non-controversial a week ago is all of a sudden very urgent and compelling. So I would just ask that that be considered while you're considering the ruling, Mr. Chairman.

MR. CHAIRMAN: — The member has been talking about Bill 58, which has already been passed. An Act respecting Local Government in Northern Saskatchewan, and therefore I would like to ask him to stay on the consequential amendments.

MR. YEW: – Okay, Mr. Minister, I just want to pass on a word of caution at this point in time in terms of the former policy within your party, within your government. I take into account the dismantling of DNS. That whole process – and I'm sure you will agree with me, Mr. Minister – the whole process was an expediently as possible done by your administration. The dismantling process was done as expediently as possible done by your administration, by your government. It was like deflating a balloon. You know, the wind just escaped all of a sudden without any notice.

The Mistasinhk Place in La Ronge – that is the name of the provincial government building, and I happen to live not too far away from it. My office is on the south side of that same provincial government building. I raised several calls; walked into the building several times. It was like a tombstone once your administration took over. People could not talk; they were afraid, and I didn't blame them. They had children to support; they had families to support; they had jobs there.

I want to use that as an example as it relates to the northern administration district, as it relates to this act. I hope this time around when we get to talk about the corporate boundaries for every one of those 34 northern communities that we'll go in there with an open mind, with a spirit of co-operation, and have those people at the community level involved. Let them have some participation, let them have some decision-making. Let them be involved in the process of setting up those corporate boundaries. We talk about forest; we talk about mineral rights; we talk about tourism; we talk about the non-renewables and renewable resources potentials. And definitely, Mr. Minister, anything that happens within your backyard – any development, any oil exploration, any mineral development, any forestry development as it relates to your own backyard — you want to have an input into that development. You want to make sure that people in that particular district have

a benefit, have some benefits out of that resource extracted from your own backyard.

I want to caution you, Mr. Minister, that when it comes to the establishment of the district planning committee, people in the community level ought to be involved. Am I right? Do you feel that district planning committees ought to be set up, or are you against the establishment of district planning committees for northern Saskatchewan?

HON. MR. McLEOD: – Mr. Chairman, the whole question of district planning committees was dealt with in The Planning and Development Act, which I think is called No. 107. This bill right here is No. 98 – 9, 8. Certainly I agree with the establishment of district planning commissions, because it's my colleague whom I have a great deal of confidence in, my colleague from Saskatoon Sutherland, who's introducing the bill. I'll be voting for that bill; I'll be hoping that you will be as well.

MR. YEW: – There's quite a bit of noise on both sides of the House. I commend my colleagues in a lot of their debates, but sometimes they . . . I'll have to say they're . . . There's a little too much noise in the House. Anyway, did I understand correctly, Mr. Minister, that you will in fact . . . When you establish district planning commission, you will have representation in those commissions consisting of northern native people, or northern people in general?

HON. MR. McLEOD: – Well, my understanding of the district planning commission, and I admit that I don't have a real handle on where it goes, but my understanding of those commissions and the ideas of them will be that they are established by locally elected people in communities. That's in the North; that's in the South; that's in the rural municipalities – that's the idea of them. That's the autonomy and responsibility we're talking about. So northern people will certainly be on them, because northern people will be establishing them.

MR. CHAIRMAN: — I'd like to remind the members they're questioning about the position about . . . talking about the bill. It's on page 102 in parliamentary *Beauchesne's*. It says in paragraph No. 315(1):

> It is a wholesome restraint upon Members that they cannot revive a debate already concluded; and it would little use in preventing the same question from being offered twice in the same session if, without being offered, its merits might be discussed again and again.

AN HON. MEMBER: — But the debate wasn't concluded.

MR. CHAIRMAN: — On Bill 58 it was. These are just amendments that are referring to it. These are just amendments, and different sections are being put in there.

Page 1 agreed to.

Pages 2 and 3 agreed to.

Page 4

Clause 26 as amended agreed to.

Page 4 as amended agreed to.

Page 5 agreed to.

Page 6

Clause 33 as amended agreed to.

Page 6 agreed to.

Page 7

Clause 35 as amended agreed to.

Page 7 as amended agreed to.

Page 8 agreed to.

Page 9

Clause 49 agreed to.

Page 9 as amended agreed to.

Page 10

Clause 54 as amended agreed to.

Clause 57 as amended agreed to.

Page 10 as amended agreed to.

Page 13

Clause 68 as amended agreed to.

Page 13 agreed to.

Page 14 agreed to.

Page 15

Clause 79 agreed to.

Page 15 as amended agreed to.

Page 16

Clause 83 as amended agreed to.

Page 16 as amended agreed to.

Page 17 agreed to.

Clause 87

MR. YEW: – Well, I just want to take this bit of time to thank the minister and his officials.

I don't think that there is very much here to dispute really when it comes right down to it. It's mainly a housekeeping type of bill, but I simply want to state that I tried my best to try to outline to you some of the issues that were of prime concern throughout the North, and I'm sure that the minister will agree with many of the points that I've raised with respect to local participation, to local consultation, to local involvement and local autonomy in terms of local government. I would hope that the minister takes into account those serious suggestions that I've made.

I meant it when I said that the North and myself and your department, I hope, will work in a spirit of co-operation in setting up – once the bills are proclaimed – in setting up those corporate boundaries and those district planning commission in northern Saskatchewan so that there can be some autonomy and some meaningful local government for residents in the northern administration district. So with that, I thank you, Mr. Minister, and, Mr. Chairman.

HON. MR. McLEOD: – I just say to the hon. member, yes, I agree with him that the co-operation will continue, and the hon. member knows how well received this Minister of Northern Saskatchewan is in Northern Saskatchewan.

Clause 87 agreed to.

The committee agreed to report the bill as amended.

Bill No. 101 – An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Vehicles Act, 1983

Clause 1

MR. CHAIRMAN: — Would the minister of Highways introduce the officials, please?

MR. GARNER: — Ron Hewitt from the Attorney-General's office, and Bill McLaren from the Department of Highways and Transportation.

MR. SHILLINGTON: – Mr. Minister, I want to raise something that may have been raised before in this legislature. It has to do with the concern of the medical profession with respect to blood samples. This was trumpeted by the minister opposite as the best thing for safety in Saskatchewan since the invention of four wheels on a vehicle. And now it is somewhat emasculated because the doctors feel --and they have been so advised by their own profession – that they may liable if they take a sample without consent. I ask you, Mr. Minister, to allay the concern – introduce a House amendment which will clearly, clearly protect them from any suit. It's very simple to do. It ask the minister to admit that the bill was not perfect and that it could be further improved by an amendment which will protect the medical profession.

MR. GARNER: — Mr. Chairman, I'll go through this very quickly and very briefly. I have correspondence dated June 15, 1983 from the Saskatchewan Medical Association. I will read part of that to you. I would like to explain this to you.

> Mr. Garner, I would like to explain that we are not speaking against the

> objective of the legislation to deal with impaired driving. We desperately want clarification about the strategy provides in the act to achieve its goals.

They talk in there about a bit of confusion that has arisen and some of the media that's come about from this. They have requested a face-to-face meeting with myself and department officials. We are going to have that meeting, Mr. Chairman, at a very early date. This bill will not receive proclamation until September 1. Very hopefully we can cast aside any fears or concerns that SMA has regarding this.

MR. SHILLINGTON: – Mr. Minister, I present you a golden opportunity to speed up the lethargic process in this government and allay the concern right now. It's not hard to do; it's not hard to do. And if it turns out, Mr. Minister, that their concern is valid, then you aren't going to be able to proclaim the bill until this legislature reconvenes, and we will have vehicles act number three. So I ask you, Mr. Minister, why don't you clean up the bill here and now? Let the legislature do its job; let the doctors do their job.

MR. GARNER: — Mr. Chairman, I believe the bill is workable; I believe it is clean enough. I have the greatest deal of faith in the advice that I have received from the Attorney-General's office and from the department. Dealing with Bill 101, it's quite obvious, Mr. Chairman, that we have disagreement between the member opposite and the members on the government side.

MR. SHILLINGTON: – I want to remind the minister that there's other people have spoken. I refer you to Gerald Allbright, and I think you colleagues from the legal profession will admit that Gerald Allbright enjoys some respect as a criminal lawyer. He advised doctors . . . I'm quoting from the *Star-Phoenix* June 11, '83:

> Gerald Allbright and Mark Brayford will advise doctors who are clients not to take mandatory blood, because they could be charged with criminal or civil assault.

Mr. Minister, I have ever respect for your ability as a criminal lawyer and I'm not quarrelling with your interpretation of the law, but if someone of Gerald Allbright's stature is concerned about it, then the member from Regina Centre is concerned about it So I ask you, Mr. Minister: why don't you admit that anything devised by a human being is capable of some imperfection and some frailty? Clean it up. It can be done simply. The amendment is easy to draft. Do it simply: clean it up and let's go home, and you could implement this legislation and get on with enhancing traffic safety in Saskatchewan.

MR. GARNER: — Mr. Chairman, I will admit to having brought forth to the Legislative Assembly of Saskatchewan a very good bill – I believe a very workable bill – with the advice that has been given to me. We have a basic difference between the NDP opposition and the government on this side of the House. I am not going to get into any arguments or debates with the members opposite. We did receive a great deal of input from the people of Saskatchewan. I have stated previously we are going to have another meeting with the medical profession in the province of Saskatchewan. I believe, as a government, we have accepted the responsibility, we are acting on the mandate that was given to us, and we are listening to what the people of Saskatchewan want.

MR. BLAKENEY: – I want to make a comment or two, since the minister is

confused. We on this side of the House support the bill, support the idea of blood tests, and have said so on numerous occasions and voted for the bill. We, however, are aware of the difficulty which portions of the bill seem to suggest to us. We suggest that the minister might refer that particular provision of the bill to the courts for a decision. He said that he would decline to do that. He was confident that the bill was lawful in all respects.

We now have Mr. Gerald Allbright, the past president of the Law Society of Saskatchewan, saying that he will advise any doctor clients not to comply with the bill. I do not know whether Mr. Allbright is right; I do not know whether the minister's advisers are right. I do suggest that this raises a reasonable apprehension that there is a problem. We are again asking the minister to take all steps to ascertain the nature of this problem as soon as possible. We are again asking that he refer the particular bill – the particular section only and we're dealing with only one section – to the courts so that we may have this matter dealt with as soon as possible.

We don't want to pursue the matter. We have heard the minister often enough say that somehow the opposition doesn't agree with his bill. He obviously has not checked the record, since we voted for it on second reading and that's a clue – we support. And we supported the main bill on third reading and that's another clue — we support the bill.

We do have this difficulty with the individual clause. The minister pooh-poohed it as having no substance. We now have, as I say, a past president of the Law Society of Saskatchewan saying that he believes that our view of it is sound. He, of course, could be wrong; but at least it raises the suggestion that the minister ought to check his advice. I'm sure he has done so, but I would ask that if he . . . Even after the bill is proclaimed, Mr. Minister, and even if it's in effect, you can commence the proceeding so that the issue is brought to the fore as rapidly as possible. Even if the doctors change their position and begin to take blood samples, I will predict that it will be challenged by some citizen and it is going to go to the courts. You may as well get it there as fast as possible so that all citizens will now, as rapidly as possible, what their legal position is.

That is not an unreasonable position in the face of what is certainly a doubtful legal provision as indicated by the advice which a leading criminal lawyer in the province is tendering to his clients. Well, my question then again is: even though you propose to proceed with the bill and proceed with it and have it proclaimed after having consulted with the medical profession, which bill we agree with, will you now consider referring that provision to the court of appeal pursuant to The Constitutional Questions Act so as to get clear for all of us whether or not that particular provision is within the legislative competence of the government and the legislature of Saskatchewan?

MR. GARNER: — Mr. Chairman, I thank the member opposite for his input and thought and concern about this. The Attorney-General has suggested to the federal government that they should accept their responsibility and amend the Criminal Code. Very hopefully, that can maybe be done before September 1, but as I had stated earlier. I am going on what I believe is very common sense and very good advice from the legal staff from within the government departments that we have suggested and requested that information from. We are still looking at proclamation for September 1, and just maybe by then the federal government will accept their responsibility and amend the Criminal Code.

MR. CHAIRMAN: — Just one moment. I'd like to remind him, as I said before, this is on

the consequential amendments. The other bill has already been gone through. The question is not relevant to the clause or principle of Bill 101 which is before the committee. Therefore, any comments towards the other bill is out of order.

MR. BLAKENEY: – I speak to the consequential amendments, Mr. Chairman, and point out, based upon the minister's remarks, that if we're talking about amending the Criminal Code to improve the position, there are obviously legal problems or we wouldn't be talking about amending the Criminal Code to improve the position. There are obviously legal problems or we wouldn't be talking about amending the Criminal Code. Accordingly, I suggest to the minister – and I'll put it no farther than that, and I'll stop after I sit down – I suggest that you consider the possibility of a constitutional reference, because I suspect that this matter is going to find its way to the court of appeal reasonably promptly in any case. I think we would all agree the sooner the better.

MR. GARNER: — Mr. Chairman, just to wrap this up very, very quickly, we believe that, as I stated previously, we have requested and obtained the information needed. I don't believe any law or any statute, whether they be federal or provincial, are 100 per cent sure. We believe we're on safe ground. We are accepting the responsibility of the problem with the drinking driver in Saskatchewan. That's why we are going to be moving ahead.

MR. SHILLINGTON: – I speak to the consequential amendments in urging another one upon you. Mr. Minister, we referred to Mr. Allbright, who enjoys respect in Saskatchewan as a criminal lawyer I want to refer to someone who enjoys national respect as a criminal lawyer, and that's Serge Kujawa.

AN HON. MEMBER: — Associate deputy minister.

MR. SHILLINGTON: – Yeah, he's employed and he draws his pay-cheque from this government as well. I want to read you what Mr. Kujawa had to say. *Leader-Post*, June 10:

> Serge Kujawa, associate deputy justice minister, said the Criminal code section stating no person is required to give a bodily fluid sample other than breath applies to Criminal Code prosecutions only. However, he agreed the section likely will be used to challenge the provincial law's constitutionality.

If it going to come anyway, why not get it over with as soon as possible, Mr. Minister?

MR. GARNER: — Mr. Chairman, I'm not going to be drawn into any prolonged debate on this. It's quite obvious the members opposite have a different viewpoint that the Government of Saskatchewan; that's their prerogative; that's their choice. That's the difference between them and us.

MR. CHAIRMAN: — I'd just like to mention again that that part with respect to the alcohol, that has already been done in the bill and any further comments should stay to consequential amendments, to the amendments itself.

Clause 1 agreed to.

Clause 2

MR. CHAIRMAN: — There's an amendment to item 2:

> Amend section 2 of the printed bill: (a) by striking out '(d)' in the first line and the second line of clause 2(a) and in each case substituting '(g)'; and (b) striking out subsection (25).

Amendment agreed to.

Clause 2 as amended agreed to.

Clauses 3 to 5 inclusive agreed to.

Clause 6

MR. CHAIRMAN: — There's an amendment to 6:

> Amend section 6 of the printed Bill:
>
> by adding in (7) after 'Vehicles Act, 1983' in clause 3(b).

Amendment agreed to.

Clause 6 as amended agreed to.

Clauses 7 to 9 inclusive agreed to.

The committee agreed to report the bill as amended.

MR. CHAIRMAN: — I'd like to thank the minister and his officials.

THIRD READINGS

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

MR. LANE – I move the amendments be read the first and second time.

Motion agreed to.

MR. SANDBERG: – With leave now, Mr. Speaker, I move this bill be now read a third time.

Motion agreed to and bill read a third time.

Bill No. 108 – An Act to amend The Condominium Property Act

MR. LANE – I move this bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

Bill No 96 – An Act respecting the Provision of Legal Services to Certain Persons in Saskatchewan

MR. LANE – I move that the bill be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

Bill No. 98 – An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Northern Municipalities Act

HON. MR. McLEOD: – Mr. Deputy Speaker, I move the amendments be now read a first and second time.

Motion agreed to.

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

Motion agreed to and bill read a third time.

Bill No. 101 – An Act respecting the Consequential Amendments to Certain Acts resulting form the enactment of The Vehicles Act, 1983

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

Motion agreed to.

MR. GARNER: — Mr. Speaker, with leave, I ask that this bill, as amended, be now read a third time and passed under its title.

Motion agreed to and bill read a third time.

MOTION

House adjournment

HON. MR. BERNTSON: – Mr. Speaker, just a few brief remarks before I ask for leave to put this motion. Mr. Speaker, I don't want to run the risk of inspiring a filibuster here, so just a couple of short comments about the last year. I understand that today is the first anniversary of the first day that this particular government sat in this legislature as a government.

SOME HON. MEMBERS: — Hear, hear!

HON. MR. BERNTSON: – So in the last year, Mr. Speaker, we've sat in this legislature a total of 111 days. We have passed, Mr. Speaker, 160 pieces of legislation, and in addition, most of those I might add, Mr. Speaker, or a great number of those pieces of legislation were brought in to repeal some very complex legislation brought in by the previous administration., In addition, Mr. Speaker, the private members of this Assembly have brought in seven private bills that have passed in this House. We, quite frankly, I think are rightly proud of the legislation we've brought in, in response to the people we represent out there in beautiful Saskatchewan.

I cold talk for some time about how effective the opposition has been. But rather than

talk about how effective the opposition has been, I'll just leave it to the people to make their own choice on that. With leave of the Assembly, Mr. Speaker, I move, seconded by the member for Shaunavon:

> That when this Assembly do adjourn at the end of the sitting day on which this motion is adopted, it shall stand adjourned to a date set by Mr. Speaker, under the request of the government, and that Mr. Speaker shall give each member seven clear days of notice, if possible, by wire and registered mail of such a date.

MR. LINGENFELTER: – Yes, Mr. Deputy Speaker. I was going to get up and speak before the motion was introduced, like the House Leader, but I thought I would wait until the motion was introduced. I agree that we have covered a large number of bills in the past year, 160 to be exact, and I think that's a little surprising. When you have a government that was elected on doing away with red tape and regulations, to have this many more foisted onto the people of Saskatchewan I think is surprising and a little unusual. For a government that believes in and tried to convince people that they would have, less government, to pass 160 bills in one year is a little surprising.

We also have a couple of new crown corporations in the past year, but what's concerning us now, Mr. Deputy Speaker, is the fact that the crown corporations committee, an arm of this legislature, is still dealing with annual reports from 1981. I say, because of the lack of commitment by this government to deal with crown corporations, that committee is becoming completely ineffectual, and I would hope that in the future this government would use the committees of the legislature, including crown corporations, more meaningful, because I think that now that we are behind two years in crown corporations, this becomes very difficult for the people of the province to find out what is going on in the crown corporations. I say that it will lead to the kind of mess that we have in Ottawa where we have crown corporations like Canadair which has lost $1.4 billion. This is the kind of thing that you will see in Crown corporations in the days to come.

In closing, Mr. Deputy Speaker, I would like to say that in the one year which we have been here and passed the 160 bills, I think that the government has a long way to go in learning the roles of committees of the legislature, as well as the House, in bringing bills forward, and we will see whether, after the adjournment, we will do a better job of that.

Motion agreed to.

ROYAL ASSENT TO BILLS

At 5:48 p.m. His Honour the Lieutenant-Governor entered the Chamber, took his seat upon the throne and gave Royal Assent to the following bills:

Bill No. 102 – An Act respecting the Consequential Amendments resulting from the enactment of The Public Trustee Act and to repeal The Administration of Estates of Mentally Disordered Person Act

Bill No. 82 – An Act to amend The Department of the Environment Act

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

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

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

Bill No. 97 – An Act to amend The Pest Control Act

Bill No. 103 – An Act to establish the Office of the Public Trustee

Bill No. 104 – An Act to amend The Trade Union Act

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

Bill No. 96 – An Act respecting the Provisions of Legal Services to Certain Person in Saskatchewan

Bill No. 98 – An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Northern Municipalities Act

Bill No. 101 – An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Vehicles Act, 1983

Bill No. 108 – An Act to amend The Condominium Property Act

His Honour retired from the Chamber at 5:50 p.m.

The Assembly adjourned at 5:51 p.m.