

The Assembly met at 10 a.m.

Prayers

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

Mr. Lingenfelter: — Thank you very much, Mr. Speaker. It's my pleasure and privilege to introduce through you and to you, and to members of this Assembly, a group of 30 single parent women who are involved in a special training program in Regina sponsored by ATIRA, a training program here in the city that many of you will know about.

These people are here to watch question period, and I'll be meeting with them in room 255 after question period. I'd like all members to join with me in welcoming them here today.

Hon. Members: Hear, hear!

Hon. Mr. Andrew: — Thank you, Mr. Speaker. I'd like to welcome to the Assembly a group of 23 students from the great and wonderful town of Kindersley, the centre of west central Saskatchewan, a very progressive and dynamic community. The 23 students are . . .

An Hon. Member: — The baseball capital of the world.

Hon. Mr. Andrew: — Yes, the baseball capital of the world as well. These students are in town for a couple of days. They're spending this morning in the legislature. With them is their teacher Dave Burkell, along with their chaperons Mary Edgerton and Jim Baker.

We would welcome you to the city, and I hope you have a pleasant time here and a very good trip home.

Hon. Members: Hear, hear!

Mr. Prebble: — Thank you, Mr. Speaker. Mr. Speaker, it's my pleasure to introduce to you, and to all member of the House, 17 grade 8 and 9 students from Sion High School in Saskatoon, seated in your gallery, Mr. Speaker. These are junior and senior vocational students, and they're accompanied by four of their teachers, Lana Bauer, Kurt Breker, Ramona Taylor, and Jill Staffen.

Mr. Speaker, I'm sure that all members of the House will want to join with me in welcoming these students. We hope that they enjoy their visit here in Regina, their visit to this legislature. I'll be meeting with them in Room 10 at 11 o'clock to discuss the events here in question period this morning, Mr. Speaker, and I ask all members to join with me in welcoming them here to this legislature.

Hon. Members: Hear, hear!

Ms. Simard: — Thank you, Mr. Speaker. Mr. Speaker, I would like to introduce to you, and to the other members of the gallery, a group of dental therapists who are sitting in the gallery behind me, facing the government.

And, Mr. Speaker, this Assembly will remember that one

year ago today these dental therapists were summarily dismissed from their jobs. The people of Saskatchewan, however, continue to appreciate the fine job they did in looking after the dental care of our children.

I would like to ask the Assembly to greet them in the usual manner.

Hon. Members: Hear, hear!

Mr. Martens: — Thank you, Mr. Speaker. I want to, on behalf of my neighbour to the west of me, the member for Maple Creek, introduce some students from Tompkins who are in the Speaker's gallery today. They are grades 8 and 9 students and they are here together with their teacher Phyllis Stolz, and Donna Wickstrom is the chaperon. And I want them to feel comfortable here and I'll be meeting with them later on to take them to the member from Maple Creek's office, and we'll be discussing various kinds of things at that time.

These are unique students because they're academically talented, and I think that that's going to be a really important meeting with them, and I'm looking forward to doing that. And so I would like the Assembly to join with me in welcoming them here today.

Hon. Members: Hear, hear!

Mr. Lingenfelter: — Mr. Speaker, it's my pleasure to introduce to you a special person from the Elphinstone constituency, Ms. Julie Shepherd, who is here today to discuss health care issues with the members of the opposition. Many of you will remember Julie's problem and her family's problem back in April. She's here once again to discuss the issue with members of the opposition. And I would ask all members of the Assembly, Mr. Speaker, to join with me in welcoming Julie here today.

Hon. Members: Hear, hear!

Mr. Muirhead: — Thank you, Mr. Speaker, it is with great pleasure to introduce to you, and to all members of the Assembly, two students from Spain and Norway. They are sitting in the Speaker's gallery. I would like to introduce them individually. Firstly, we have from Spain, Ana Lozano Serrano. She is staying with Glenn and Evelyn McVeigh from Kenaston. And she notes on her comments that she left at the door, I'd like to just read that, Mr. Speaker:

I'm an exchange student from Spain. I've been here for the whole school term of 1987-88. I'm staying with the McVeigh's from Kenaston, and I'm very glad I came to Canada. I'm having wonderful experiences I'll never forget.

Ana, would you please stand and just remain standing. I see they already are.

Hon. Members: Hear, hear!

Mr. Muirhead: — Secondly, Mr. Speaker, from Norway, Solvi Aasheim, and she notes:

I'm here for the school term and I'm here as an exchange student. I'm staying with Elaine and David Pedersen (from Hawarden). I'm going back to Norway pretty quick, and I've liked it here a lot!

Mr. Speaker, David Pedersen is the son of Martin Pedersen who used to be the member from Arm River and also leader of the Progressive Conservative Party. I would at this time like to thank the McVeigh's and the Pedersen's for participating in the exchange student program, and I'd ask all members to join with me in welcoming the students here and the exchange persons looking after them.

Thank you, Mr. Speaker.

Hon. Members: Hear, hear!

Mr. Tchorzewski: — Thank you, Mr. Speaker. On behalf of the member for Rosemont, I would like to also introduce some students. They are 22 grade 8 students from Rosemont School, who are seated in the east gallery, and their teachers and chaperons. And I want to, on behalf of the member from Rosemont and the members here, to extend to them our wishes for a very interesting and educational visit.

May they enjoy their visit here and go away being a little more appreciative of what the legislature is all about and what their government is all about, and maybe even some incentive to get involved some day when they reach the age in which they too can play a role, hopefully, in this Assembly.

I invite the members to join us in extending a warm welcome to these students.

Hon. Members: Hear, hear!

ORAL QUESTIONS

Utilization of Dental Plan

Ms. Simard: — Thank you, Mr. Speaker. In the absence of the Minister of Health, Mr. Speaker, I'll direct my question to the Premier. Mr. Premier, Saturday marks the one-year anniversary of the date your privatized and decimated the children's school-based dental program. That is indeed a day that parents and children across Saskatchewan will not forget. Mr. Premier, can you tell us today: what was the utilization rate of your dental plan, such as it was, during the past year?

Some Hon. Members: Hear, hear!

Mr. Speaker: — Order. I would like to remind our guests in the galleries that they're asked not to participate in any way in the debate in the House.

Order. Order. All hon. members realize that those are long-standing rules and traditions of this House, and we simply ask all our guests to respect them, and I'm sure they will.

Hon. Mr. Devine: — Thank you, Mr. Speaker. I can report to the hon. member that there are 322 communities now

within a 50-kilometre radius of the new dental program, and 97 per cent of the dentists licensed in Saskatchewan are participating in the children's dental program. I can also say to the hon. member that satellite locations offer service now 52 times a year, whereas under the previous situation, Mr. Speaker, it averaged about two visits per year.

We now know, Mr. Speaker, that 79 rural towns have dental services, and there are negotiations going on with other communities at the present time for more services, Mr. Speaker. And I can also add that as a result of the 322 communities having access to the program, we find not only children who have access but indeed seniors, the entire population, the parents, and everybody can have access to dental services throughout Saskatchewan, in the towns and villages, as well as people that are in the schools here across the province.

Ms. Simard: — New question, Mr. Speaker. Mr. Premier, my question was with respect to the utilization and what the utilization rate is. I believe you didn't answer the question because you know that enrolment is down. Not only have you cut down on the children that are covered by the plan, enrolment is down and utilization is down on that enrolment figure.

Now Mr. Minister . . . Mr. Premier, there were 338 rural communities that had school-based children's dental program implemented in them — 338 rural communities. My understanding is, is there's 71 satellite communities with part-time dental clinics; you say it's 79 today. I've just been advised this morning as well that six communities have lost their participating dentists since last October.

Now you've had a year to prove, Mr. Premier, to the people of Saskatchewan, that your idea of delivering dental services is better, and you failed miserably. Now what are you going to do to clean up this mess and straighten it out and get dental services to our children.

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Well, Mr. Speaker, the information that I have before me says that we are almost at 90 per cent enrolment of children in the new program, and we have now 332 . . .

Mr. Speaker: — Order. Order. Order. Order. I'm sure hon. member will want to allow the Premier to answer the question, and I'm sure our guests as well would be interested in hearing the answer, but they can't if there's undue interference.

Hon. Mr. Devine: — If I could just reiterate in case the hon. member didn't hear me, that we are very near 90 per cent enrolment of all the children in Saskatchewan. Under the previous program, I believe the enrolment was 91 per cent. Ninety-seven per cent of the dentists licensed in Saskatchewan are participating in the children's dental program, and 100 per cent of the people in the communities will have access to the dental program, where it was only the children that had access in the schools, Mr. Speaker.

And as I travel rural Saskatchewan, people are telling me that they have need for dentists and access to dentists, and now they do, Mr. Speaker. So that when you have a dentist in the community, not only the children are served — and 97 per cent of the dentists are participating, and up to 90 per cent of the children are now involved — indeed all of the public has access to dentists as opposed to just the children.

Ms. Simard: — New question, Mr. Speaker. Enrolment, Mr. Premier, is not utilization, and I know that you and your cohorts have difficulty in distinguishing and comparing the difference between enrolment and utilization, but there's a huge difference, Mr. Premier. Now are you telling us today that your dental plan is providing better services for our school children? Are you telling us that?

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Mr. Speaker, I will . . . I do want you to notice, Mr. Speaker, I do want you to notice that when I answer the question with respect to enrolment, then the hon. member's question went to, well what about utilization. I will say . . .

Mr. Speaker: — Order, order. Order, order.

Hon. Mr. Devine: — Thank you, Mr. Speaker. I will point out that we're very near 90 per cent enrolment; and with respect to utilization, now you can have access to a dentist 52 weeks a year. Fifty-two weeks a year, all year-round, okay, right through the summer-time. And as you go into a new program, Mr. Speaker, everybody knows in the community they can have access to that dentist year-round — summer, winter, right through the summer holidays, all the time, and they appreciate that, Mr. Speaker.

So when she wants to know about utilization, we are going to be very proud of the fact that people will have access 52 weeks a year for utilization and enrolment. And if 97 per cent of the dentists are participating, and up to 90 per cent of the children 52 weeks a year, Mr. Speaker, it seems to me that there is some, some benefit to having full-time access to professional, dental health care here in the province of Saskatchewan throughout the province, and now in 322 communities, Mr. Speaker.

Some Hon. Members: Hear, hear!

Ms. Simard: — New question, Mr. Speaker. Mr. Premier, your facts are grossly misleading.

Some Hon. Members: Hear, hear!

Ms. Simard: — There were 338 rural communities served by the dental therapists, and in your own admission this morning you said there were only 79 rural communities being served, and we even contest those figures, Mr. Premier.

You're going on and saying these children now have access to more dentists. What about the children from 14 to 17 that you've slashed out of the program, Mr. Premier? What services are they getting under this plan?

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Mr. Speaker, you notice how the hon. member keeps changing her tune. I will point out that enrolment is almost at 90 per cent; utilization is there 52 weeks of the year, and now she says, well for the very young. I guess they can't have a completely publicly funded program where they get to pick their own dentists. Now that's popular and people like that. So now she's moved and said, what about the teenagers; you haven't dealt with those.

I've said in this legislature many, many times, the problems teenagers face today are comparative problems. And if you want to look at the major problem today, it's not having access to a dentist, but it's the challenges they face with respect to life-styles, drug abuse, and many other facets that they face, Mr. Speaker. And they laugh at that; the NDP will laugh at it. They're afraid to address it, Mr. Speaker. The NDP are afraid to address health care; they're afraid to address the drug problems in society; they're so afraid to touch it that they can only laugh when it's brought up.

Mr. Speaker, I'll say the people of Saskatchewan want somebody to be able to deal with it, and we are, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Shillington: — Mr. Premier, you and your ministers have looked with obvious discomfort at the 60-odd therapists in the gallery. You shouldn't have any difficulty recognizing them, Mr. Premier. That's part of the 411 people that you fired last year.

Mr. Premier, under intense fire, not just from the opposition but from the public as well, your Minister of Health stated he had an agreement with the College of Dental Surgeons that would see employment for 150 of those dental therapists and dental technicians. Well, Mr. Premier, only 50 are employed, and 30 of those part time. Mr. Premier, my question is: what happened to your Minister of Health's deathbed repentance? What happened to the 50 jobs . . . the 150 jobs?

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Mr. Speaker, I don't believe that the hon. member has his figures correct. I will present the figures so that he can have them in an accurate fashion. And if he wants to assess them with me, we're certainly prepared to do that.

It's my information that there were 111 dental therapists under the old program . . . (inaudible interjection) . . . No, no. No, no. There's a combination of assistants and therapists and dentists and administrators and clerks and everybody else you're throwing in. Let's be careful.

Mr. Speaker, he asked about dental therapists. Dental therapists, if you'll just allow me, 111 were under the old program. It's my information that 20 are working full time, 30 are working part time, 37 are upgrading by taking dental hygienist courses, 19 are working for the

government, Mr. Speaker. So 106 out of the 111 are either working or going to school, working for government part time — 106 out of the 111 dental therapists that were under the old program.

Now I just point that out, Mr. Speaker — so if he has information that is different than that, I'd be more than glad to review it — 111 dental therapists, 106 out of 111 are either in school, working full time, part time, or working for the government. So that's five out of 111, Mr. Speaker, that I cannot account for today.

Mr. Shillington: — New question. Mr. Premier, it seems that you'd deny that the sun rose this morning if that served any purpose here.

Let me begin this question then with a quotation from *Hansard*. Your Minister of Education, May 18, your Minister of Education stated: "We will triple the number of positions available to train hygienists." Mr. Premier, I want to remind you of what's happened today. So far, Mr. Premier, just 18 dental therapists have been admitted into the hygienist course. At that rate, it'll take you five years to reach your commitment and you'll be long since removed from office.

Some Hon. Members: Hear, hear!

Mr. Shillington: — I wonder, Mr. Premier, if you'd like to deal with that commitment to retraining.

Hon. Mr. Devine: — Mr. Speaker, with respect — if I might add to the hon. member — with respect to retraining and educational programs and job creation programs, I'm sure the hon. member knows that as of today, Mr. Speaker, we have the second lowest unemployment in Canada — up 18,000 new jobs since last month alone, Mr. Speaker, which is one of the fastest growing employment records that you will find any place in Canada, ranking right behind Ontario.

I point out to the hon. member, because of our educational and because of our training programs, and because of the ongoing negotiations that is going on between dentists and therapists and communities all across the province, we now have 322 communities involved; we have negotiations going on.

And the information that I have, and I would be glad to confirm it with the hon. member, 106 out of the 111 people that were involved as dental therapists are now full time, part time, either taking courses at university or upgrading at technical schools or working for the government.

Now 106 out of 111 since last year, Mr. Speaker, is not that bad. And it's not perfect. But I will say as a result of the employment figures, up 18,000 new jobs since May, or over April of this year, the second lowest unemployment in Canada, and 106 out of 111 people working in a program, and rural communities having access to dentists and dental therapists and complete dental services 52 weeks a year, Mr. Speaker, in the first eight months of the program, I'd say at least is comparable to the kinds of things we've seen from the other side.

Some Hon. Members: Hear, hear!

Ms. Atkinson: — I have a question, a new question to the Premier. Mr. Premier, there were over 170 dental therapists that worked in the dental plan in this province.

Some Hon. Members: Hear, hear!

Ms. Atkinson: — There are 50 that have part-time or full-time jobs. There are 18 that have been trained in the dental hygienist course. Mr. Minister, there are over 60 dental therapists in this legislature today that don't have work. How can you say that 106 out of 112 people have work in this province or being trained? That's simply not true.

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Mr. Speaker, I'll extend the same opportunity to the member opposite to go through the figures with her or the member that raised it previously. Because the information that I received, Mr. Speaker, is that there are 20 people working full time; there are 30 people working part time; there are 37 people who have either been . . .

Mr. Speaker: — Order, order. Order, order. We're having a little difficulty hearing the Premier, and I would ask for the co-operation of the members.

Hon. Mr. Devine: — Thank you, Mr. Speaker. I would just say to the hon. member, the information that I'm sharing with her is information that we have received from employers, or academic institutions, or the government that has . . . 19 working for the government, 37 that either have been upgraded or going to be enrolled in school, and 50 people that are working — 30 part time and 20 full time. That adds up to 106, Mr. Speaker, out of the 111.

Now I grant you that the program is just under way, and we're only into 322 communities. And we still have negotiations going on, particularly between dentists and dental therapists, and we have communities involved that want to have their own dentist. And I could, if the hon. members would like — and I'm certainly prepared to do that, give the communities and the towns and the villages where we have new dentists and where we have satellite offices now across the province — I'm quite prepared to share them with the House if they would like to hear about them, Mr. Speaker.

Ms. Simard: — Thank you, Mr. Speaker. My question is to the Premier. Mr. Premier, for Heaven's sakes, in the name of decency, for the sake of the children of Saskatchewan, for the sake of these dental therapists who are sitting in the gallery and unemployed, would you please reverse your heartless policy with respect to Saskatchewan's dental plan?

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Mr. Speaker, I can only say to the hon. member that I represent a rural riding; that many people across Saskatchewan appreciate having a dentist in their community so that the entire community can go to

the dentist, because the community could not go to the school. Senior citizens could not go to the school to get dental work done. Parents couldn't go to the school.

But if you have a dentist, Mr. Speaker, that is in the community, then everybody can go to the school and we pay for it, for the children, Mr. Speaker. The children can pick, and the families can pick the dentist they like. We pay for the whole thing; it's 100 per cent financed.

The dentists are there — 322 communities, satellite offices set up. And the entire community, the seniors citizens. Why would they discount, Mr. Speaker, access to a dentist by senior citizens. They never mention senior citizens; they never mention parents; they never mention anybody else.

The can only say, Mr. Speaker, the access . . . And they don't like to hear it. You may have to ask them to be quiet again, Mr. Speaker, because all they can do is talk from their seat when I tell them 322 communities — seniors, parents, as well as children — have access to the new dental program.

Some Hon. Members: Hear, hear!

Dental Services for Gravelbourg

Mr. Goodale: — Thank you, Mr. Speaker. I have a question on this subject specifically to the Premier with respect to Gravelbourg. And the Premier will know that before the children's based dental program was eliminated, Gravelbourg had access to two forms of dental services. There was a dentist operating on a part-time basis on Main Street, and there was, of course, the school-based plan in the school. When the program was cancelled, both of those services were eliminated from the community of Gravelbourg.

The Premier told us on March 25 of this year that he would soon be reporting to the House on the situation in Gravelbourg and the successful negotiation of a dentist arriving in that community. Mr. Premier, can you tell us why you have not provided that kind of a report to this date?

Hon. Mr. Devine: — Mr. Speaker, the information that I have is that there was a satellite office ready to go into Gravelbourg, and they refused the satellite office because they want a dentist of their own in Gravelbourg. And they're not much different than many other communities; they want their own dentist, and they want that service for the entire population — senior citizens, farmers, families, everybody, including the children.

So they are holding out for a dentist as opposed to having a satellite office. And I mean, that's their prerogative, and I am doing everything that we can to make sure that they get access to a dentist and that one can go there as quickly as possible so that, in fact, they can get the kind of service that they want, which is a full-time dentist for Gravelbourg and area.

Mr. Goodale: — Mr. Speaker, the Premier told us, both just now and on other occasions, that he and his Minister of Health and the deputy minister of Health would be

offering all forms of assistance to Gravelbourg to solve this problem and to solve it quickly.

The problem has not been solved. The problem continues. Is that not evidence, Mr. Premier, that the policy that you've enunciated, at least in respect of Gravelbourg, is obviously not working?

Hon. Mr. Devine: — Mr. Speaker, I can just reiterate: the community has access to a satellite office if they want it. They turned it down. So they've made the choice that they want to pick their dentist, and they want the dentist. And I've said I'll do everything I can to find you the kind of dentist you want to have.

So they want a dentist for their entire population so that they can serve them all. And I will do everything that I can, let them compete for dentist or go to graduate schools or anything else. If they want a dentist, then I certainly will support them in finding that dentist. I will point out, they have turned down the satellite office for dentists, and that's their prerogative, so I can only respect that.

Assistance to Family to Purchase Drugs

Mr. Lingenfelter: — Mr. Speaker, my question is to the Premier, in the absence of the Minister of Health, and we're having a great deal of trouble getting any answers out of this individual.

But I want to ask another question on health care. Saturday is also the anniversary of the destruction of the drug plan in Saskatchewan, as we once knew it, an excellent program, first-class anywhere in North America. I want to say that my colleagues brought forward literally tens and hundreds of issues and concerns from individuals over the last couple of months.

I have a constituent who came to this legislature back in April, Mrs. Julie Shepherd, who asked your government to deal specifically with her individual case. At that time, Mr. Premier, you insulted the people of Elphinstone by virtually calling them drug abusers. I want to ask you today whether you have reviewed the case and can give us an answer whether or not this individual now is getting help from your government in terms of buying needed prescription drugs?

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Well, Mr. Speaker, the information that I have is that Mrs. Shepherd has been receiving benefits through the family income plan since February of this year. And I'm informed that because of the review through Social Services that was requested by the Shepherds, they will be receiving a substantial increase effective, I believe, May, that they received increases from Social Services. And I'm also informed that Mrs. Shepherd will be receiving supplementary health benefits on a temporary basis, working with Social Services and health care. So I expect that as a result of her consultations with Social Services and because they were dealing with Social Services on an ongoing regular basis, that they are being looked at and cared for.

Mr. Lingenfelter: — Supplement to the Premier. This is not what the individual concerned is telling us. She says very clearly that they are able to afford the drugs because of the good charity of a neighbour. And I want to ask you, Mr. Premier, is this the kind of drug program we now have in this province where individuals who lack the economic power to buy prescription drugs now have to depend on charity in order to get needed prescription drugs? Is that the policy of your government?

Some Hon. Members: Hear, hear!

Hon. Mr. Devine: — Mr. Speaker, I can only add to this that the normal programs, as you know, for people on social assistance are the fact that we didn't change the program there, and they can receive full benefits. And in this case, they've had their benefits even increased as a result of circumstances that apply to families under these kind of conditions.

I will also add, Mr. Speaker, as they know, that people . . . social service payments in Saskatchewan, for people who have families, are the highest any place in Canada. And at the same time, the prescription drug program is the most lucrative for people and for families any place in Canada.

So it's a combination of the social services money that goes to families, ranks number one in Canada, they receive more money than anybody else across the nation, and the prescription drug program is more lucrative for families than any other across the nation. And at the same time, Mr. Speaker, we're prepared to deal with all kinds of new challenges in health care.

And so the hon. member I'm sure is aware of the fact that they do receive substantial money from social services, and certainly more than they would receive in virtually any other jurisdiction in North America, Mr. Speaker.

INTRODUCTION OF BILLS

Bill No. 94 — An Act respecting the Protection of Children and the Provision of Support Services to Families

Hon. Mr. Berntson: — Mr. Speaker, I move first reading of a Bill respecting the Protection of Children and the Provision of Support Services to Families.

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

Bill No. 95 — An Act to Promote the Growth and Development of Children and to Support the Provisions of Child Day Care Services to Saskatchewan Families

Hon. Mr. Berntson: — Mr. Speaker, I move first reading of a Bill to Promote the Growth and Development of Children and to Support the Provisions of Child Day Care Services to Saskatchewan Families.

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

Bill No. 96 — An Act respecting Adoption

Hon. Mr. Berntson: — Mr. Speaker, I move first reading of a Bill respecting Adoption.

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

Bill No. 97 — An Act to amend The Provincial Auditor Act

Mr. Van Mulligen: — Mr. Speaker, I move first reading of a Bill to amend The Provincial Auditor Act.

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

Bill No. 98 — An Act to amend The Department of Finance Act, 1983 (No. 2)

Mr. Van Mulligen: — Mr. Speaker, I move first reading of a Bill to amend The Department of Finance Act, 1983 (No. 2).

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

Bill No. 99 — An Act respecting the Consequential Amendments to Certain Acts resulting from the enactment of The Small Claims Act

Hon. Mr. Berntson: — Mr. Speaker, I move first reading of a Bill respecting Consequential Amendments to Certain Acts resulting from the enactment of The Small Claims Act.

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

STATEMENT BY MR. SPEAKER

Ruling on a Point of Order

Mr. Speaker: — Prior to orders of the day, I should like to make the following statement.

Yesterday the member for Quill Lakes raised a point of order regarding a ministerial statement made by the Premier. I have reviewed the record and will now make my ruling.

Beauchesne's Parliamentary Rules and Forms, Fifth Edition, paragraph 262 states:

The Speaker has emphasized that both the Government and the Opposition contribution should be brief and factual. The purpose of the ministerial statement is to convey information, not to encourage debate.

This is based on Standing Order 15 of the House of Commons which I quote:

On statements by Ministers . . . a Minister of the Crown may make a short factual announcement or statement of government policy.

I find that the Premier's statement was factual and its

intent was to convey information to this Assembly.

But while the House of Commons in Ottawa has left the Speaker considerable latitude in setting the limits of ministerial statements, the same cannot be said about Saskatchewan. I refer members to a ruling of the Chair on April 4, 1979, which states:

The purpose of a ministerial statement is to provide an opportunity for statements on government policy and administration.

The Premier's statement did not deal with a policy of the Saskatchewan government or its administration.

Again, I refer hon. members to a ruling of this House dated April 30, 1985. On that occasion the Chair was asked to rule on a statement made by a minister regarding the federal government's Western Grain Transportation Act. The ruling stated:

... I have reviewed the statement and find that it covered a federal government programme and was not, strictly speaking, a new programme under a provincial government department ... While the matter raised in the statement is one of provincial interest, it should be dealt with by some other avenue, not as a ministerial statement.

I would suggest that the Premier's statement yesterday was of a similar nature — certainly of significant provincial interest, but the statement did not announce new or existing government initiatives which pertain to the problem. I once more caution ministers that statements should be brief and not lengthy in nature.

I there find the point of order well taken.

Some Hon. Members: Hear, hear!

Mr. Speaker: — Order. I'm sure the House can't hear the Clerk. I certainly can't, so I'd just like to ask for your co-operation.

ORDERS OF THE DAY

GOVERNMENT ORDERS

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Andrew that Bill No. 37 — **An Act to provide for Security for Saskatchewan Family Farms** be now read a second time.

Mr. Anguish: — Thank you, Mr. Speaker. I want to take a few moments of the House today to enter into the debate on Bill 37 — The Saskatchewan Farm Security Act. The government seems to have put out a document that does not address the problem.

Through some of their propaganda and political posturing, they're saying that they're protecting the Saskatchewan farm by the introduction of this legislation.

And what they're doing is, they're placing a three-year moratorium on the home quarter and the assets that are fixed to that home quarter, which is appreciated in many instances, at least on an initial look at the legislation. If a farmer is in the position of being foreclosed on, they at least are assured the protection of the home quarter and the assets that are on that home quarter.

However, on a closer examination, there are other problems which arise. The main problem is that financial institutions can no longer use the home quarter as security for loans that farmers receive from those financial institutions. I suppose the chartered banks have been putting the screws down on credit for quite some time in terms of credit to agricultural people. The credit unions and the Farm Credit Corporation are just now recently starting to tighten up credit to farmers because of this Bill 37.

I suppose I should go back a bit in history, in that the protection to a home quarter was always there, Mr. Speaker. The home quarter was protected by legislation, but people were allowed to sign exemptions, and so if someone went into their local credit union or to the Farm Credit Corporation office, they would be allowed to sign a waiver which would exempt the right of the farmer for the home quarter. And if there was foreclosure action, the financial institution could in fact take action on the home quarter and the assets that were there. And what this moratorium actually does is that it stops the right to sign exemptions to use home quarters for security.

(1045)

One of the problems with that, Mr. Speaker, I think can be best said in relationship to a case that a farmer related to me just recently upon the introduction of this Bill.

And he said, well I have a very intensive farming operation. I have a lot of activity on my home quarter. I farm with my brother, my brother lives with me so we have two families, two houses. We have garages, we have a hog barn, we have an intense operation on that home quarter. And he said, the loans that I have currently depend very heavily on the right of the financial institution to hold that home quarter as security. And now what will they do if in fact they can't have that home quarter for security? They're going to want me to come up with something else as security for the loans I have with these financial institutions.

And he said that his farming operation was quite viable; they're doing well. They didn't have a large amount of debt because they were diversified. They're into a mixed farming operation, that they're at least holding their own.

They're not in danger of losing their farm. But if the financial institution says to him that, well we can no longer hold that home quarter as security; what else have you got to offer us as security? — he may not have enough to offer as security to the financial institution.

So what happens if he can't come up with some other security for the loan, then he's going to be required to come up with some cash so that he has the acceptable amount of equity in the loans that he has at the financial

institution.

So in this case, I'm sure the government, through their lack of planning, has put a viable farming operation into a position of being not viable because the farmer does not have the equity in his operation any longer and the financial institutions are going to want other equity for their loan that they have there.

The other area where they're not helping is in positions where some people are able to handle the debt. But if they don't have to handle the debt, because of the action by the government through Bill 37, why would they want to service their debt to the financial institution if they have other priorities in terms of their meagre financial resources that they have available to them.

So that if one knows that you can't be foreclosed on, if there's a co-signer in some cases that are very wealthy individuals who have co-signed a loan, co-signers are now exempt also and it's retroactive under this legislation, as we understand it, Mr. Speaker. If a co-signer has a couple of hundred thousand, even a million dollars in assets in a credit union, they no longer have to make good for the co-signing on the loan that's there.

So, Mr. Speaker, I don't want to go on at length. However, there is one other thing that concerns me in the Bill, and that is the increase in the amount of foreign ownership of agricultural land in the province of Saskatchewan. Currently under the old legislation foreign ownership, or a non-resident of Saskatchewan could in fact own 10 acres of land within the province. Under this Bill 37 they'll be now allowed, as a non-resident, to own some 320 acres. Or in another provision of the Bill, non-residents would be able to own up to an assessed value of \$15,000. In some areas of the province that's a significant amount of land. You're looking at possibly three sections, four sections of land if the assessment is low, compared to what is currently under the Act, being 10 acres.

And I think that what the government is doing is that they're paving the way for equity financing, which has been very unpopular in the province of Saskatchewan. They heard that through a number of hearings that they held throughout the province earlier, late last year. And I do believe, as the member from Weyburn has pointed out, that it is part of the whole free trade package.

Under the free trade package, indirect investment in the country of Canada by Americans is virtually unlimited after a five-year period. And so when you look at the increase in the amount of land that non-residents can own, the paving of the way for equity financing corporations to be set up or equity financing of farm land, and you look at the free trade agreement, it all ties in to Saskatchewan farmers in the near future not being owners and family farm operators, but being serfs on the land that they once owned, because of the policies of this government.

So, Mr. Speaker, I would have to summarize by saying, short term, helpful to a very few farmers that are being foreclosed on or expect to be foreclosed on in the near

future.

Many farmers who are in a viable position may be in an unviable position or not viable position because of this legislation. It paves the way for equity financing. We're concerned about the farm ownership. It ties into the whole free trade with the federal government.

We're very anxious to address this Bill in committee. We have many questions about it. It's a very complex piece of legislation. And when the government says that they're saving farms in Saskatchewan, there are very few that may be saved for a three-year period under Bill 37. But it's forestalling the debt problem, and when that three-year moratorium ends, the debt problem will be even more serious than what it was when this Bill was introduced.

As I said, Mr. Speaker, we look forward to asking many questions about this complex piece of legislation, and I would ask . . . I move to adjourn the debate at this time, Mr. Speaker.

Debate adjourned.

SECOND READINGS

Bill No. 60 — An Act to amend The Urban Municipality Act, 1984

Hon. Mr. Klein: — Thank you, Mr. Speaker. I'm pleased to move second reading on this Bill, The Urban Municipality Act, 1988. It is perhaps one of the most significant Bills I have had the privilege of introducing into this House, Mr. Speaker. It has four major parts.

First, it provides fair and enforceable store hours legislation that will allow municipalities to regulate shopping hours according to the wishes of the local community.

Secondly, it protects Saskatchewan families with strong and responsible legislation to control dangerous dogs.

Third, this Bill sets out a new electoral structure for the four largest Saskatchewan cities, a structure which couples the benefits of representation of communities within the city with the efficiencies that flow from the election of some members of council by all voters, all the citizens of the city.

And finally, Mr. Speaker, there are a series of administrative reforms in this Bill, reforms related to citizen petitions, financial accountability, and tax reduction measures, and other minor housekeeping measures.

I want to deal briefly with the store hours legislation first, Mr. Speaker. Last December this government announced that legislation would be passed permitting shopping up to seven days per week, with a municipal option to close stores for a weekly day of rest and during evenings.

Well the legislation does just that. It should come as no surprise, because its main features have been discussed publicly. We've also discussed this for some time with municipal representatives. Wherever possible, we have

incorporated the wishes of SUMA (Saskatchewan Urban Municipalities Association) and urban municipalities into the Bill.

Before I get to the key features of the shopping hours part of the Bill, let me mention why we're giving municipalities improved tools to regulate store hours in each community.

As all members know, we have tried many times to tighten up our provincial legislation, later to find courts throwing them out. Then there's the fact that increasingly, consumers are demanding more shopping opportunities. Times are changing. There's a new social and economic reality out there.

In many families today, both the moms and the dads work. This phenomenon of double income families is quite a contrast to conditions of a decade ago. Also, about 11 per cent of Saskatchewan families are headed by single parents.

These people are voting with support, Mr. Speaker, and they're crowding these stores that do offer extended shopping hours. These realities have led to legislation in our two neighbouring provinces to the west, which permit municipalities to decide store hours. Ontario has recently embarked on a similar course, where regional municipal units will soon determine their own store hours.

This underlines the fact, Mr. Speaker, that a universal provincial law on store hours is simply not workable. Factors that affect Humboldt or Yorkton differ quite dramatically from those in Regina and Saskatoon, and require different approaches. These approaches are best determined by the locally elected councils.

I will briefly point out the key permissive features of this legislation. First, seven days per week shopping, unless municipalities restrict store hours by by-law.

Secondly, municipalities can close stores for up to two days per week and on any evening. This allows councils to provide for a weekly day of rest. As a result, there need not be any expansion of Sunday shopping unless local councils and local voters in a particular municipality support it.

Third, municipalities will have expanded powers to control store hours through new features such as restrictions on the number of persons employed in a store. SUMA asked for this powerful tool to curb Sunday shopping where it is desired.

And finally, convenience store hours will be determined by municipalities at the local level where they can best determine what a convenience store is.

There remain, Mr. Speaker, some mandatory provincial restrictions in the Act. For example, all stores in urban municipalities will be required to close on public holidays unless municipalities permit certain types of stores to open. And those holidays include Christmas, Easter, New Year's Day and the like, through the list of the common public holidays. The religious exemption

permitting owners of small stores to open on Sunday if they close on one previous day in the week will be retained to protect those store owners of minority religions.

Stores that occupy leased premises in shopping malls are protected from being forced to remain open during the extended hours by virtue of their lease. Independent stores in malls will be able to close at least one day per week and four evenings per week.

And what about the employees who work in stores, you may ask. Well, Mr. Speaker, Saskatchewan already has labour legislation which is unique to retail workers which gives them two consecutive days off work in many instances. Secondly, our human rights legislation permits an employee to refuse to work if on a day of worship, and that it is a matter of religious conviction, unless his or her employer can prove to court that this time off creates an undue hardship on the business.

Also another Bill dealing with employment standards will give part-time workers further protection and benefits. Nevertheless, Mr. Speaker, we will monitor the situation of workers in retail shops in the ensuing months and years as this shopping legislation works its way into municipal by-laws.

A word on enforcement. Municipalities will continue to enforce the legislation but with new and more powerful legislative tools. Our constitutional branch of justice will continue to take an active part wherever provincial constitutional rights to legislate in the area of store hours regulation is challenged.

I don't think, Mr. Speaker, that the so-called domino effect that some fear will appear in this province. By this I mean the whip-saw effect where expanding store hours in one municipality levers the neighbouring centre to open its stores to protect market share. Saskatchewan urban municipalities — and the member mentioned it already has — I want him to know that rural Saskatchewan has already been competing with the balance of the province.

(1100)

And as these court challenges continue, Mr. Speaker, they continue on legislation that we can't provide provincially, and that's why we can do it this way and provide it to the municipalities. We're trying to create a level playing field for the businesses, for the municipalities, and for the consumer. And provincially, Mr. Speaker, that can't be done.

Extended store hours in one municipality will not lever the neighbouring centre to open its stores to protect the market share. Saskatchewan urban municipalities are typically separated by miles of prairie, unlike the multi-municipality, urban conglomerates of Vancouver and Toronto, for instance. Some communities in B.C. and Alberta still have Sunday and evening closings. Even those centres have wide open shopping, and it hasn't affected rural Alberta. So, Mr. Speaker, there's not much substance to the domino theory in the Saskatchewan market-place.

Saskatchewan municipalities have had shop closing legislation for decades. They have enjoyed a local choice on a variety of economic and quality of life issues, and this legislation is in keeping with that tradition. It removes some of the rigid province-wide restrictions on shopping and allows municipal values and individual community traditions.

I'll now turn, for a few moments, to another important part of this Bill, the new legislation on dangerous dogs, something that the opposition finds very humorous, and I noticed the members from Saskatoon smiling. Mr. Speaker, this is a very serious Bill, and I only wish that the members of the NDP caucus would recognize that this Bill is designed to protect kids, like are sitting up in that gallery now, and you should be ashamed for sitting with a smug look on your face. It's designed to protect all of our citizens: our seniors, your mom and mine, theirs. And they laugh about it.

There's been a growing concern in North America, Mr. Speaker, with not only dangerous dogs but new types of breeds, and there also seems to be growing numbers of irresponsible owners. In Canada, several cities — notably Vancouver, Edmonton, and Winnipeg — have tried to pass by-laws to control dangerous dogs, but often the provincial legislation was found to be inadequate.

I'm pleased to say that this Bill contains the toughest and most responsible legislation in Canada on the subject of dangerous dogs. It strengthens this government's long-standing commitment to protecting Saskatchewan families, something that the NDP lacks and don't care about, and that is families. When the interest rates were 22 per cent and people were losing their homes, the NDP did nothing. They probably laughed, as they are laughing now, while we try to protect our families against dangerous dogs.

Mr. Speaker, pet ownership, I mean responsible pet ownership, is an important part of family life in Saskatchewan and I dare say that the young people in our gallery, many would own pets and are responsible owners. They will not be affected by this legislation, and that's why I fail to see the humour.

But you only have to look at one picture of a child whose face has been severely disfigured by a vicious dog to comprehend the grief and the suffering inflicted on that family. And the NDP still smiles.

Well a number of municipalities and SUMA have in recent years been asking us, Mr. Speaker, to pass stronger legislation to deal with the issue of dangerous dogs. We've spent some months in intense discussions with municipal legal experts in this province, with veterinarians, with kennel clubs, with the SPCA (Society for the Prevention of Cruelty to Animals) and other interested parties, and we've cast the net across North America to get the best features of their legislation.

And what do we have as a result, Mr. Speaker? First, we removed the old "one free bite" principle in common law, the principle that very often allowed an owner to escape any form of sanction. Owners of dangerous dogs

that attack people or other domestic animals will now be subject to a fine as high as \$10,000, and, where the judge considers the case drastic enough, to a jail term as well.

Secondly, Mr. Speaker, the courts, and to some degree the municipality, will be given greater expanded powers to order controls of dangerous dogs. And as before, courts will retain the power to have particularly vicious dogs destroyed.

Thirdly in this Bill, and in regulations which we are now writing, we are saying that judges must impose mandatory controls on dogs once they are declared dangerous. And this is a big step from the past where the courts were given no guidance as to the controls on dangerous dogs. As a result, there were no standard sanctions to give uniform protection across the province. We've built on control features from Rhode Island, the American state with the toughest dog legislation, and we've added features suitable to the Canadian legal system which are unique and which will, in my view, serve as a model across Canada.

Fourthly, municipalities are given the authority to regulate, control, or prohibit dogs by breed, by sex, by size, and so on.

I think a fifth key feature of this Bill is found in the mandatory controls that are imposed by the court when a dog is deemed dangerous.

An Hon. Member: — There's no doubt you'll go down in history.

Hon. Mr. Klein: — And yes, Mr. Speaker, as the member from Regina North East says from his seat, I do hope I go down in history with this very important piece of legislation that still, all in all, you find humorous. It's a shame, Mr. Speaker, it's a crying shame that the members of the NDP find this Bill humorous. I just can't believe what I see from the benches opposite.

The dangerous dog will have to be kept in a secure, locked, escape-proof, child-proof enclosure, Mr. Speaker, or in the owner's dwelling. When off the owner's premises, the dog will have to be humanely muzzled and secured.

Liability insurance will be required, and the regulations will likely set this at a minimum of \$300,000 coverage. A prescribed sign warning of the presence of a dangerous dog will be required at every point of access to the property where such dog is kept, and the authorities must be notified when a dangerous dog is sold or moved into a different municipality.

Other controls in the Bill include: a judge may order that a dangerous dog be tattooed for identification and enforcement purposes; owning dogs for purposes of dogfighting is prohibited — and I suppose you'll laugh at that as well; search and seizure powers are strengthened — peace officers can destroy dogs actually attacking a person or domestic animal.

There is of course an appeal procedure built into the legislation to ensure that the rights of owners are

protected.

Mr. Speaker, I feel that our legislation is the strongest and most responsible dog control legislation in North America. It has received the support of the Saskatchewan Veterinary Medical Association, the SPCA, and the Canadian Kennel Club. I certainly hope that it will get the support of the NDP. It promotes responsible pet ownership practices that are advocated by those professional groups. Our department is currently developing an information campaign to inform dog owners and the public about their rights and their responsibilities under the new legislation.

Mr. Speaker, I will now turn to another part of this Bill dealing with a new electoral structure available to Saskatchewan cities over 30,000 in population.

Mr. Speaker: — Order. Why is the member on his feet?

Mr. Neudorf: — Mr. Speaker, by leave of the Assembly, I would like to make some introductions.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Neudorf: — Thank you very much, Mr. Speaker. And I would like to introduce to you, and through you to the members of this Assembly, a group of 56 students from the town of Martensville. These are grade 8 students.

I am very familiar with the town of Martensville, Mr. Speaker. It has the distinction of being the fastest-growing town in the entire province of Saskatchewan. It is a very aggressive community . . . a very progressive community, I might add.

And I would like to take this opportunity, Mr. Speaker, to introduce them to the Assembly; and their teachers Sheryl Kleckner, Michelle Schaff; the bus drivers . . . I think I pronounced that wrong by the reaction . . . (inaudible interjection) . . . Schaff is it? All right. And the bus drivers Ron and Darryl; chaperons Mrs. Baker and Dave Stevenson, Mrs. John and Mrs. Redekopp. And I might just add at this time that as far as Mrs. Redekopp is concerned, I know that she is a very pleasant, hard-working, efficient secretary by profession because she does work in my constituency office.

And so, Mr. Speaker, I would wish the students well on their trip. I hope they have an enjoyable stay here, find it informative, and I would ask all members here to join in a hearty round of welcome.

Hon. Members: Hear, hear!

SECOND READINGS

Bill No. 60 (continued)

Hon. Mr. Klein: — Thank you, Mr. Speaker. I too welcome the school group. And I would point out, on my last bit of about the dogs, that the member that just introduced you certainly supports this Bill. When you get home tonight you can tell your folks that the NDP are still

laughing about it, and it's unfortunate.

Mr. Speaker, I will now turn to another part of this Bill dealing with the new electoral structure available to Saskatchewan cities. Over a year ago, at SUMA's annual meeting, I announced that the existing legislation permitting cities to adopt a ward system would be reviewed. That review has resulted in a new system which permits the four largest cities in the province to retain or adopt a split ward system, electing half of their aldermen from wards and half from the city at large.

Mr. Speaker, the government gave serious consideration to requiring the three Saskatchewan cities that currently have wards to move completely to the at-large forms of elections as was done in the fourth, the city of Moose Jaw. However, there was concern expressed by the councils of these cities about losing a form of representation that they had grown used to. We listened, Mr. Speaker, and we are retaining elements of the current ward system if the four largest cities want it.

This is quite a contrast to the previous government, Mr. Speaker. That government imposed the ward system on the two major cities in 1973 in the face of several plebiscites in opposition to wards. There is no escaping that fact, Mr. Speaker. The ward system was imposed by the NDP government in spite of the two largest cities in the province saying they didn't want it. And not just the councils, Mr. Speaker, but the plebiscites said no, we don't want the ward system, and yet it was imposed. There was no compromise, no middle ground in that instance, Mr. Speaker.

In fact, that regime also introduced a Bill imposing wards on school systems in the large cities, despite a virtually unanimous outcry from the SSTA (Saskatchewan School Trustees Association) and school boards — unanimous outcry, and they still announced the Bill. That Bill was repealed during the first term of our government.

The question can be asked: why is this government requiring cities which have wards to adopt a split ward, at-large system? Similarly, why is the move away from a full ward system not subject to a vote of electors? Why not give the cities *carte blanche*?

Well, Mr. Speaker, let me quote the member from Saskatoon Westmount, who wrote in a letter to the *Leader-Post* on May 3, 1973, and I quote:

The British North America Act puts the responsibility for creating local government institutions on the provincial government. The provincial government should design and put into effect the best democratic system of local government.

Mr. Speaker, we are doing just that. But we have done so with a great deal of sensitivity to the expressed wishes of the elected members of the city councils concerned. We have limited the new split system to cities over 30,000, because the system . . .

Mr. Speaker: — Order. Order. I ask the guests not to participate in the debate, and I think we have to adhere to

that rule because once we allow the line to be crossed, it's difficult to draw back.

I understand you're interested in the debate and certainly there are humorous phrases and incidents, but I'm afraid I must ask you to try to refrain from participating.

Hon. Mr. Klein: — Thank you, Mr. Speaker. We have limited the new split system to cities over 30,000, Mr. Speaker, because the system is not needed in smaller cities. If any value exists in the ward system for these centres, it hasn't been apparent to their councils or their citizens for they have ignored the ward system for years although it was available to them in legislation. The city of Moose Jaw, a major city, didn't prefer the ward system.

Let me deal with some of the concerns raised with the split ward system from time to time in Canada. I mentioned two such concerns a month or two ago to the press. First, what about the concern that the split system produces two classes of aldermen. And I said that, and I was concerned.

I've since learned that problems exist only where a board of control is part of the split system. The board of control model, it was largely an Ontario model, gave special executive powers to those aldermen that were elected at large, so a natural division occurred.

(1115)

Our model, Mr. Speaker, does not do that. In fact, my officials have been in touch with academics and city officials in Thunder Bay and St. John's, Newfoundland, where the split system is used, and it seems that all aldermen enjoy the same status, not only legally but certainly in the eyes of the voters. And that's the important thing that I have the concern with, Mr. Speaker — the voters, the taxpayers.

Then there's the concern that the split system requires a change in the form of the ballot. Well in the first instance, the split system will have a shorter ballot than the at-large. And also, local election legislation permits councils to rotate the names of the ballots to provide a fairness to all candidates, rather than the old alphabetical system.

An additional ballot is a small price to pay for the fact that our people benefit a lot by being able to vote for more aldermen on council. This will give the electorate greater clout at city hall since both the ward-based and the at-large aldermen will now be accountable to a larger portion of the electorate.

Speaking of accountability, I've made the point before that there's no parliamentary opposition in city councils, and this places greater importance on the city council accountability to the public. There's also a three-year term that's fixed for city councils, and hence no chance to call council before the court of electors that automatically will judge all of us.

Let me deal with some of the specifics of the legislation. Cities that currently use the ward system will be permitted by the legislation to retain wards, but in a modified form. The proposed legislation provides that those cities which

now have ward-based elections will be required to elect half the number of aldermen from the city at large beginning with the upcoming October 1988 civic election.

Moose Jaw, Mr. Speaker, is a special case. That city chose not to adopt the ward system prior to the statutory deadline of April 15 for the 1988 election. However, in future years Moose Jaw will have the option to move to the new split system.

The ward boundaries commission, chaired by a judge, which is provided in existing legislation, will establish new ward boundaries in each of the three cities with existing wards by August 1, 1988. A key task of this commission will be to reduce the number of wards by one-half of their current number.

If the councils of the three cities that currently operate under wards prefer not to adopt this new split ward system, they may, prior to August 1, 1988, choose to revert to an at-large system, beginning with the fall 1988 elections. Cities under 30,000 which currently operate under the at-large system will see no change, as this new split ward system will be applicable only to cities greater than 30,000 population.

These reforms reflect the provincial government's constitutional responsibility to provide an effective and democratic institutional framework for municipal governments. We have tried to balance the value of representation of districts and neighbourhoods within the city with the equally valid principle of efficiency and concern for the general good of the city. I think that we have the best of both models.

Well, Mr. Deputy Speaker, I want to bring my remarks to a close. This is a long Bill, but I should mention, in closing, some of the important administrative reforms in this piece of legislation.

It contains a provision to streamline the procedure under which municipalities may reduce the local business tax. This is to make it easier to participate in our government's new \$10 million business tax reduction initiative.

The Bill also requires a new annual municipal public accounts procedure for our 12 Saskatchewan cities. This requirement parallels the public accounts tradition of the provision of the provincial government. And it will give cities the opportunity to display their financial affairs, their financial efficiencies, if you will, to local taxpayers.

And finally, the Bill allows urban municipal councils the right to ask a court to clarify the wording of citizen petitions before they are submitted to a vote of electors. This will ensure clear and comprehensive by-law questions resulting from petitions and will also ensure that a fair and neutral arbiter has looked at the wording of the petition, to save the voters any confusion on the issue.

Apart from these major legislative amendments, Mr. Deputy Speaker, there are also a number of housekeeping changes of an administrative nature.

Mr. Deputy Speaker, I believe this Bill is a responsible and

thoughtful response to request for reforms made by citizens and by their elected municipal councils. It also reflects our duty as a provincial government to carry out our constitutional responsibility for ensuring effective, democratic local government institutions and structures.

These reforms, Mr. Deputy Speaker, are a milestone in our efforts to prepare our urban municipal legislation to meet the challenges of the 1990s. I will urge all members to support this Bill.

Mr. Tchorzewski: — Thank you, Mr. Deputy Speaker. I would like to make a few remarks on this Bill. I want to, first of all, say that before this Bill can pass through this House in its present form, we need to allow, as legislators, a considerable amount of time for the public and for municipal councillors and for the business community and church organizations to have input into this legislation because of the impact that it has on the very structure of Saskatchewan and the very structure of family life in Saskatchewan.

And because of that, Mr. Speaker, and Because I've already spoken to several people who are on the board of SUMA, none of whom had yet an opportunity to look at this Bill, or see it — they had not received it — I am going to be adjourning this debate at the end of my remarks.

I find it rather unusual that the minister would not take the time, after having introduced the Bill, to make sure that it was made available to all of these people, and I think that that in itself says a great deal about the approach that the government has taken on this legislation.

I listened to the minister with some care. It was hard at times, but I did. And I found it rather . . . not amusing. I found it rather sad at how hard he tried to sound sincere about this legislation. It was a new face over there. He said that this is one of the most significant Bills he's ever introduced in this legislature.

Well it's significant, Mr. Speaker. It's significant for its notoriety. It's significant because of the unethical, the cynical, and the dishonest approach taken by this government and this minister to this issue. That is well known. It is significant because this minister has stubbornly ignored all of the advice that has been given to him by all of the people who have made a submission on some aspects of this legislation, mainly the store hours question and the ward system.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — That's why it's significant, not because of its value or for the good that it's going to create, it's significant for all of the wrong reasons.

The minister said that wherever possible — and I underline his words wherever possible, those are the copping out words — he said, wherever possible he has incorporated the wishes of SUMA and urban municipalities in this legislation. I ask him whether he can in all honesty and sincerity say that he's incorporated the wishes and the advice of SUMA and municipalities and councillors with respect to the elimination of the ward system. I would like him, some day when we do

committee, to stand up in the House and categorically say that he has listened to that advice and he's followed it, because he can't do it, because the advice is contrary to what this legislation does.

I would like him to stand up in this House, which he didn't do once again, and say categorically and honestly and sincerely that he has followed the advice of SUMA with regard to the store hours. He has not. There are resolutions passed at the most recent convention of the Saskatchewan Urban Municipalities Association saying to the minister: you are wrong. These are people who represent every urban municipality in the province of Saskatchewan. They know what is in the best interests of the people who live in Martensville or live in Hudson Bay, Saskatchewan, or live in Shaunavon, Saskatchewan, and they all came and in a very loud voice said to the minister: do not do this. And yet, he stands in this House and says that he has incorporated the wishes of SUMA and urban municipalities, and I say that he has not.

It seems to me, Mr. Speaker, that the minister thinks he can play God. He says he knows better than SUMA. He says he knows better than the elected officials at the municipal level. He says he knows better than the people who run our shops and stores all over Saskatchewan — the people in Canora, who under this legislation are going to be hard pressed because of the domino effect that the minister mentioned with regard to the opening and closing of stores.

I say to the member from Canora that your merchants in the town of Canora don't want to be open seven days a week, but they're going to be forced to be open seven days a week because they are going to be . . . the big chain stores are going to make the policy, and they won't have any choice.

And I would like to know, I would like to know how all of those members from rural Saskatchewan are going to vote on this legislation, because this will be a very interesting thing for their electors to know, because they are now telling these members, in large numbers, that they should not allow that part of the Bill to pass. And if the member from Canora or Shaunavon or Nipawin or Pelly can deny that, I would like them to stand up in the House and say it. I hope that they will all stand up and join in this debate and say what their position is on this. They might as well, because when it comes to the vote they're going to have to stand up in this House and take that position, unless many of them are going to duck and not be here, which is, I think, going to be the case with some of them.

And I say to the members opposite, the private members who are not in the cabinet, do the right thing. You will be judged in your constituencies by how you vote on this issue. Tell your minister this Bill is yet at a stage where it doesn't have to proceed through the House. Nobody will be embarrassed if it is stopped on the government side. Nobody will be embarrassed — maybe the minister because he's been so stubborn about it — but you can be proud of having made a decision based on the arguments that your constituencies bring to you.

What is wrong with saying, look, I have consulted with the people who I represent, and they have told me that the

Bill shouldn't go. There's nothing wrong with that. That's not a negative thing or a negative light in which you as a politician portray yourself. That's a very positive thing and a positive way in which you can show yourself representing the people who elected you.

I want to correct the minister on another comment he made. He made no reference to the fact that the people in the cities of Saskatoon and Regina and Prince Albert actually voted for the ward system in 1976, and in Prince Albert a little later.

(1130)

It's interesting how the minister ignores those kinds of facts. But the fact is, Mr. Speaker, that those people in those municipalities, by large margins in plebiscite and in a vote of the electors and taxpayers in that year, voted by as much as 70 per cent in Regina to have the ward system.

Now I know this government philosophically is against the ward system because they have other motives, but why not let the people have a choice. At least they had a choice in 1976. What this legislation will do, according to the minister, is take away that choice. He is going to impose on them his two choices, and will not give them the opportunity to vote on the third one, which is the ward system, if they choose to have it, because he categorically says in the Bill, they can't.

Mr. Speaker, there are other cities who did not choose the ward system, and the minister is correct, but that was their choice. That wasn't a Conservative government's choice. That was those cities who made that choice. Why should they not continue to have that choice?

Now in spite of the fact that they chose not to make that choice, Mr. Speaker, every single one of those cities that does not have a ward system has passed a resolution in this last several months and has written to the minister saying that he should give all the cities the choice. And he is ignoring those resolutions and those submissions — every one of those cities — because they believe in democracy, and they believe in the right for local people to choose their system of municipal electoral government.

Before I go on to some of the remarks which I had prepared, I want to make one other point about something the minister said, and there was a lot of irony in that one, and maybe . . . it almost sounds cynical when you hear that minister, speaking on behalf of that government, talk about the important provision on proposals regarding public accounts for municipalities. Now, Mr. Speaker, I'm not going to oppose that provision in that legislation, and neither is anybody else. But for this government to talk about the importance of public accounts and public accounting is really a case of . . . a sheer case of hypocrisy. Because here is a government, Mr. Speaker, who sat on the *Public Accounts* of the province of Saskatchewan for over 14 months before they tabled them in this legislature, because they didn't want the people to know how they had spent their money.

There's a double standard here. This is a government that says everybody should be publicly accountable; we're

going to improve the legislation to make sure that the cities are publicly accountable, that the municipal councillors are public accountable; but as far as we're concerned, we don't have to be. That's the double standard that has put this government in such ill repute with all of the people in Saskatchewan. That's the kind of double standard that caused this government to lose their deposit in the Eastview by-election and the Regina Elphinstone by-election.

And although there are some vague references to, oh, we are listening to what the people are telling us, that seemed to last only the night of election. And then after that it's just plough right along; ignore the wishes of the people; we're going to do whatever we want to do, and nobody is going to stop us, is what the approach has been over here.

And I say to you, Mr. Speaker, you should know, as a member of a rural constituency, that that kind of approach in Saskatchewan is unacceptable. The people of this province cherish the democratic rights which they have developed over many, many years. They cherish the institutions which they've built with their own hands because no outside interests would do it. And for this government to come along and tear them down and destroy them is not acceptable today, and it's not going to be acceptable at the next provincial election when they finally go to the polls.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — Now, Mr. Speaker, there are three portions of this Bill of major significance, and there are others, some of which the minister referred to, which are important. But there is first of all the issue . . . one of the issues is the attack by this government on the right of urban residents to choose the electoral system under which they wish to elect their council. Arbitrary elimination of the ward system without even leaving it as an option, is what this Bill does. It's an attack on democracy itself.

Mr. Speaker, the second issue here is . . . well the minister keeps harping from his seat, well you did it in '73. Well I say to you, Mr. Speaker, if that was wrong, two wrongs don't make a right. And that's not what was done. Because in 1973, Mr. Speaker, it was written into the legislation that if the electors chose to do away with the ward system, they could do it or they could choose to keep it. What the minister is doing in this legislation is saying, you don't have a choice any more. And that is the difference, Mr. Speaker, and that's a significant difference.

Now the other issue, Mr. Speaker, is that the government is turning the decisions on store hours over to the corporate boardrooms in Toronto and New York. That is the very substance of what this legislation does on store hours throughout Saskatchewan, because these amendments to store hours really are a question of whether or not we allow Saskatchewan people to control shopping in Saskatchewan, or whether we allow the corporate boardrooms in Toronto and New York to decide what's going to happen in Saskatchewan.

And when this government was faced with having to

make the choice, do you know who they chose? They chose the corporate boardrooms of Toronto and New York. And that's not unusual; they have been doing this as government policy on economic development, on their whole privatization approach, and it's consistent with their approach, but it doesn't make it right.

Now . . . (inaudible interjection) . . . oh now, here's the Minister of Finance speaking as he comes into the House. When he feels pressed, he feels he has to speak from his seat as well, Mr. Speaker.

The minister opposite says that the legislature can't provide provincial regulation that is enforced, that is enforceable provincially. And I say to you, he's wrong again. It's just that the government and he do not have the will to do it.

Right now in the province of New Brunswick, that provincial government is bringing in legislation to provide one day of pause provincially, because they've had the other experience and they have found that it didn't work. In the province of Manitoba, if that government and that minister had taken the time to look, they have provincial legislation which is about a year and a half old, which works very effectively, and no one has yet challenged it.

So for the minister to say that you can't have provincial legislation which is enforceable is wrong, and it's only an attempt to provide a weak argument for a bad provision in a bad Bill.

Mr. Speaker, the third major issue is — and I will admit that it's major — is the question of giving municipalities to pass by-laws which can effectively control dangerous dogs. And nobody's going to argue about that. I mean, the evidence of some of the problems that are there is self-evident. And there appears to be . . . this in my view appears to be appropriate legislation and municipalities will welcome it. And so the government will not hear any arguments contrary to that from the opposition. We may have to take a look at some of the specific provisions and see whether they in fact do what it is suggested by the government that they will do, but in principle it's not a bad approach.

But I may add, Mr. Minister, that although this legislation has been dubbed the "mad dog legislation," it's interesting that it's in the same Bill as the other provisions, because all it does is seems to highlight the madness that appears to have overcome this government with respect to the first two issues which I have discussed in my remarks.

There is widespread concern with respect to the ward system and to the store hours issue. No one can deny that, and no one on that side of the House can deny that. On the ward system, the minister is carrying out a personal vendetta. And I think that's really sad and unfortunate that the minister would carry out a personal vendetta and refuse to consider what is right. That is not what government is all about; that is not what legislators elected to this Assembly are all about. We're here to represent the interests of all people, and not represent some impersonal hate that we have developed, as the

minister seems to be doing in this case.

He has no support for his proposals, but he insists on charging ahead in spite of the many individuals and organizations advising otherwise. The Saskatchewan Urban Municipalities Association, the councils of cities and towns, concerned citizens and others have said that the minister should not proceed. And in the face of all of the reasoned arguments presented to the government, it is surprising that the government caucus, which I referred to earlier, has become so insensitive as to permit this legislation to proceed.

And I say to them and to the minister, reconsider. Reconsider. Do what's right.

It is not just I who make these arguments, or my colleagues on this side of the House because we happen to be politicians, and therefore maybe we tend to oppose things of the government. That's not the issue here. There are many others who have said to the government what we are saying here.

I have a clipping here from the *Leader-Post* in which, after the introduction of the legislation, city aldermen in Regina were saying the following:

It is wrong for the provincial government to interfere in matters they believe are of local jurisdiction.

The president of SUMA himself — and the minister should listen to the president of SUMA because they're pretty close — but the president of SUMA himself has said, and I quote the article and the write-up from the paper that is written here on the June 1 edition of the *Leader-Post*:

Some municipal politicians accused Urban Affairs Minister (the member from Regina South, I guess I can't use his name) of ignoring them by announcing plans to replace the ward system for city councils with a combined ward and at-large system.

The president of SUMA said, I quote:

It's quite a departure from what we wanted.

And then he said:

SUMA has repeatedly asked Klein . . . (sorry) has repeatedly asked (the minister, the member from Regina South, the Minister of Urban Affairs) to leave the ward system alone, and let municipalities decide for themselves which election system they prefer, said Abel.

(The minister) certainly hasn't listened to us.

And I think that's a key point when the president of SUMA says categorically and in print that the minister has not listened to us. And that's a major reason why this Bill has received the title of being as notorious as it has.

Now we've heard the minister talk about his silly notion

that somehow this is a compromise on the ward system. What a bunch of . . . It's humorous and it's sad, and quite frankly, it's disgusting.

Mr. Speaker, if this was truly a compromise, if the minister was really intending to compromise, wouldn't you believe, Mr. Speaker, that the compromise would have been to say in the legislation, okay, we're going to give you the choice; we're going to allow you to choose between an at-large system and the worst possible system of all, the dual system, or the ward system. That would have been a compromise, Mr. Speaker.

But to say to the people in the urban municipalities, we're going to just let you pick the two and you can't have the three, no compromise. That is arbitrary. And that's why, Mr. Speaker, that's why the editorial writers in the Saskatoon *Star-Phoenix* — certainly not a paper that has any historical connection to the New Democratic Party and would not be thought to be one that would support things that the New Democratic Party would say, but, I think, has some editorial honesty. And the editorial in the *Star-Phoenix* on June 2 said, right at the headline, "Re-design or resign," and they're right.

And the minister doesn't like to stay when we get to that editorial, because I don't think he wants to hear it. But I say what the *Star-Phoenix* has said. It says:

(The minister's) . . . creation of five ward representatives and five at-large council members would give urban voters the worst of all possible systems.

Now here is a government that chooses the worst of all possible systems and tries to force it on the people. It goes on to say:

Cabinet ministers should know better than to let their personal vendettas influence their judgment and governments should not allow individual (anger) . . . to dictate policy.

And I agree with that statement in the editorial. It says:

. . . this ridiculous proposal to change the ward system (is an example).

(1145)

The editorial goes on to say:

The Devine government is facing almost universal opposition for this wrong-headed move.

The government should reverse itself at once and toss (the minister's) . . . proposals on the (scrap-heap) . . . It would be appropriate at the same time to ask for his resignation or at least reassign him to a lesser portfolio. This attack on the ward system isn't the work of a capable minister with sound judgment.

And I say, Mr. Speaker, I say that the honourable thing for the Premier to do in this kind of a situation is demand the resignation of his minister.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — Now there is a way, Mr. Speaker, that you can deal with this. There are some provisions of the Bill that are good. This portion of the Bill that we are talking about here, that I am referring to, should be separated from the Bill. It's been done before and it can be done again. And if the House Leader was in the House, I would be saying to him . . .

Mr. Speaker: — Order, order. The hon. member knows that he shouldn't be referring to the absence of members.

Mr. Tchorzewski: — I'm sorry, Mr. Speaker. I agree. But the Deputy House Leader is here, so I will make the recommendation to him.

And I say to the Deputy House Leader to carry the message to his House Leader, to carry the message to the Premier, that this . . . the smart thing to do would be to split this Bill and take this portion of the Bill out of the main Bill so that we could deal with it separately so that other portions of the Bill that are good and positive proposals can be left intact.

I urge the government to consider this option in dealing with this Bill. And I hope that they . . . And I do it in a serious way. I don't do it in a partisan political way. I do it because I think it's the appropriate thing to do, and I hope that the government over there will take it as a serious consideration.

The ward legislation and the store hours legislation could be delayed until after the plebiscites on the ward system in the cities, and they're already setting up to have them. That would be the right thing to do. The people of the cities want to vote on them to decide whether they want to keep it. Give them a chance to do that. Give them a chance to do that before you pass this legislation.

And also we should provide an opportunity for small businesses and businesses in rural communities to have input on the store hours legislation, and therefore that is a separate piece of legislation that should be removed and split from the Bill so that we could provide them an opportunity to deal with that.

Having done that, Mr. Speaker, we could deal with the dog legislation and we could deal with some of the technical amendments that are in the Bill in this spring session and put them into place — and put them into place. Take the other two portions out and give people a chance to deal with them.

Now I say, if I may spend some time on the question of the store hours legislation, Mr. Speaker, I've said before and I say again, that this legislation is a cop-out by the government.

It's a government that will not live up to its responsibilities as an elected government of the day. It's a government that is out of touch with the realities of Saskatchewan and simply has become mesmerized by their experiences in the trips that they take to Tokyo and New York and Chicago and Toronto and London and Geneva, and

somehow think that you can take what you have over there and implement it into a province, widely distributed geographically, of a population of a million people, and that's the right thing to do.

That's not why we are here and the way we are here because we did that. We are here because we set up a system and a province which we put together to suit our own environment. Now the government says that's not good enough; we're going to impose somebody else's experience into this province in spite of our environment.

Now the comments that have been made in argument by the government opposite, and particularly the minister in support of this Bill, are full of contradictions, full of contradictions because here he has argued on this portion on store hours that municipalities should have a choice.

An Hon. Member: — Yes, give it to the municipalities.

Mr. Tchorzewski: — He says, give it to the municipalities because that's the right thing to do. But when he comes to the other part of the Bill dealing with the ward systems, he said, I'm not going to give them a choice; they don't know what to do with it; I'm going to impose it on them. Now that is the height of contradiction, Mr. Speaker, and I think it says a great deal about the kind of motivations that's behind this legislation.

He's saying that when it comes to the electoral system, there should be no local autonomy, that people who live in Moose Jaw and Estevan and Weyburn and Regina and Saskatoon shouldn't be allowed to choose. Ah! but when it comes to something that the government doesn't want to deal with, like store hours, they say, oh, but that's local autonomy and the government shouldn't interfere and we should give them the choice. Now what kind of a cop-out and contradiction is that, Mr. Speaker.

Now I say to you, I say to you, Mr. Speaker, that this legislation on store hours as well as being a cop-out, is a direct frontal attack on small business and particularly business in rural Saskatchewan, that's what it is. I say to you, Mr. Speaker, this: that this government will go down in history as the government which has caused more destruction to family life than any other government in the history of this province.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — We witnessed today, 60 dental therapists representing 440 dental therapists who, on this day last year, this government fired outright when they abolished the children's dental plan. Those dental therapists have families. Now this is the sensitive government that said to them that their families are not important, their families aren't important. We're going to fire you outright on no notice because we don't want this children's dental plan, we want to privatize it. That's a frontal attack on family life in Saskatchewan, Mr. Speaker.

This is the government that talks about families and introduces liquor legislation that is going to open up the whole question of liquor distribution to the extent that we have never known to be possible in Saskatchewan before.

Now they do that at the same time as they open up a facility in Yorkton called Whitespruce to treat drug and alcohol . . . teenage drug and alcohol abusers. That's an attack on family life, Mr. Speaker.

Now, Mr. Speaker, we see, in this Bill, this government charging headlong into the undermining of the viability of rural Saskatchewan's small business run by Saskatchewan families.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — And also workers who work in these stores, in these shops who need some time with their families, they're saying to them: it doesn't matter to us whether you need some time with your families, we're going to do whatever the chain stores headquartered in Toronto and New York decide that they want to do in Saskatchewan.

Mr. Speaker, there is an organization in Saskatchewan, called the coalition against open on Sundays, and they're more concerned about a common pause day across the province. They are speaking loud and clear and they are speaking to every business family in Saskatchewan today — they have been for the last several weeks.

They wanted to meet with this minister for a long time. The minister refused to arrange a time to meet with them until the day when he introduced this Bill, after saying . . .

An Hon. Member: — Not true.

Mr. Tchorzewski: — It is true, Mr. Minister. After saying to them, I will not introduce this Bill until I have consulted, until I've heard what you want to say, and then saying, come at 9 o'clock in the morning. Talking to them, and saying what he said, then, at 2:30 in the afternoon, introduces the Bill. Now what kind of consultation is that? That is not consultation, Mr. Speaker, that's a mockery of consultation.

And I say to the minister, and to the government, these people want to get a hearing from every business place in Saskatchewan, every business operated in Saskatchewan. They need the time to do that. Split this Bill from the main Bill, and give them the time to do that.

There are others who have said, Mr. Speaker, and I know, I believe there is a letter that has been written to the Premier saying that there should be public hearings on this legislation. And I think that that's a good suggestion. There is no reason why this legislature could not hold public hearings by a committee, a joint committee of all the legislators of this Assembly. But there needs to be time for that to happen. Another reason why the minister should split this legislation, as well as the ward legislation, away from the main Bill so it can be handled separately so that there can be that kind of time, so that this kind of a major decision can be made in consultation with the people who it's going to affect the most. And I hope that it will be considered.

Before I adjourn, I say one more time to the government opposite: there is a way to handle this appropriately. There is a way in which you can save face, if that's what's

important to you, on two issues which you know you're in trouble with, and that is to say what is true. And that is that there's people out there, organizations and individuals across the complete spectrum of Saskatchewan society, who want you to delay this part of the legislation. If you do it, will be a positive move, and they will, and so will I, commend you for it.

Don't go headlong into this thing in spite of their wishes, in spite of the need to be able to make sure you do the right thing. Delay the Bill. Split off the portions that need to be passed this spring, and I can assure the members opposite, and the House Leader opposite, that I will make sure that those portions of the Bill that need to be passed this spring pass expeditiously and quickly so that they can be implemented and have the good effect that I think they have the potential for having, and that is the legislation dealing with dangerous dogs, the technical amendments on public accounts, and some other provisions of the Bill. Because there is something there that is worth supporting and everybody would support them.

Now it may be that the government opposite doesn't want to provide that opportunity for the public to have an input. Maybe they don't want to provide the opportunity for the shopkeepers throughout Saskatchewan to have an input. Maybe they don't want to provide an opportunity for the people in the urban centres of Saskatchewan to have a vote on whether they want to keep a ward system or an at-large system. That's their choice and I can't make it for them.

But I want to provide them that opportunity, and every member on this side of the House in the New Democratic Party caucus wants to provide them that opportunity. And we're going to do whatever we can to make sure that they have a chance to make that input. My colleague and I, the member from Prince Albert, are meeting with some people on Monday in Humboldt to discuss a number of issues concerning legislation brought into this House. We will continue to do that.

I intend to send out to the urban municipalities of this province a questionnaire in which I will be asking about the matter of store hours and the legislation which this government has introduced, and the matter of the ward system and whether they believe municipalities should have a right to choose. But they're going to need time to consider those questions and return them so that they can make some input and so they can be reported in this House.

And because all of these things are so crucially important, and because they need time, Mr. Speaker, I want to adjourn debate for now.

Some Hon. Members: Hear, hear!

Debate adjourned.

Mr. Speaker: — Why is the member on his feet?

Mr. Neudorf: — With leave of the House, Mr. Speaker, I would like to make a few introductions.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Neudorf: — Thank you, Mr. Speaker. Mr. Speaker, I would like to introduce to you, and through you to the members of this Legislative Assembly, a group of 18 grade 12 students from a town in my constituency, of Waldheim. I would like to introduce to you their teacher Mr. Dave Hinz; Mrs. Redekopp and Mrs. Heppner as chaperons, and Dave Yule as bus driver.

I already, Mr. Speaker, have had the opportunity to meet with this group and to discuss the democratic process and what was going on in the legislature. I hope you have enjoyed what you heard, as the member of Regina North East gave his version of a Bill introduced by the Urban Affairs minister. That, by the way, is the opposition's viewpoint that you have heard; it's unfortunate that you were not here while the minister was speaking. But I'm sure that you will enjoy the rest of your visit here in the legislature. I understand you came in last night already, and I guess that explains some of the looks that I'm seeing here. But I hope that you enjoy the rest of your visit and that you have a safe journey home.

And I'd like to ask all members to welcome the students from Waldheim.

Hon. Members: Hear, hear!

(1200)

Mr. McLaren: — Mr. Speaker, I would, too, like to ask for leave to introduce some guests in the Assembly.

Leave granted.

Mr. McLaren: — Thank you very much, Mr. Speaker. It is indeed a distinct pleasure for me to introduce to you, and through you to the members of the Assembly, a group from beyond our borders, Mr. Speaker, the Gizha Thunderbirds, Wa-Wa Shriners from Victoria, B.C. There are 16 visitors in your gallery, Mr. Speaker.

On behalf of the members, I would certainly welcome these visitors from British Columbia to our Assembly, to Regina, and of course our province of Saskatchewan. They are guests attending the Wa-Wa Temple ceremonial services where new members are joining the Shrine. So with that, I would ask all members to please welcome these distinct visitors to our Assembly this afternoon. Thank you very much.

Hon. Members: Hear, hear!

SECOND READINGS

Bill No. 61 — An Act to amend The Local Government Election Act

Hon. Mr. Klein: — Thank you, Mr. Speaker. I am pleased to move second reading of The Local Government Election Amendment Act, 1988.

I too would like to welcome the people from B.C. It's tourism at its best; they're bringing all that British

Columbia money to Saskatchewan. It's helping diversify our economy. We've got a little bit of a drought. You haven't, but we need the money. So spend it freely while you're here. Thank you for visiting.

Hon. Members: Hear, hear!

Hon. Mr. Klein: — Mr. Speaker, The Local Government Election Act was approved by this House about six years ago. The upcoming October civic elections will be the third civic general elections to be held under the Act. Those who know the local election process, Mr. Speaker, will attest to the fact that the 1985 civic elections process were much smoother than 1982. However, Mr. Speaker, the 1985 elections were not without hitches. The need for further adjustments to The Local Government Election Act was quite apparent.

Mr. Speaker, it's in the tradition of our commitment to reform of the local election process that this Bill is being presented to this Assembly. As has been the case in the past, this Bill has been prepared in close consultation with local officials representing both school and municipal sectors.

One of the major reforms in this Bill is that we are requiring that urban, municipal, and school division voters reside in the municipality or the school division, as the case may be, for three months instead of six months before becoming eligible to vote.

You might ask, Mr. Speaker, why we're doing this. Well we're doing this because we want to expand the local franchise and increase participation in local government. One of the problems with the current six-months residency requirement is that if a person is, for example, transferred from, say, Regina to Saskatoon, he's not able to vote in elections in Saskatoon until he has spent at least six months in that city.

Now we agree that newcomers need to get to know the community issues before they vote; however, it's obvious that six months is far too long a period to wait; it's inappropriate for today's mobile society. Therefore we are reducing the residency requirement by one-half of the current standard.

I would mention that this three-month residency requirement will also apply to candidates for all school and municipal offices, as well as lessees of land and resort village who wish to vote in elections in their municipalities.

Another major problem, where reform relates to voting by non-resident land owners. Mr. Speaker, during my remarks on The Controversial Municipal Election Amendment Act in this House a few days ago, I spoke about two solutions that we propose to introduce to discourage voting irregularities such that apparently occurred in the 1985 local election in the village of Ferland. I mentioned that one of the solutions would be in this Bill.

To refresh the memory of the members and yourself, Mr. Speaker, on the irregularities, I said that the alleged abuse of the election process involved land transactions,

specifically a number of names of people living outside of the community were added to the titles of land within the village, allegedly permitting them to influence the results of the election. I also emphasize that if we do not change the rules now, the possibility for voting irregularities to happen in other communities in the 1988 municipal election will continue to exist.

Mr. Speaker, the solution that we are proposing in this Bill is to require landowners to own the land for three months prior to the election in order to qualify to vote in urban municipalities. Previously non-residents could vote by becoming landowners of up to one day before the election.

The three-month ownership rule parallels the three-month residency requirement for new voters who move into a municipality, which I just outlined. It also squares with the three-month period for leasing of land in a resort village before becoming qualified to vote.

We believe that this new requirement for non-residents to own land for three months before the election will go a long way in eliminating abuse by people who might be tempted to buy land to influence their election.

Mr. Speaker, I'm also pleased with a significant change in this Bill which will permit handicapped people to vote in their own homes. This involves a mobile poll, Mr. Speaker. It will authorize villages, towns and cities, as well as school boards, to set up mobile polls if they wish. The mobile poll simply means that the physically incapacitated voters' homes can be declared a poll, and they can then vote at home if they are unable to get to the regular polling place because of their physical incapacity.

It's a significant step forward, in my opinion, supported by SUMA and it is parallel to a provision in the Saskatchewan Election Act which allows handicapped people to vote by mail. Mr. Speaker, no province, at this time, has a mail-in ballot provision in their local election law. However, Alberta and B.C. have the mobile poll option at the municipal level, and we feel that this is more practical in local elections.

I'll briefly mention that there are several amendments of a housekeeping nature in the Bill. For example, Saskatoon felt that the Act was ambiguous with respect to voting by students who attend post-secondary educations away from their home towns. We've clarified this position . . . this provision. In short, students will have the same voting rights as all other electors, and that is they will have to reside in a municipality for at least three months prior to the election to be eligible to vote.

In addition, several local election officials asked us to reduce the minimum amount of time which polls in institutions such as special care homes are required to open, from four hours to two hours. We have agreed to this change to allow local election officials to use their personnel efficiently and cut their election expenses. We are satisfied that the voting rights of those in institutions will not be compromised with this change.

Mr. Speaker, I believe these amendments provide a

necessary and timely update to the local election rules. It reflects the changing times in which we live. I would therefore urge all members to support this Bill.

Mr. Tchorzewski: — Mr. Speaker, I will not take a great deal of time on this Bill. There are many provisions, some of which the minister has referred to, which I think are positive, and we need to look at them, I think, with some more time.

There is one provision which he referred to, and that is respecting students voting in municipal elections. The House may remember, and you probably no doubt will, Mr. Speaker, that I think it was last year when the minister produced some amendments with regard to that which became very unpopular and no one supported or agreed them. And we want to take a look carefully at these proposals to see whether they are the same or whether they repair some of the shortcomings of the earlier proposals of a little over a year ago.

I noted with some interest that in describing the Bill, no mention was made that a large portion of the provisions in this Bill are to provide for the new system of election of municipal councillors, the dual system. The minister made no reference to that at all, and I don't know whether that was an attempt to make the opposition feel that they could let this Bill go by, but I want to assure the minister that we take the time to read the legislation which this House sees from the government opposite.

I have read that one and really, quite frankly, Mr. Speaker, there are provisions in this Bill that may not be necessary if the government's legislation on the ward system does not proceed in this House. Until we know that, these consequential amendments, Mr. Speaker, should not be passed, and so I, at this time, with the indication that we need to hold onto this Bill to see whether some of those provisions need to be eliminated, I think the only thing we can do at this time is adjourn debate on this Bill until the other Bill, which we've discussed previously is dealt with in this House.

(1214)

Motion agreed to on the following recorded division.

Yeas — 39

Duncan	Andrew
Berntson	Lane
Taylor	Smith
Muirhead	Hodgins
Gerich	Hepworth
Klein	Meiklejohn
Martin	Toth
Johnson	McLaren
Petersen	Gardner
Kopelchuk	Britton
Romanow	Prebble
Lingenfelter	Shillington
Tchorzewski	Koskie
Thompson	Mitchell
Simard	Kowalsky
Solomon	Anguish
Pringle	Lautermilch

Swenson
Gleim
Van Mulligen

Martens
Trew

Nays — 00

Bill No. 64 — An Act to amend The Tax Enforcement Act

Hon. Mr. Klein: — Thank you, Mr. Speaker. I hope that as some of those other votes are taken, the opposition would have the courtesy to vote with us, as we did just now. And for the visitors in the gallery, it's Friday, the opposition has had a tough day, you've probably seen a little history.

Mr. Speaker, I am pleased to rise this afternoon to move second reading of The Tax Enforcement Amendment Act, 1988. And the purpose of the majority of these amendments is to reduce the role of the registrar of land titles in municipal tax enforcement proceedings, and provides a procedure in The Tax Enforcement Act, which requires the enforcing body to perform most of the steps independently of the land titles officials.

The emphasis of these amendments is on ensuring that land owners are properly served in accordance with existing time frames, and with the same frequency as presently exists under The Tax Enforcement Act. The most significant change which is being made is to require municipalities to determine on their own who will be served with notice of the municipalities intent to acquire title to property on which tax arrears exist, and to require the municipalities to take responsibility for those services.

Presently, the land titles registrar's involvement in assisting the municipalities in the tax enforcement process is extensive. This involvement is significantly reduced by the amendments included in this Act. The municipality will no longer be required to publish, in the *Saskatchewan Gazette*, a copy of the list indicating tax arrears. This function, which is currently performed by the municipality, serves no purpose.

Tax liens will continue to be filed in the Land Titles Office, and after one year has expired and the municipality has passed the appropriate resolution, the municipality will request a copy of the certificate of title and a general record certificate from the Land Titles Office. From this information, the municipality will determine upon whom service must be made. The treasurer of the municipality shall serve all persons appearing to have an interest in the land, requiring them within six months to consent the claim or to redeem the land . . . contest the claim, I'm sorry.

In accordance with existing procedure, the municipality will continue to provide notice to the Provincial Mediation Board and obtain the consent of the Provincial Mediation Board prior to obtaining certificate of title.

Finally, no change will be made to the existing procedure of providing an additional 30-day service at the expiration of six months from the date of the last service by the treasurer.

Finally, the proposed Act includes less significant

housekeeping amendments dealing with the interaction of the land title system and the municipalities.

Mr. Speaker, I move second reading of The Tax Enforcement Amendment Act, 1988.

Mr. Tchorzewski: — Mr. Speaker, my study of the Bill, to date, indicates that it is not a Bill that I see any great difficulty with, but I have not completed by consultation with municipalities and I have not had yet a response from SUMA with regard to this legislation. In order for me to be able to do that, including discussions I will be having with representatives of SUMA at regional meetings, which I will be attending in the next little while, I beg leave to adjourn debate.

Debate adjourned.

Bill No. 72 — An Act respecting the Saskatchewan Municipal Board

Hon. Mr. Klein: — Mr. Speaker, I rise today to move second reading of Bill No. 72, a Bill to establish the Saskatchewan Municipal Board.

In last year's budget address my colleague, the Minister of Finance, announced the government's intention to consolidate, under a single new board, the jurisdiction and responsibilities of the present Local Government Board, the Provincial Planning Appeals Board, and the Saskatchewan Assessment Appeal Board. This Bill follows through on this announcement.

The scope of the new board has necessitated an extensive and thorough review, taking some time to prepare this piece of legislation. The consolidation of these three board functions offers a number of benefits for both the Saskatchewan public and local governments. Before reviewing the contents of the Bill, I will identify some of the benefits.

First, it has provided an opportunity for us to review and, where appropriate, update their responsibilities.

Secondly, consolidation will permit the application of a broader range of expertise to local government needs from a single board. Board members will have the opportunity to become familiar with and assist communities in an expanded jurisdiction. For example, there are relationships among local government finance, assessment, and planning matters. And now the board will be able to take these into account more readily. Sharing the expert staff drawn from the three present boards will also reinforce the objective.

Thirdly, consolidation of these boards will offer greater flexibility and efficiency in scheduling appeal hearings of various types and in providing service to the public and local governments.

Mr. Speaker, the jurisdiction of the new municipal board will be drawn from the three existing boards. From the Local Government Board the new board will approve and advise on debt financing by local governments; review and approval local financial matters arising under numerous statutes; consider applications to alter

municipal boundaries and, on infrequent occasions, be responsible for looking into and, as necessary, supervising the financial affairs of local governments which have encountered serious financial troubles.

From the Provincial Planning Appeals Boards, the new municipal board will consider and decide appeals by the public from the local government level on planning and development matters.

And finally, from the Saskatchewan Assessment Appeal Board, the new board will handle property, business, and other assessment appeals under several Acts.

As you can see, Mr. Speaker, the new Bill simply pulls together existing powers and duties of the three into one and creates one board from the existing three boards.

The municipal board will consist of both full-time and part-time members appointed by the Lieutenant Governor in Council. To continue to ensure the independence of the board as a quasi-judicial body, appointments will be for 10 years and three years for full- and part-time members respectively. Including part-time members in a way of readily broadening the range and depths of expertise on the board and responding to fluctuations in demands made of the board. The members of both the PPAB (Provincial Planning Appeals Board) and SAAB (Saskatchewan Assessment Appeals Board) are currently part time.

The board may appoint an executive director, secretaries for its various jurisdictional areas, plus other employees that may be required. The existing employees of the local government, planning appeals, and assessment appeal board, will be transferred to the new board. And these employees will continue to be appointed under The Public Service Act.

The board will have the scope to establish its own procedures and set various types of charges and fees. A committee structure will be established to hear matters in the three major jurisdictional areas. The quorum for the board and its committees will be two members.

For determining matters of fact, board members will have the powers of commissioners under The Public Inquiries Act. The board may require information from local governments and the assessment management agency, appoint advisory committees, conduct inquiries, and exercise other related powers. Appeals from the board on matters of law or jurisdiction will be permitted as stated cases to the Court of Appeal for Saskatchewan.

Mr. Speaker, the Local Government Board has had powers related to public utilities under various Acts, which are not carried forward into this new legislation. These have proved to be largely inactive and out of date. The new municipal board's mandate is thus more sharply focused by the adjustments which have been made.

Mr. Speaker, I believe the consolidation of these boards into a single more comprehensive municipal board is a good move for local governments, and for the Saskatchewan public. It parallels similar established bodies in other provinces, including Manitoba, Alberta,

Ontario and Nova Scotia. Preparation of the Bill has involved extension consultation among provincial departments responsible for the various local governments which will be subject to the municipal board's jurisdiction. As well, I have spoken to the board's establishment at regional SUMA meetings to provide an opportunity for additional feedback.

And finally, Mr. Speaker, I want to mention again that this new Act simply brings together the existing powers of three separate boards and fuses them together in one single board, the Saskatchewan Municipal Board.

Mr. Speaker, I would ask all members of this legislature to support this progressive Bill.

Mr. Tchorzewski: — Mr. Speaker, I would be the last one to pretend that I was an expert on all of the three Bills that are being amalgamated under this Municipal Board Act, but I am working hard at becoming one. And I have spent considerable time comparing the new provisions with the existing provisions. I have sought the advice of SUMA and I am also seeking the advice of . . . some legal advice from legal people who have expertise in municipal law.

I realize — and I don't know whether the minister said so; he may have — that to a large extent this appears to be modelled after the Ontario situation where much the same operation exists there.

The problems that some people who are familiar with the Ontario board, is that it has become an operation which seems to second guess the decisions of local municipal councils. If the provisions and the powers of this board are such that municipal councils will always be subject to appeals to the board by major developers who want to have their way, costing a great deal of expense, then I think there may be some problems here that I hope the government has looked into with some care.

But the other provision in the legislation which I see which troubles me considerably, knowing the history of the government opposite, is the fact that this board will now be politically appointed. The board will be appointed by the minister and Executive Council, leaving it wide open to once again Conservative, PC patronage appointment rather than providing the expertise and the broad range of experience and knowledge that is so greatly necessary on this kind of a board.

Also, the appointment of the executive director, I don't know who that will be, and I guess we'll have to wait and see. But there are rumours around that once again — and there's always a distinct possibility that former people connected with this government and this political party may be the first choices, rather than someone who has got the expertise, once again, which is required.

That will be an interesting phenomenon to watch when this Bill is passed through the House, to see what the repercussions are with respect to that.

But as I said, Mr. Chairman, Mr. Speaker, I am seeking some further advice on it. I know that the minister's office has offered some of his officials to meet with me, and I'm considering that as well, because this in many ways is a

lawyer's document. I am not a lawyer, but until I have had an opportunity to avail myself of that advice I would at this time adjourn debate.

Debate adjourned.

(1230)

Bill No. 80 — An Act to amend The Education Act

Hon. Mr. Hepworth: — Mr. Speaker, I am pleased to outline amendments to The Education Act. A number of the proposed changes are simply technical or housekeeping amendments being made in response to concerns raised by the Department of Justice and the Provincial Auditor.

The other amendments deal with a variety of matters relating to the policies and procedures used by school boards. And I want to emphasize, Mr. Speaker, that these amendments have been developed in full consultation with officials of the Saskatchewan School Trustees Association who have indicated their agreement with the proposals as presented here.

Let me briefly outline the key points. School boards are currently required to set their members' remuneration as a certain amount per day. They will now be given the flexibility to define a member's remuneration in other ways if they consider it more effective to do so, such as a monthly or annual amount.

I should point out however that school board members will still not be paid where they miss a board meeting without valid reason. In other words, a balance is being maintained between the board's authority to establish remuneration and whatever they may consider most efficient; on the other hand, the need for public accountability with respect to remuneration.

Second, Mr. Speaker, boards will now be clearly required to make their adopted minutes available to the public and also to establish written policies with respect to the release of other information of documents. This is a reasonable requirement which should help to clarify the public's right of access to board documents.

The third amendment to note involves the conduct of board meetings. It is generally accepted, Mr. Speaker, that school boards have the right to discuss sensitive and confidential matters *in camera*. However, the Act provides no authority for this practice, but states that all board meetings are to be open to the public. The amendment, Mr. Speaker, will authorize boards to hold *in camera* discussions, but will require any votes arising from such discussions to be conducted in an open meeting.

Another amendment relates to the ability of boards to establish committees. This is obviously a power which is important to many boards, particularly the larger ones, since they cannot reasonably be expected to deal with every matter in full board sessions. The amendment gives boards the authority to delegate matters to committees and set out the powers and duties to be assigned to such committees.

It is important to emphasize, Mr. Speaker, that boards are not being allowed to delegate their ultimate responsibility for decisions. Any recommendations or decisions of a board committee will have to be ratified by the board in the usual way at an open board meeting.

The final amendment I want to mention deals with provisions for the supervision and expulsion of students. At present the maximum possible suspension is four weeks. For longer periods, the only options are to keep renewing suspensions or to expel the student. A provision is now being included whereby a board will be able to suspend a pupil for a period of more than four weeks, up to a maximum of one year. The option of expulsion will remain for those cases where a one-year suspension is considered inadequate.

Mr. Speaker, this new provision will provide the flexibility to deal with disciplinary matters in more appropriate ways. I should also mention that suspensions for reasons of irregular attendance are now being incorporated in the general discipline section to ensure consistency in the application of criteria and procedures.

Mr. Speaker, we all want to see our school system operate as effectively and as efficiently as possible, in the best interests of students and of the public at large and all the parents. For this to happen, we need a balance between the powers of the school boards, on the one hand, to operate in ways which they consider most appropriate; and legal obligations, on the other hand, to guarantee openness and accountability in board activities.

These amendments to The Education Act are designed to enhance an effective balance between these two aspects. As I said earlier, they have the support of the Saskatchewan School Trustees Association.

Mr. Speaker, I am therefore pleased to move that Bill No. 80, An Act to amend The Education Act, be now read a second time.

Mr. Kowalsky: — Thank you, Mr. Speaker. I will make a few comments regarding the Bill, after which time I will move adjournment of debate on this motion.

I think that this Bill is rather of a great deal of significance to a lot of people. It appears as if it's a housekeeping Bill. The SSTA has asked for certain changes. I think that they should be allowed time, and now *en masse* to take a look at it and go through it with a fine-tooth comb to be certain that all the provisions are workable. I would want to have some time to do that.

I want to make reference to a couple of the provisions in the Bill. One provision here where . . . in one of the sections where the minister is giving himself power to appoint a committee to inquire any complaint or disagreement arising from the decision of the board, I think is an appropriate move.

I think that the minister should be able to do that in the event of there being a dispute at the local level where the issues need to be clarified and where you need a third party. I've heard boards request that that happen from

time to time, and I believe that that's a provision that should be made and we should have in the education system.

I note also that one of the sections provides, as the minister indicated, that the board should be authorized to fix its own remuneration for its board members. And I want to add that in all of the dealings that I've had with school boards — and that members on this side, and I'm sure members on both sides of the House have had in dealing with school boards — school boards have shown a great sense of efficiency and a great sense of responsibility.

It's only right that this power be extended to them, that they be given the power to self-regulate and to set their own priorities. The school boards have, along with municipal councils, have certainly shown that they are quite capable and very efficient managers of money, much better than perhaps provincial governments, this one in particular.

One last comment I would like to make, Mr. Speaker, and that is with respect to the provisions of disciplining students, which relates to the suspension, something that is a very difficult thing to deal with in the schools — difficult to deal with because the mandate of the school is to take a child and help that child progress through his or her growth in the way of . . . in content, and in the processes in dealing with other people. And the most important thing that is necessary here I would say, is that the school programs are what really attracts the students there and what keeps students in school.

I notice a new provision in here with respect to suspension of students for truancy. This is a very difficult thing to do, and it's the last measure that schools and school principals usually like to refer to. It's the last measure.

They first want to put in good school programs. They want to make sure that the children, and on an increasing basis now, are coming to school in a condition where they actually can learn and participate. But there are times that arise when a student's behaviour, quite often beyond the control of the school, is disruptive to some of the other students that are there. So I believe it's quite necessary to have a provision where the principal of the school is able to exclude the student from class and hopefully some type of remedial measures are provided.

There is one thing left to be very cautious of. As we give the principals and the schools more power to do this, we have to be very careful that there is an appeal procedure for the parents and the students. Now I have not heard of any cases, or certainly if there are, they are very far and few between, where the parents feel maligned by the school or by the school system. But nevertheless, it is very important that the appeal procedure be looked at and I would . . . I'm going to be asking our researchers, I'm going to be asking the people in the trustees association, to be assured that those appeal procedures are in place.

And with those few remarks, Mr. Speaker, I move adjournment of debate on this motion.

Debate adjourned.

Bill No. 63 — An Act to amend The Student Assistance and Student Aid Fund, 1985

Hon. Mr. Berntson: — Mr. Speaker, item no. 7, Bill No. 63, by leave of the Assembly, Mr. Speaker, I move, seconded by the Minister of Economic Development, that the order for second reading of Bill No. 63, An Act to amend The Student Assistance and Student Aid Fund Act, 1985, be discharged, and the Bill be referred to the Standing Committee on Non-Controversial Bills.

Motion agreed to and, by leave of the Assembly, the Bill ordered to be referred to the Standing Committee on Non-Controversial Bills.

Bill No. 65 — An Act to amend The Provincial Court Act

Hon. Mr. Berntson: — Mr. Speaker, by leave of the Assembly, I move, seconded by the member from Maple Creek, that the order for second reading of Bill No. 65, An Act to amend The Provincial Court Act be discharged, and the Bill referred to the Standing Committee on Non-Controversial Bills.

Motion agreed to and, by leave of the Assembly, the Bill ordered to be referred to the Standing Committee on Non-Controversial Bills.

Bill No. 68 — An Act respecting Small Claims in the Provincial Court of Saskatchewan

Hon. Mr. Berntson: — Mr. Speaker, with leave of the Assembly, I move, seconded by the member from Maple Creek, that the order for second reading of Bill No. 68, An Act respecting Small Claims in the Provincial Court in Saskatchewan be discharged and the Bill referred to the Standing Committee on Non-Controversial Bills.

Motion agreed to and, by leave of the Assembly, the Bill ordered to be referred to the Standing Committee on Non-Controversial Bills.

Bill No. 77 — An Act to amend The Teachers' Federation Act

Hon. Mr. Berntson: — Mr. Speaker, I move, seconded by the member from Maple Creek, by leave of the Assembly, that the order for second reading of Bill No. 77, An Act to amend The Teachers' Federation Act be discharged and the Bill referred to the Standing Committee on Non-Controversial Bills.

Motion agreed to and, by leave of the Assembly, the Bill ordered to be referred to the Standing Committee on Non-Controversial Bills.

(1245)

Bill No. 53 — An Act to amend The Provincial Mediation Board Act

Hon. Mr. Berntson: — Mr. Speaker, I move, seconded by the member from Maple Creek, by leave of the Assembly, that the order for second reading of Bill No. 53, An Act to

amend The Provincial Mediation Board Act, be discharged, and the Bill referred to the Standing Committee on Non-Controversial Bills.

Motion agreed to and, by leave of the Assembly, the Bill ordered to be referred to the Standing Committee on Non-Controversial Bills.

MOTION

Amendments to Rules of Non-Controversial Bills Committee

Hon. Mr. Berntson: — Mr. Speaker, I would like to have leave to move this motion to amend the rules of Non-Controversial Bills Committee, and this was the recommendation that came out of the committee and presented by the member for Regina North East, I think, a few days ago, to deal with minor amendments. Maybe it was your Centre guy.

But to deal with minor amendments . . .

An Hon. Member: — Sir, to you, not the Centre guy.

Hon. Mr. Berntson: — Sir, the Centre guy, sir. And the recommendation came out of the committee to deal with minor amendments in Non-Controversial Bills Committee to fix up typos and that kind of thing rather than refer them back to the House. I will read it into the record, and I'll send it over to you.

That rule no. 87(3) be deleted, and the following substituted therefor:

(3) The Non-Controversial Bills Committee shall have power to amend by unanimous consent, and the government may withdraw a Bill therefrom at any time without notice, and a Bill may be sent back to the Assembly for second reading upon the request of one or more of the members of the committee.

And, Mr. Speaker, if I can beg the indulgence of the House to have a copy sent over to the member opposite.

Leave granted.

Motion agreed to.

SECOND READINGS

Bill NO. 83 — An Act respecting the Operation of All Terrain Vehicles

Hon. Mr. Hodgins: — Thank you, Mr. Speaker. I today would like to speak about legislation that demonstrates this government's commitment to the safety of the Saskatchewan people and especially the safety of our youth in this province.

In the last few years the government has been very concerned over the increasing trend of accidents involving all-terrain vehicles. And, Mr. Speaker, many of these accidents have involved severe injury and even, sadly to say, in some cases, deaths of our young people.

This government, Mr. Speaker, is committed to taking concrete steps that will decrease the number of tragedies caused by the use of all-terrain vehicles.

And I am pleased today, Mr. Speaker, to introduce the second reading of a Bill which I feel will promote the safe use of these vehicles. And, Mr. Speaker, before I outline the important aspects of this Bill, I would like to explain a little bit of the background behind the development of this particular piece of legislation.

Firstly, Mr. Speaker, it is important to clarify the recent change in the availability of the three-wheeled, all-terrain vehicles, which I feel has caused some confusion among the public. And I'd like to point out, Mr. Speaker, that all-terrain vehicles, the three-wheel type, were not banned either in Canada or in the United States.

Alternatively, what happened was an agreement was reached between our federal government and the industry in February of this year, where the industry voluntarily agreed — and I would like to repeat, Mr. Speaker, voluntarily agreed — that in a spirit of co-operation the industry would withdraw three-wheeled, all-terrain vehicles from the market. This is a very similar agreement to that which was reached in the United States last year. And I want to assure owners of these all-terrain vehicles that they still enjoy the right to operate these vehicles.

With this new legislation, Mr. Speaker, the government has now taken the necessary steps to ensure that these vehicles are operated safely.

Mr. Speaker, in creating this piece of legislation it was necessary for the government to balance two very important needs. First and foremost, we wanted a law that would clearly focus on the need for safety and the proper operation of all-terrain vehicles. However, we also understood that the law must be realistic in acknowledging the role of all-terrain vehicles for recreational purposes, industrial purposes, as well as farm purposes.

These vehicles, Mr. Speaker, play a very important role in the operation of many of our farm families, and I am advised, Mr. Speaker, that their use is highly valued in a number of industrial operations as well. Both the Canadian National Railway, for instance, and our own Department of parks, Recreation and Culture make extensive use of all-terrain vehicles. The government, as well, very much appreciates the hours of recreational enjoyment that these vehicles can provide. Our concern, frankly, Mr. Speaker, is that people operate them as safely and as properly as possible.

I believe, Mr. Speaker, that this particular Bill is a reasonable mix of measures that will ensure safety while acknowledging the important role that all-terrain vehicles play in many families throughout this province. I am confident, Mr. Speaker, that this Bill is what the public wants. The public has provided much, very much, a great deal of valuable input in formulating this legislation.

As hon. members may know, a few years ago a white paper on all-terrain vehicles in a layman's draft was laid

before the people of this province. Since that time, Mr. Speaker, I'm pleased to indicate that we have received literally hundreds of representations from individuals and groups throughout the province, and indeed beyond the borders of this province. These people have offered their suggestions on what an all-terrain vehicle Act should contain. This government values those suggestions, and we have recently intensified our consultations with groups most directly affected by the legislation in an effort to provide very tough safety measures for all-terrain vehicle use.

And at this time, Mr. Speaker, I would like to acknowledge the efforts of many organizations who have offered their suggestions to us for our consideration. The chief instructor in Saskatchewan for the Canadian All-Terrain Vehicle Distributors Council, the Saskatchewan Safety Council, the Office of the Provincial Coroner, SUMA and SARM (Saskatchewan Association of Rural Municipalities), have all provided very helpful information in developing this Bill. The medical association, various women's interest groups, and countless hundreds of others, I want to personally acknowledge, Mr. Speaker, for their efforts in bringing forth to this government, ideas, opinions and advice on the safe and efficient operation of all-terrain vehicles.

I would now like, Mr. Speaker, to outline for the House the basic principles in this very important Bill that is before the legislature today. First and foremost, this government wanted a Bill that would provide tough safety measures to decrease the number of tragedies caused by the misuse of all-terrain vehicles. In recognition of the special handling characteristics of all-terrain vehicles, this Bill contains provisions regulating who can drive all-terrain vehicles and where they can be operated.

Mr. Speaker, these machines, frankly, are not toys, and they should not be treated as such; and that is why this Bill specifies that anyone who drives an all-terrain vehicle off of family-owned property must hold a valid driver's licence. However, the government also recognizes that many of our young people under the age of 16 still want to operate all-terrain vehicles. Following the arrangement contained in The Snowmobile Act, this Bill permits people between the ages of 12 and 15 to drive all-terrain vehicles off of family-owned property only if they are supervised by someone who has a licence.

To promote safety training courses, this Bill also permits young people between the ages of 12 and 15 the freedom to operate all-terrain vehicles off of family property if they have taken an approved all-terrain vehicle course.

Mr. Speaker, I am advised that the current rider course being offered by the Canadian All-Terrain Vehicle Distributors Council is a very good course for anyone interested in operating an all-terrain vehicle. It is important that young people operating all-terrain vehicles understand the basic essential rules of safety, or in the alternative, have supervision of someone who does. I believe, Mr. Speaker, that this Bill clearly provides just for that.

The Bill also specifies that for the safety of others, third

party liability insurance is required whenever an all-terrain vehicle is operated off private property. I understand, Mr. Speaker, that that type of insurance is being offered now by the larger insurance companies under existing home or farm or tenant pak policies. And I encourage anyone who operates an all-terrain vehicle to check this liability insurance out with their insurer of choice.

It is apparent, Mr. Speaker, that this Bill takes great steps towards protecting the safety of all-terrain vehicle operators and of the public in general. Safety, and a realistic approach, Mr. Speaker, to the use of all-terrain vehicles, has also been addressed in outlining where all-terrain vehicles can be operated.

As the members are aware, Mr. Speaker, all-terrain vehicles are primarily designed for off-road or off-highway use. In consideration of this, and in response to suggestions from local governments, this legislation provides some freedom for off-road use, while restricting all-terrain vehicles access to roads and highways. Operation on private property is allowed only with the permission of the landowner, and the rural property owner is not required to post signs if he does not allow all-terrain vehicle use on his land. With the possible damage done to crops, we feel that our farmers should not have to post signs. And I believe that the operators, for the most part, of all-terrain vehicles have the courtesy to ask permission prior to going on any farmer's lands.

Although access to public property is allowed, communities are allowed to pass by-laws prohibiting all-terrain vehicle use. It has been brought to my attention that our smaller resort villages, Mr. Speaker, have experienced some problems with all-terrain vehicle use. And this law will allow these resort villages and other villages to resolve these problems through the traditional by-law process.

Mr. Speaker, as I mentioned before, all-terrain vehicles are not designed for use on roads, and the Bill addresses this by prohibiting their use on roads and highways. Any necessary road crossing must be done in a very restrictive manner. It is my hope that operators of all-terrain vehicles will ensure that their operation has little effect on motorists and pedestrians on our highways.

However, Mr. Speaker, local governments and the Highway Traffic Board can pass by-laws or orders permitting limited highway operation for those people with a valid driver's license. All-terrain vehicles will be allowed to operate in ditches unless local governments or the Highway Traffic Board pass by-laws or orders and post signs prohibiting access.

Finally, Mr. Speaker, I would like to talk briefly about safety equipment. I am advised that the single most important piece of equipment is a properly fitting safety helmet. Many of the fatalities could have been avoided, Mr. Speaker, if helmets had been worn. And I cannot stress enough the importance of helmets. While this Bill will not require helmets to be worn on family property, I strongly urge all all-terrain vehicle riders to wear helmets at all times.

While this Bill takes effective steps to ensure safety as part of operating an all-terrain vehicle, it is up to every individual who owns or operates these vehicles to ensure that they are used properly.

(1300)

I'd be pleased to get into more of the specifics of the Bill during Committee of the Whole, Mr. Speaker, but I feel that this speech today fairly outlines in general terms what this piece of legislation is about.

Mr. Speaker, this piece of legislation came after a tremendous amount of consultation with various groups across the province. This legislation came about as a result of an effective caucus on the government side of the House working together with their transportation subcommittee, who spent countless hours going through the details of this Bill, many of them who own all-terrain vehicles themselves, many of them who have young families at home who operate all-terrain vehicles.

And I feel that this piece of legislation, Mr. Speaker, very clearly, very fairly represents what the people of Saskatchewan want in a legislation of this sort.

Safety has been uppermost in our minds, Mr. Speaker, and I feel that this piece of legislation will go a long ways towards reducing the many tragedies that we have with the use of all-terrain vehicles.

Mr. Speaker, if you were to go into the hospitals of the province of Saskatchewan, you would find a few people who are placed in these hospitals, Mr. Speaker, as a result of injuries on all-terrain vehicles. And it is very sad, Mr. Speaker, to see these individuals who have been harmed by accidents involving all-terrain vehicles.

I feel, Mr. Speaker, that this legislation, although it will not absolutely eliminate accidents, I feel, Mr. Speaker, that this legislation is fulfilling the responsibilities that we have as legislators in the legislature of Saskatchewan to deal with this very important issue.

I would urge all members on both sides of the House to treat this piece of legislation very seriously, to scrutinize it, to offer your suggestions, but to do so in a very non-partisan fashion.

I believe that politics has no place in a piece of legislation such as we are dealing with here today. And I would urge all members . . .

Some Hon. Members: Hear, hear!

Hon. Mr. Hodgins: — And I would urge all members to study this carefully, and I look forward to dealing more specifically with the debate at a later time. I now move second reading of an Act respecting all-terrain vehicles, Mr. Speaker.

Mr. Shillington: — Notwithstanding the words of the member from Melfort, I think we will be adjourning this and taking time to consider it.

Mr. Speaker, I'm conscious of the hour and will be very

brief. I remember about 10, 15 years ago in the same session we brought in two Bills, one dealing with snowmobiles, one dealing with The Vehicles Act. Nobody cared about the one dealing with The Vehicles Act, and the one dealing with snowmobiles just about caused a riot.

I know these things are very sensitive. We may go back to some of those speeches about curtailment of individual freedoms.

We will certainly, Mr. Speaker, at a minimum, want to discuss this with the various groups involved. And I say, in a serious way, it is really unfortunate that this Bill was introduced so late in the year. It would have been a good deal better if this Bill had been introduced earlier so it could have received a more thorough discussion.

With those comments, Mr. Speaker, I'll be asking . . . I'll be moving that this debate be adjourned.

Debate adjourned.

The Assembly adjourned at 1:04 p.m.