

June 26, 1989

The Assembly met at 2. p.m.

Prayers

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

Mr. Neudorf: — Thank you very much, Mr. Speaker. It gives me a great deal of privilege to introduce to you, and through you to members of this legislature this afternoon, on behalf of my colleague, the member from Biggar, a group of 82 students from the school of Asquith and their teacher Verona Stack, Mona Brooks, and chaperon Cathy McGrindle, and bus driver, Larry Walker.

If I might be permitted to say so, Mr. Speaker, the Neudorf name is not unfamiliar in Asquith, as I've had a brother living in that area for quite a while, and I must say that all 12 of his children are graduates from the school of Asquith and have gone on to greater things. His name is Abraham, and he took literally the admonition to go forth and be fruitful and multiply. And he certainly has done that.

Mr. Speaker, it gives me a great deal of pleasure, on behalf of the member from Biggar, to welcome the students from Asquith here. I'll be meeting with you for drinks and a short discussion later on, and I would ask all members at this time to welcome the students from Asquith.

Hon. Members: Hear, hear!

Hon. Mr. Hepworth: — Mr. Speaker, I'd like to introduce to you, and through you to other members of the legislature, three students visiting here from Stoughton Central High School, in your gallery, sir. They're aged 14 to 17, in an alternative education program there. They're accompanied by their teacher, Debrah Thomas, and I will be looking forward to meeting them at 2:30 to answer their questions and provide them with some refreshments. And I would just ask you, Mr. Speaker, and all other members of the legislature to welcome these guests here from Stoughton Central High.

Hon. Members: Hear, hear!

Hon. Mr. Berntson: — Mr. Speaker, I'd like to introduce to you, and to all members of the legislature, 39 grade 6 students from Redvers School, of course at Redvers.

These students today, Mr. Speaker, who are sitting in your gallery are accompanied by their teachers, Helen Wiszniak and Diane Dube. And so I would ask all members to join with me in welcoming these people to the legislature, Mr. Speaker.

Hon. Members: Hear, hear!

ORAL QUESTIONS

Explosion and Fire at Upgrader

Mr. Tchorzewski: — Thank you. Mr. Speaker, I would like to direct a question to the Minister of the Environment and Public Safety, and my question deals with an incident

that happened in Regina this morning.

Mr. Minister, there was an explosion and a fire at the NewGrade upgrader again today. This is yet just another of a long series of accidents that have taken place at this upgrader, and I think that surely you would have to agree that we're past the point where simply dealing with the emergency is good enough and that something much more substantial has to take place here.

And so my question to you, Mr. Minister, is: what steps has the government taken, what steps have you taken as the Minister of Environment and Public Safety, to make sure that this is the last of these kinds of incidences and that the health and the well-being of the citizens of Regina is not in jeopardy?

Some Hon. Members: Hear, hear!

Hon. Mr. Swan: — Well, Mr. Speaker, yes, there was a fire at the upgrader this morning, and the fire was reported immediately that it occurred. Within just four or five minutes after the fire started we were notified. The fire department was there, the Emergency Measures Organization was there, and my staff were there. The fire was out in a very short duration — in about 20 minutes it was under control.

And the records that we have, like all of our recording stations around the upgrader show that there was no leak of hydrogen sulphide or hydrogen . . . so they were all under control, Mr. Speaker.

The staff from the Department of Environment are working there this afternoon. I can't tell you what direction we'll be giving to the upgrader, but it is being dealt with today, and in a very short time I'll be able to answer that — perhaps tomorrow. But it's just a little too soon to have a process in place for today.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — A new question to the same minister, Mr. Speaker. Mr. Minister, so far this year we've had a gas cloud spew from the refinery which settled on a school yard where children were present; we've had a major fire; we've had an oil slick created because of a spill of oil, among other kinds of incidences. Today we've had an explosion which was reported on time and dealt with. These are only a few, and a few of the occurrences that have taken place here.

You have laid a charge on one occasion. You have talked of increasing the penalties for such kind of incidences. What the people of Regina and, I think, people all over Saskatchewan want to know, and I think have a right to know from you, is what steps are you taking to make sure that there are no more such problems at the upgrader? It's not good enough to say, I dealt with it today because it happened today. Answer the question. What initiatives have you taken to make sure that the problems are solved and that the people are protected?

Some Hon. Members: Hear, hear!

Hon. Mr. Swan: — Mr. Speaker, we have worked very carefully with that particular incident or group of incidents that have occurred at the upgrader. And I don't believe that anybody starting a new plant like that can go without some difficulty, but I believe they have had problems beyond what normally should have occurred. We have indicated that to them. They are taking extra staff on to deal with the environmental side. My staff have been monitoring very, very closely at the upgrader over the past three months.

Now I can't go in and tell the upgrader exactly all the changes they are going to have to make. My staff are not the engineers who developed that facility. But what we can do is go and tell the upgrader operators that they must operate in a safe manner or pay the consequences, and those consequences will be much stiffer as the fines are increased. The one case where we did lay a fine is still in the courts, so I'm not going to talk about it. But that one will be dealt with fairly soon and we should have some response from the upgrader in that area.

We will be continuing to work with them, and no, we cannot tolerate continuous explosions on the site. But I believe it's up to the design engineers to come back and take a look, and that's what the upgrader has done, is to bring back all of their design engineers. And they're working with that at this time to try and correct the problems that they're facing.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — Supplementary to the minister. Mr. Minister, but you are tolerating explosions and other incidences at the site. That's the point.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — You say that you've worked carefully with the incidences. Surely, Mr. Minister, you must at least be getting regular reports on what steps are being taken to repair any potential danger that exists at the upgrader. And if you are, Mr. Minister, will you undertake to inform this Assembly, and therefore the people of the city and the province, by tabling those reports in this House so that we can be assured that in fact you are on top of the situation and that you're dealing with it.

Some Hon. Members: Hear, hear!

Hon. Mr. Swan: — Mr. Speaker, the department are working with the upgrader on an ongoing basis, and it's a little difficult for me to stand here and tell you what all of the reports are because there are many. But in the engineering work that's going on, they have brought back the engineers from Texas who designed the original plant. They are going back over the whole process to pick up any deficiencies. That, to me, is the best route that we can advise them to go, and I believe that that will likely correct the trouble in the end.

Control Exercised by GigaText Board of Directors

Mr. Anguish: — Thank you, Mr. Speaker, my question is to the Deputy Premier. Last week, Mr. Deputy Premier,

you told members of the media when they were asking you about the business of GigaText being out of control, you stated in regard to Mr. Montpetit that, and I quote, "He was operating within the limits of the board of directors."

Could you tell us today, Mr. Deputy Premier, through what board minute, if at all possible, what were the actual limits placed on Mr. Guy Montpetit by the GigaText board of directors?

Hon. Mr. Berntson: — In the normal course of the operation there will be limits, but on the CEO (chief executive officer) — and that would be the case here — I don't know what the limits were specifically, Mr. Speaker. I wasn't sitting on the board of directors. I don't know what the limits of Ipsco CEO are either, because I don't sit on that board either, Mr. Speaker, but I will undertake to take notice of the question and get an answer to the member.

Mr. Anguish: — New question, Mr. Speaker. Over the past three weeks you've taken notice on many questions about GigaText. You never have brought answers about your mismanagement back to this legislature.

Some Hon. Members: Hear, hear!

Mr. Anguish: — Mr. Montpetit must have had a fairly high limit when the investigator in Montreal says that he put over \$1.6 million into his own pocket.

I'd like to ask you a new question, Mr. Deputy Premier. Mr. Leier was on the board of GigaText to represent the interests of the Saskatchewan taxpayers. Now did he know what was going on, or did he have some reason for not wanting to report to the government about the spending activities of Guy Montpetit?

And just what kind of reports did Mr. Leier make to the Crown Management Board? Can you tell us: did he make any reports; was there a report; if so, what did the report say when Mr. Leier uncovered this mismanagement of our government funds?

Some Hon. Members: Hear, hear!

Hon. Mr. Berntson: — Mr. Speaker, as I've said many, many times before in the legislature, when there was any suggestion of any behaviour that wouldn't be appropriate that arose through the civil action in Montreal, we moved to take control of GigaText through SEDCO, Mr. Speaker. And SEDCO, of course, will have access to all of that information, I'm sure.

Having said that, Mr. Speaker, I'm still bothered by members opposite when they pick out those bits of evidence that suit their own political purpose, but are not prepared, Mr. Speaker, nor have they ever been prepared, to see all of the evidence before the court and allow the court to render a decision, Mr. Speaker, based on all of the evidence. They have never been prepared to do that. They've never been prepared to wait for the report from the RCMP of the investigation initiated by this government into the activities of GigaText, Mr. Speaker. They have never taken any interest at all, Mr. Speaker, in

seeing the system being demonstrated. No, they would sooner from their place, Mr. Speaker, take cheap shots at people who are unable to defend themselves here, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Anguish: — New question. There are people in this legislature that should be able to defend themselves. That's you, sir, and you haven't done it today.

Some Hon. Members: Hear, hear!

Mr. Anguish: — Why do you continue to mislead people in the province of Saskatchewan. You say you'll bring in answers to these questions. You take notice; you never come back with the answers. That's irresponsible of you.

I have a new question. I also see that through this article that you got Dun & Bradstreet to check out Mr. Montpetit. And you're quoted in the article as saying, we got advice that he was absolutely brilliant, technically. We got nothing to suggest he was a financial misfit.

Now considering the background and specialty of Dun & Bradstreet, it's surprising that they would investigate the technical aspect rather than the financial aspect of Guy Montpetit. Mr. Deputy Premier, did their investigation reveal to you that the federal government would not invest with Mr. Montpetit because he was a financial misfit, or that before entering into the deal with you and the deal Mr. Tsuru, that Mr. Montpetit had only \$24,000 in the bank, a bankroll he parlayed into a mansion, a private jet, a couple of luxury boats, \$1.6 million in his own bank account? What did Dun & Bradstreet actually tell you? Can you come clean with this House today?

Some Hon. Members: Hear, hear!

Hon. Mr. Berntson: — Mr. Speaker, Mr. Speaker . . .

The Speaker: — Order. Order. Order.

Hon. Mr. Berntson: — Mr. Speaker, the member opposite is sitting there squawking and whining and snivelling about me not answering questions that I've taken notice of. Mr. Speaker, I spent some time the other day going through questions that I'd taken notice of, and I'll go through them again because I wouldn't want him to think for a moment, Mr. Speaker, for a moment, that I haven't answered these questions. Now . . .

The Speaker: — Order. Order. Order. Order. The member has asked the question. The hon. member cannot use that opportunity to answer questions he has taken notice of.

Hon. Mr. Berntson: — Mr. Speaker, part of his question was: where are the answers to the questions that I've taken notice of, Mr. Speaker, and I'd like to deal with that, Mr. Speaker . . .

The Speaker: — Sorry, the hon. member may have answers to notices of questions he's taken, and he certainly has the right to bring that into the House; however, the question asked peripherally dealt with that

issue, but he did have a question specifically, and I think it must deal with that.

Hon. Mr. Berntson: — Mr. Speaker, Mr. Speaker, as I said before on several occasions, normal commercial checks were done, like through Dun & Bradstreet (Company) and the banking community, and so on. And the information we had at the time was that he had a net worth of about \$55 million — and members opposite obviously aren't interested in hearing that. Was there any information relative to the federal government and their unwillingness to deal with Mr. Montpetit? — I don't know if that information existed. I'm simply not aware of it at this time.

As it relates to his technical competence and who made that assessment, well it's a matter of record that the Government of Quebec saw him as a leader in his field, Mr. Speaker. And that's a matter of public record, and I think we can rely on the Government of Quebec in making that assessment, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Anguish: — Well, Mr. Speaker, a new question to the same minister. If he had \$55 million in assets and he only had \$24,000 in the bank, he must have had one severe cash flow problem.

You're almost beyond belief, Mr. Deputy Premier, almost beyond belief.

Some Hon. Members: Hear, hear!

Mr. Anguish: — If you really did have a report done, if you commissioned Dun & Bradstreet to look into Guy Montpetit, will you table that study here in the legislature this afternoon, because we're sure, if you commissioned them, they must have given you financial information and not technical.

Some Hon. Members: Hear, hear!

Hon. Mr. Berntson: — Mr. Speaker, I have never, ever suggested that Dun & Bradstreet gave technical information — ever.

An Hon. Member: — Oh, but you did.

Hon. Mr. Berntson: — No, I did not.

The Speaker: — Order, order. Order, order, order. I don't think that debate between the members sitting in their desks in addition to the individual who asked the question of the minister is going to allow our question period to run smoothly. So just allow the Deputy Premier to answer the question.

Hon. Mr. Berntson: — And, Mr. Speaker, as I've said time and time and time again, I'm quite prepared to rely on the outcome of the civil action in Montreal, on the outcome of the RCMP investigation, and on the outcome, Mr. Speaker, of the expert analysis and demonstration, Mr. Speaker.

Some Hon. Members: Hear, hear!

Surveillance by Special Investigation Unit

Mr. Prebble: — Thank you very much, Mr. Speaker. Mr. Speaker, my question is to the Minister of Social Services. Mr. Minister, on May 9 and again on May 19 I wrote to you asking about the activities of the special investigations unit of your department, and in particular with regards to surveillance activities. You have to date failed to answer my questions by letter, so I will raise them here in the Assembly this afternoon.

Would you tell this House, Mr. Minister, whether or not your department has by way of employment or contract undertaken the surveillance of any present or former social assistance recipients in the province of Saskatchewan? And could you tell us how many people are involved in the surveillance, the type of equipment and vehicles being used, and whether or not electronic surveillance is being used in any of these activities.

Some Hon. Members: Hear, hear!

Hon. Mr. Schmidt: — Mr. Speaker, the Department of Social Services has a special investigations unit of very capable people, and they investigate all complaints that the department receives. Whether they are anonymous or otherwise, all complaints are investigated, and if there is evidence of fraud, charges are laid. And if there is no evidence of any fraud, then the matter is considered closed. And that is a normal practice, and I would expect the taxpayers to have us to follow that kind of practice.

Some Hon. Members: Hear, hear!

Mr. Prebble: — Mr. Minister, that's not the question that I asked you. We on this side of the House are not questioning the importance of the Department of Social Services investigating complaints with respect to whether or not fraud may be taking place by an individual recipient. That inevitably may happen. What we are asking about, Mr. Minister, is the nature of the investigation.

A new question, Mr. Speaker. My question to you, Mr. Minister, is this: have you at any time in the past 18 months undertaken the surveillance of social assistance recipients in the province of Saskatchewan? How many people are involved in that surveillance? And have you, Mr. Minister, been using practices such as mail opening or surveillance by electronic means or the posting of individuals in your department for long periods of time outside the homes of social assistance recipients in order to undertake those investigations. Mr. Minister, can you answer that question for the people of Saskatchewan?

Some Hon. Members: Hear, hear!

Hon. Mr. Schmidt: — Well, Mr. Speaker, surveillance is a rather broad term. And have we been using surveillance in our department? I can say this, that the people that work in the department are very capable and have instructions to use all legal means to investigate cases of fraud with respect to social services.

I could specifically inquire whether they have watched anyone go into or out of their house, but I would expect

that where we have a serious problem with respect to living arrangements of recipients who indicate that they're single and then are actually not separated, that it would not be unusual for the staff at Social Services to see who was actually living at a residence.

Mr. Prebble: — A supplementary, Mr. Speaker. Mr. Speaker, my . . . I would say this: Mr. Minister, your government seems to have undertaken no surveillance of Mr. Guy Montpetit as he floundered tens of thousands of dollars of taxpayers' money, yet you seem to have plenty of resources to undertake surveillance of the poorest in our society.

But my question, Mr. Minister, comes back to this. I have asked you about whether or not electronic surveillance is being undertaken, whether mail opening is being undertaken, whether or not for long periods of time you are posting people outside the homes of social assistance recipients to intimidate them. You have refused to respond to any of those questions.

I give you one more opportunity, Mr. Minister. Are you undertaking those kinds of surveillance activities? Will you finally answer my letter of six weeks ago, Mr. Minister?

Some Hon. Members: Hear, hear!

Hon. Mr. Schmidt: — Mr. Speaker, the member opposite, first of all, writes me so many letters, with so many questions, it takes nearly a full-time person just to do the research for that member opposite to answer his questions.

Some Hon. Members: Hear, hear!

Hon. Mr. Schmidt: — The member opposite has a full-time assistant employed at my office, teaching him about social services. So if we are a little slow in replying, it's because they haven't kept up with their research of the numerous questions asked by the member opposite by mail.

The answer to his question today is that my department is instructed to use all legal means to ascertain whether anyone is defrauding the taxpayers of Saskatchewan. The answer is, to my knowledge, they are only using legal means. If they should be doing anything illegal, I would take a dim view of it and I would stop them from doing that.

Some Hon. Members: Hear, hear!

Mr. Prebble: — Mr. Speaker, a new question to the Minister of Social Services. Mr. Minister, will you tell us . . . Mr. Minister, I wonder if you can answer the following question. Would you confirm that one of the personnel in your special investigations unit is one Mr. Tony Litvenenko, a disbarred lawyer who was struck from the roll of the barristers and solicitors of the province of Saskatchewan on two occasions — on March 9, 1979, and again on October 15, 1982. Would you confirm that, Mr. Minister?

Some Hon. Members: Hear, hear!

The Speaker: — Order, order. Order, order. The minister has been asked a question. Let's allow him to respond.

Hon. Mr. Schmidt: — Mr. Speaker, the answer is yes. Secondly, the individual has a law degree from the University of Saskatchewan, understands legality, does not currently practise law, understands the definition in law of fraud, and is an asset to that department. And thirdly, Mr. Speaker, is the . . .

The Speaker: — Order. Order. I don't think it's fair to ask the minister to answer a question and then interrupt, or many people giving their own response. I think there's a lot of people want to hear the response, including myself, and it's difficult to do that if other people are interrupting. And I'd like to give him the opportunity now to conclude his response.

Hon. Mr. Schmidt: — And lastly, Mr. Speaker, that question is one of the sleaziest questions I have ever heard asked in this Assembly.

The Speaker: — Order. Order. Order. Some time ago we decided in this House that the word . . . term "sleaze" and "sleaziest" and that sort of thing are not going to be allowed because we deemed them as unparliamentary, and I ask the hon. member to withdraw that remark.

Hon. Mr. Schmidt: — Mr. Speaker, I will withdraw the remark and I will put my observation in a more academic fashion. It is highly improper to drag every employee who has ever had difficulty with a law society or a professional association, it's highly unlikely to drag that person's name into the Assembly in such a fashion. And I say that that is a disservice to the people of Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. Prebble: — New question, Mr. Speaker. Mr. Minister, what we're talking about is whether or not the activities of your fraud squad, your special investigation unit, are a disservice to the people of Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. Prebble: — So, Mr. Minister, my question to you is simply this: will you tell us how it is that a lawyer who has twice been struck from the roll of the barristers and solicitors of the province of Saskatchewan has been hired by your department to work in your fraud squad unit?

Mr. Minister, is this the quality of people you have working in your special investigations unit; people, Mr. Minister, who are passing judgement on other people in the province of Saskatchewan; a lawyer now twice disbarred, Mr. Minister, who is passing judgement on the people of Saskatchewan? Do you think that that's appropriate, Mr. Minister? Could you answer the question?

Some Hon. Members: Hear, hear!

Hon. Mr. Schmidt: — Mr. Speaker, the individual in question has never been convicted of committing a crime. The question is not worthy of a further answer.

Some Hon. Members: Hear, hear!

INTRODUCTION OF BILLS

Bill No. 62 — A Bill to amend The Stock Savings Tax Credit Act

Hon. Mr. Hodgins: — Mr. Speaker, I move first reading of a Bill to amend The Stock Savings Tax Credit Act.

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

Bill No. 63 — A Bill to amend The Revenue and Financial Services Act

Hon. Mr. Lane: — Thank you, Mr. Speaker. I move first reading of an Act, Revenue and Financial Services Amendment Act.

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

Hon. Mr. Lane: — Mr. Speaker, I'd ask for leave of the Assembly to revert back to item 2, to move first reading of an Act respecting Financial Administration Amendment Act.

Leave granted.

Bill No. 61 — An Act to amend The Financial Administration Act

Hon. Mr. Lane: — Mr. Speaker, I move first reading of a Bill to amend The Financial Administration Act.

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

Bill No. 64 — An Act to amend The Clean Air Act (No. 2)

Hon. Mr. Swan: — Mr. Speaker, I move first reading of a Bill to amend The Clean Air Act (No. 2).

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

Bill No. 65 — An Act to amend The Environmental Management and Protection Act

Hon. Mr. Swan: — Mr. Speaker, I move first reading of a Bill to amend The Environmental Management and Protection Act.

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

Bill No. 66 — An Act respecting Child and Spousal Maintenance

Hon. Mr. Andrew: — Mr. Speaker, I move first reading of a Child and Spousal Maintenance Act.

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

Bill No. 67 — An Act respecting Gaming and the Saskatchewan Gaming Commission

Hon. Mr. Meiklejohn: — Thank you, Mr. Speaker. I move first reading of Bill respecting Gaming and the Saskatchewan Gaming Commission Act.

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

Bill No. 68 — An Act to amend The Income Tax Act

Hon. Mr. Lane: — Mr. Speaker, I move first reading of an Income Tax Amendment Act.

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

Bill No. 69 — An Act to provide for the Financial Stability of Agriculture

Hon. Mr. Hodgins: — Mr. Speaker, I move first reading of a Bill to provide for the Financial Stability of Agriculture.

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

Bill No. 70 — An Act to amend The Education Act

Hon. Mr. Hepworth: — Mr. Speaker, I move first reading of a Bill to amend The Education Act.

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

Bill No. 71 — An Act to amend The Renewable Resources, Recreation and Culture Act

Hon. Mr. Hodgins: — Mr. Speaker, I move first reading of a Bill to amend The Renewable Resources, Recreation and Culture Act.

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

MOTIONS

Referral of Bills to Standing Committee on Non-controversial Bills

Hon. Mr. Hodgins: — Mr. Speaker, before orders of the day, I would like to move, seconded by my seat mate, the member for Melville:

That the order for second reading of a Bill No. 49, An Act to amend The Stray Animals Act, be discharged, and the said Bill be referred to the Standing Committee on Non-controversial Bills.

Leave granted.

Motion agreed to.

POINT OF ORDER

Mr. Lingenfelter: — Mr. Speaker, on a point of order. I wondered if I could ask a question to the Government House Leader, acting House Leader. In light of the fact that today alone we have 12 new Bills introduced, does this mean that the deal that we had talked about some weeks ago is now cancelled? The understanding was is that we would have a limited amount . . .

The Speaker: — Order, order. I'm afraid I must interrupt the hon. member. He does not have a point of order. It's not a point of order.

ORDERS OF THE DAY

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 31 — An Act respecting Certain Adults Requiring Guardianship

Hon. Mr. Andrew: — Thank you, Mr. Speaker. Mr. Speaker, I'm pleased to move second reading today of The Dependent Adults Act.

This legislation provides for personal and financial guardianship for mentally disabled adults. It has been developed through a combined effort of the Department of Justice, Health, and Social Services, in consultation with a number of groups representing mentally disabled adults in our province.

For centuries, guardianship legislation focused primarily on the estate of the mentally disabled person. The Crown's central interest was getting its bills paid. Gradually, legislation began to concentrate more on the protection of the individual, but again it focused on the estate as in preserving the estate of a person found by the court to be mentally disordered or mentally infirm.

In recent years, the needs of personal guardianship has been recognized in terms of legislation enabling a guardian to consent to such matters as health care, education, and other issues requiring legal authority. A widely recognized 1983 report by the Law Commission called for personal guardianship legislation.

The new legislation that is before us today partially replaces a Mentally Disordered Persons Act. Under that legislation, once a person was found to be mentally disordered or infirm, he or she lost all control over their estate. Under The Dependent Adult Act, a personal or property guardian may be appointed for a mentally disabled person if the mentally disabled person's ability to receive and evaluate information effectively and to communicate decisions is impaired to such an extent that he or she lacks the capacity to care for himself and to make reasonable judgements with respect to his or her personal estate. The legislation stipulates that the person must clearly be in need of a guardian and that the guardian should only be appointed where it is in the best interest of the dependent adult.

Further, the guardian must act to protect the civil and human rights of the dependent adult, and must also encourage the adult to participate in decision making.

The guardian must attempt to limit to the maximum extent possible his or her interference in the life of the dependent adult.

Under this legislation, Mr. Speaker, the need for a guardian is based on the ability of the dependent adult to function rather than on their capacity. A guardian is appointed where the dependent adult is not able to function in a particular activity.

The legislation also directs the court to make orders for partial guardianship, unless the need of the dependent adult dictates that only a full order will suffice. The personal guardian may be assigned responsibility for such things as health care, determining education or vocational plans, signing legal documents, and handling certain legal actions. The guardian may be given the power to authorize restraint.

The financial guardian may be given a range of authority over real and personal property. Such a guardian is responsible for providing an inventory of assets and providing security if required.

Although this legislation enables a court to grant a guardian certain powers, the court must still specifically authorize more controversial procedures such as the withdrawal of life support, sterilization, or termination of parental rights.

The Dependent Adults Act also recognizes that decisions as to what powers and responsibilities should be assigned a guardian must recognize the many challenges faced by a person who is mentally ill, mentally retarded, or suffering from Alzheimer's disease, or head injury. The decision must also take into account the challenges faced by guardians.

This legislation provides for guardianship orders to be reviewed by the court, and for guardians to be replaced if circumstances warrant. Although a guardian may designate his or her replacement in a will, this replacement must be reviewed by the court.

Mr. Speaker, guardianship of mentally disabled adults is a complex and sensitive issue that has evolved as society's attitudes have changed over the years. There are a number of difficult areas and issues involved, and this legislation strives to strike an effective balance which recognize the needs of all concerned.

(1445)

The Dependent Adults Act takes an important step of providing a tailor-made guardianship order, a guardianship arrangement that is suited to the specific needs of the mentally disabled individual.

I am pleased to indicate that this legislation has been reviewed by a number of organizations who have expressed their support. They include the Saskatchewan Association for Community Living; the Saskatchewan Mental Health Association; the Senior Citizens' Provincial Council; the Saskatchewan Head Injuries Association; the Regina Council on Ageing; the Saskatchewan Abilities Council. I would like to thank

those organizations for their contribution. In addition, I would commend the Law Reform Commission for their very useful work in this area.

Finally, I will close my remarks by paying tribute to the mentally disabled persons of Saskatchewan and to their families. It is my hope that this legislation will in some way assist them and be of assistance to them in the coming years.

Mr. Speaker, I move second reading of An Act respecting Certain Adults Requiring Guardianship.

Mr. Prebble: — Thank you very much, Mr. Speaker. Mr. Speaker, I want to indicate to the government at the outset that we will be supporting this legislation. It's thoughtfully developed legislation. We want to make a number of suggestions which we think would strengthen it even further, that I hope the hon. member, the Minister of Justice, will consider. But we will certainly be supporting the Bill.

Mr. Minister, and Mr. Speaker, I think that this legislation is welcomed by the interest groups that have been wanting such a Bill for some time. The minister indicates that he has consulted with a number of groups, many of which I've also had a chance to meet with, and I think he's accurate when he says that those organizations are supportive of the legislation.

So with that in mind, Mr. Minister, and Mr. Speaker, I'd like to make a few comments about areas in which we think the Bill could be strengthened, and we can perhaps look at those more closely in Committee of the Whole. But in general terms, Mr. Speaker, members on this side of the House have four concerns with this Bill that we would like the government to examine before passage of the legislation.

The first, Mr. Speaker, is with respect to the review process once a court order making arrangements for someone to become a personal guardian or a property guardian is in place. Mr. Speaker, our concern on this side of the Assembly is that there is no provision in this legislation that would automatically ensure a review of a court order that establishes someone as a personal guardian or a property guardian.

Now, Mr. Speaker, in many cases the court may well see fit to order a review, and the legislation permits that to be done by the judge. And the dependent adult can also initiate a review.

But I think, Mr. Speaker, in terms of ensuring the protection of individual rights, which is really what we're addressing here, the question, Mr. Speaker, of personal guardianship, particularly where the personal guardian has very substantial responsibility and authority with respect to the handling of the day-to-day lives of, shall we say, a severely mentally handicapped adult, I think it would be more appropriate, Mr. Speaker, if there was provision made for a regular period at which the court would review the continuation of the personal guardianship arrangement for the dependent adult.

Now I think this is very important to these dependent

adults because they are, in many cases, not in a position, Mr. Speaker, to initiate a review of the court order themselves. In some cases they may be, but in other cases they will not be. And, Mr. Speaker, I note that in 1983 the Law Reform Commission suggested that in fact there should be an automatic review period of one review every five years.

And, Mr. Speaker, this would simply arise for instance out of situations where, shall we say, the relationship between the personal guardian and the dependent adult had seriously deteriorated, or the health of the personal guardian had deteriorated, making it very difficult for them to continue their responsibilities — or a whole variety of other factors that may in some way inhibit the ability of the personal guardian to properly serve the dependent adult, Mr. Speaker.

Now in the large majority of those cases, the dependent adult or the personal guardian, particularly the personal guardian, would assess for themselves whether or not they could continue on in their role. But there will be other situations where that may not be the case, and I think it is important that we have a provision whereby on some regular basis — and I'm suggesting every five years, as the Law Reform Commission suggested — we have a review of these court orders.

And I'm particularly concerned, Mr. Minister, in cases where the personal guardian has wide, sweeping responsibilities and privileges with respect to the handling of the day-to-day affairs of a dependent adult. So that is our first suggestion.

Our second suggestion relates to what I would describe as the need to have, in this legislation, the establishment of a position that I would describe as the official representative who would act to ensure the well-being of the dependent adult. I've had an opportunity to discuss this notion with several of the organizations that the minister has consulted with in developing this legislation, Mr. Speaker, and I think it's fair to say that several of them are interested in the concept, and I would invite the minister to look seriously at it.

And I would see the official representative playing two roles, that our caucus would urge the minister to consider seriously. First of all, Mr. Speaker, there is the question of whether or not the dependent adult will be represented at the court hearing, at which time the judge will grant a personal guardianship or a property guardianship order. And one of the concerns that our side of the House, Mr. Speaker, has about the legislation is that we believe that the legislation has been written in such a way that it would be quite possible for a court hearing to take place at which the dependent adult, or no representative for the dependent adult, was present at the hearing. And, Mr. Speaker, in our judgement that is not a wise move. I believe that when a decision is being made with such far-reaching consequences for the dependent adult, that either the dependent adult or someone representing him should always be at the court hearing where the guardianship order is granted.

And therefore I would urge the minister to examine sections 4(2) and 17(2) of the Bill with the view to seeing

whether the government might consider an amendment that would make provision for an official representative to be present on behalf of the dependent adult when he or she, or no one else representing them, is able to be at the court hearing.

And, Mr. Minister, one of the other roles that we would see for the official representative's office, and I don't see this being a large office, but I think we're probably talking about perhaps two or three people in the province of Saskatchewan who would, among their other responsibilities, ensure that dependent adults are represented at court hearings and who also would play some role in terms of monitoring the well-being of dependent adults, particularly in situations where the personal guardian has widespread responsibilities for the day-to-day lives of that dependent adult, Mr. Speaker.

I could see either one of the organizations, the non-profit organizations that serve people who are seriously mentally ill or seriously mentally handicapped, perhaps being involved in this, or alternatively the office of the official representative who would check every year or so, Mr. Speaker, by way of a home visit, perhaps, to ensure that the dependent adult is receiving good care, and that the terms of the guardianship order are being properly fulfilled.

A third suggestion, Mr. Speaker, that members on this side of the House would like to make to the government with respect to this legislation relates to section 6(7) and 19(7) of the Bill. And here our concern, Mr. Speaker, is with respect to the provisions that set no limits on the number of dependent adults that a personal guardian or a property guardian can have responsibility for.

Now, Mr. Speaker, we are aware of the fact that in some parts of the United States personal guardians and property guardians actually make a living going into the guardianship business. And this is not something that we expect would frequently occur in the province of Saskatchewan, Mr. Speaker, and certainly we know it's not the intent of the government to permit this to happen.

But the legislation does not in any way, as it's currently structured, permit — rather, prevent, Mr. Speaker — the legislation does not in any way prevent a personal guardian from having a responsibility for eight or 10 dependent adults. And I think the minister would share my view that that would not be appropriate, Mr. Speaker, particularly where the personal guardian has widespread responsibilities.

And therefore I would like to suggest that at the very least, the government consider one of two options: either limiting the number of dependent adults that any one personal guardian can be responsible for; or alternatively, Mr. Speaker, at least providing in the legislation that when a person makes application to be a personal guardian or a property guardian, that they must provide the judge that's prevailing over the court hearing with full information about the other people, the other dependent adults that that person is already acting on behalf of, so that we don't get into a situation where a judge is granting a personal guardianship order without realizing that that person already has responsibility for

several other dependent adults.

And finally, Mr. Speaker, we'd like to make one other suggestion to the government, and that is with respect to section 41(6) of this legislation. Section 41(6) permits the court to appoint the public trustee as the property guardian for a dependent adult for whom there is no property guardian.

However, there is no provision in this legislation for a public official to serve as a personal guardian in the circumstances where there's no alternative. And this role, Mr. Speaker, it seems to us, could be performed either by the official representative that I was making reference to earlier, or by one of the non-profit agencies like the Saskatchewan Association for Community Living or the Saskatchewan Mental Health Association, that kind of a group.

My concern, briefly put, Mr. Speaker, and the concern of those of us on this side of the House is that we ought not to permit a situation to arise in which there is no one to act as a personal guardian on behalf of someone who requires it. And it seems that should those situations should arise, which I think will inevitably be the case, Mr. Speaker, that there ought to be someone who can act as a personal guardian, and either that should be the official representative or it should be one of the organizations in the field, one of the non-profit organizations in the field, Mr. Speaker, who has the well-being of these dependent adults as their uppermost concern.

So those are the four concerns that we have, Mr. Speaker, with respect to this legislation. We'll be elaborating on those and in the most positive vein asking the minister questions about those in Committee of the Whole. We welcome the legislation, and I hope that we can spend a little time when it goes into committee, discussing these matters in more detail. We are pleased at this point to support second reading of the Bill.

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

Bill No. 32 — An Act respecting certain Consequential Amendments to certain Acts resulting from the enactment of The Dependent Adults Act

Hon. Mr. Andrew: — Yes, Mr. Speaker, this is obviously a consequential Bill following on the heels of the previous Bill. It is designed to make several statutory changes in other legislation that is related to this. And I, with that, would move second reading of this Bill, Consequential Amendments to certain Acts resulting from the enactment of The Dependent Adults Act.

Mr. Prebble: — Thank you very much, Mr. Speaker. Mr. Speaker, as the Minister of Justice has indicated, this is a Bill that in effect simply is consequential to the legislation we've just been discussing. I have one concern with the legislation that I'll be briefly raising in Committee of the Whole, but we're quite happy to support the Bill at this time.

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

(1500)

Bill No. 42 — An Act respecting the protection of spousal rights in Homesteads

Hon. Mr. Andrew: — Thank you, Mr. Speaker. I rise today to move second reading of The Homesteads Act, 1989.

The Homesteads Act has a great historical significance in the protection of women's rights in our provinces since 1915. This legislation has prevented a husband from selling or mortgaging the family home or the family quarter section without the wife's knowledge and consent.

While the position of women in society has improved dramatically since 1915, the protections of this Act are still important.

This Bill that is before the House today makes one major and necessary improvement to the Act, Mr. Speaker. It extends the homestead protection to husbands. Under the proposed Bill, if the family home is owned by one spouse, the consent of the other spouse will be required before the home can be sold, mortgaged, or otherwise dealt with.

To reflect the common occurrence of joint ownership in today's society, Mr. Speaker, the proposed Bill provides that the signature of both spouses to the transfer constitutes consent. Independent examination of either spouse in that case is not required.

However, the proposed Bill continues to ensure protection of the non-owning spouse by requiring an independent examination. A judge, a justice of the peace, a lawyer, or notary public must ensure that the non-owning spouse understands the homestead rights and consents to disposing of them.

Some of the procedural changes to the Act are also proposed. Where a spouse's homestead rights are released by an order or an agreement under The Matrimonial Property Act, no further consent in dealing with the homestead is required. A court application for an order dispensing with the consent of a spouse who is not a registered owner is allowed where the spouses have separated, the whereabouts of a spouse is unknown, the spouse is a mentally incompetent person. A spouse who is not a registered owner continues to have a right to file a caveat to protect his or her homestead rights.

The homestead protection also continues after the death of the other spouse. The executor or administrator of his or her estate must have the consent of the surviving spouse or a court order before the family home can be disposed of.

Mr. Speaker, the proposed Bill reflects changes in the holding of property that have occurred in our society obviously since 1915. With that, I move second reading of An Act respecting the protection of spousal rights in Homesteads.

Mr. Anguish: — Thank you, Mr. Speaker. This Bill, No. 42, is a very important piece of legislation and I think that the minister has outlined quite accurately what the Bill does. We understood that it did three main things: one was to have homestead protection extended to husbands who are not registered owners of their homes and that compliance with the Act is not required where both spouses are registered owners of the homestead. In addition, where homestead rights are released in an order of agreement under The Matrimonial Property Act, no further consent in dealings with the homestead is required.

I'm not the opposition critic for this particular Bill, Mr. Speaker. Our critic unfortunately cannot be here at the present time, and I would therefore move to adjourn debate on Bill 42, The Homesteads Act.

Debate adjourned.

Bill No. 50 — An Act respecting Certain Amendments to Certain Acts resulting from the enactment of The Homesteads Act, 1989

Hon. Mr. Andrew: — Again, Mr. Speaker, this Bill is a consequential Bill to the amendment that I proposed in the previous Bill with regard to homesteads. It obviously will change several statutes with regards to the provision and the terminology that is being proposed in the new Act.

Mr. Speaker, I move second reading of An Act respecting Certain Amendments to Certain Acts resulting from the enactment of The Homesteads Act, 1989.

Mr. Anguish: — Thank you, Mr. Speaker. I just want to say that this is important legislation, as the minister has pointed out. In fact many statutes of the province of Saskatchewan are affected by Bill 50, the consequential to The Homesteads Act.

And I do not expect any problem with seeing passage of this Bill, but since our critic is not here, I do not want to commit our critic in case there is something that he would like to suggest as an amendment to the minister . . . (inaudible interjection) . . . and I'm not conversant with the Bill. I notice the member from Swift Current expressed some disappointment that we weren't moving with this Bill into committee today. But unfortunately, as I said, our critic is not able to be here just at this particular moment, and so I would move adjournment of the debate on Bill 50, the consequential to The Homesteads Act.

Debate adjourned.

ADJOURNED DEBATES

SECOND READINGS

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Schmidt that **Bill No. 7 — An Act respecting the Protection of Children and the Provision of Support Services to Families** be now read a second time.

Mr. Prebble: — Thank you very much, Mr. Speaker.

You'll forgive the fact that I don't quite have my file on this. I'm dealing with so many pieces of legislation today that . . . they're moving along a little more quickly than I'd expected.

But I'd like to continue, Mr. Speaker, my comments with respect to Bill No. 7, a very important piece of legislation, Mr. Speaker, The Child and Family Services Act in the province of Saskatchewan, and a piece of legislation, Mr. Speaker, that we on this side of the House believe is long overdue in the province of Saskatchewan. And so we welcome the debate.

Mr. Speaker, last day when I was discussing this piece of legislation, I raised several concerns about it that I just want to briefly reiterate this afternoon. The first, Mr. Speaker, is the concern we have about the fact that this legislation will not work. It will not be functioning legislation unless the government takes a dramatic change of heart with respect to the way in which they have been funding the non-government agencies that will be delivering family services in the province of Saskatchewan, and that will be central to making this piece of legislation a workable piece of legislation in the province of Saskatchewan.

There are many things in the Bill that would be quite positive if the government hadn't so severely cut back the funding to many non-government organizations in the province of Saskatchewan.

And I made reference last day, Mr. Speaker, to the cuts to the mobile crisis intervention units in the province, the severe cuts to the friendship centre family service worker programs in the province of Saskatchewan, and significant cut-backs virtually across the board to family service organizations that are delivering basic services like counselling services in the province of Saskatchewan, Mr. Speaker, and services to families in crisis.

Mr. Speaker, secondly, in addition to our concerns about the fact that many elements of this Bill just won't work because you're so badly underfunding organizations that are delivering family services to families in crisis in the province of Saskatchewan, we expressed in addition to that, Mr. Speaker, we expressed concern about the government's decision to politicize this piece of legislation by ensuring that very sensitive positions, like child protection officers in the province of Saskatchewan, would become political appointments, Mr. Speaker, rather than simply appointments based on qualifications and experience.

This is of great concern to us, Mr. Speaker. We see a piece of legislation here, and specifically Bill . . . section 57 of this Bill, that allows the Minister of Social Services to appoint as a child protection officer anybody who, in his opinion, is qualified, regardless of the qualifications that may be spelled out in the regulations of this Bill.

Now that, Mr. Deputy Speaker, is unbelievable that the Minister of Social Services would want to take a highly sensitive position like a child protection officer, and base appointments to that position on the basis of anybody who, in his opinion, is qualified, regardless of what

qualifications may be specified by the regulations governing this Act. And we had expressed concern about that.

Third, Mr. Speaker, we had made proposal last day to the Minister of Social Services that there is an urgent need in this legislation for a child ombudsman, a child ombudsman in the province of Saskatchewan, who would in effect be responsible for ensuring that during court hearings, whenever there is a controversial court hearing dealing with a question of child apprehension, there are all too often situations where the voice of the child in those proceedings is not heard, and that a child ombudsman could play a very important role in terms of ensuring that children's needs and children's voices in these proceedings could be heard.

And, Mr. Speaker, I understand that one of the members of the Assembly, my colleague for Regina North East would like to introduce a guest and I will sit down at this time to allow him to do that.

The Deputy Speaker: — Why is the member on his feet?

Mr. Tchorzewski: — I would like leave to introduce a guest in the gallery, Mr. Deputy Speaker.

Leave granted.

INTRODUCTION OF GUESTS

Mr. Tchorzewski: — Thank you, and I want to thank the member from Saskatoon University for allowing me the opportunity to interrupt him to introduce a guest who is in your gallery, Mr. Deputy Speaker. This is a gentleman who is here, a young gentleman who is here from Paderborn — I hope I'm pronouncing it correctly — West Germany, John Middelanis. He's here for, I think till about August 1, and I wanted to introduce him to the Legislative Assembly. He's accompanied by his cousin, Father Joe Balzer, who is the priest in my parish, Holy Child, here in Regina. And I want to ask members of the House to join me in extending a welcome to John and Father Joe at this time, and extend to them our wishes for an enjoyable visit to the Legislative Assembly.

Hon. Members: Hear, hear!

ADJOURNED DEBATES

SECOND READINGS

Bill No. 7 (continued)

Mr. Prebble: — Thank you very much, Mr. Deputy Speaker. Mr. Speaker, I want to raise some new and very important issues, in addition to the ones I just made reference to, that we want to address during debate on this legislation. And the next matter that I want to turn to, Mr. Deputy Speaker, is the question of the family review panels that are proposed to operate under The Child and Family Services Act and some of the concerns that we have about those.

Mr. Deputy Speaker, the family review panels will be reviewing cases where a child has been apprehended

from his or her home, and these panels will be recommending whether or not the apprehension should be continued. This is always a very sensitive matter, Mr. Deputy Speaker, and therefore these family review panels will have a very serious responsibility. And we believe that the concept of the family review panel has some potential, but we are very concerned on this side of the House, Mr. Deputy Speaker, with the process that the Minister of Social Services and the government is proposing for appointing these panel members.

This legislation, Mr. Deputy Speaker, provides for persons to be appointed, who, in the opinion of the minister, once again, are representative of community parenting standards.

(1515)

Now, Mr. Deputy Speaker, I don't quite know what that means. Their only qualifications under this legislation, as specified in the Bill, is that in the opinion of the minister these people are representative of community parenting standards. There is no reference, Mr. Speaker, in this legislation to these family review panel members having any other qualifications with respect to being knowledgeable about parenting, being knowledgeable about family services. None of these requirements are set down in the Bill. And, Mr. Speaker, I have found in the consultations that I have had with groups around this province who are interested in this legislation that there is universal opposition to this provision in the Bill, Mr. Deputy Speaker.

We don't want the current Minister of Social Services defining for us what representative of community parenting standards means, quite frankly, Mr. Speaker, because we don't think that the Minister of Social Services is ... a notion of what is representative of community parenting standards bears a lot of resemblance to the notion that large numbers of people in this province would have of what that term means.

But more importantly still, Mr. Deputy Speaker, we want to see some provisions in this legislation that set down qualifications that any member of a family review panel must have before being appointed.

And we believe, Mr. Deputy Speaker, that a far better process for putting together these family review panels would be for groups in the community to submit names to the Minister of Social Services, names of people who have a lot of experience in working with families and who, in many cases, will also have formal qualifications in the field of family services. And, Mr. Deputy Speaker, we would like to see community groups therefore propose the names that ought to go on these family review panels, and then let the Minister of Social Services appoint persons based on that list of submissions, Mr. Deputy Speaker, rather than simply appointing persons who in his opinion are qualified.

Mr. Deputy Speaker, we also want to express concern to the Minister of Social Services and to the government that there is no provision in this legislation that would ensure native representation on these family review panels, particularly in cases of child apprehension that involve

native children and native families. And I think, Mr. Deputy Speaker, that this is quite a serious oversight.

Mr. Deputy Speaker, we have similar concerns with respect to the provisions in this Bill regarding people who will deliver mediation services under section 15 of the legislation in the province. Basically, Mr. Speaker, this legislation provides that in the event that a child is removed from the home, even on a temporary basis, mediation services are available to a family when that occurs, in the hopes that the child protection officer in the Department of Social Services can reach an agreement for the provision of family services with the family that's been affected by this apprehension case, Mr. Deputy Speaker.

And once again we are concerned that people who are qualified and who have a lot of experience in the field, be appointed as mediators. In fact, our suggestion would be that the mediation service actually ought to be provided by the Department of Social Services itself; that we ought to have a mediation division in that department responsible for providing help to families in these kinds of situations, Mr. Speaker.

Alternatively, these mediation services could be provided by the office of the children's advocate that we were suggesting to the minister earlier be established under this legislation. But certainly, Mr. Deputy Speaker, the current provision in section 15 that a mediator must simply be representative of community parenting standards is definitely not adequate.

And therefore, Mr. Deputy Speaker, I want to turn to the work that the mediators and the family review panel are being asked to undertake, and raise two other important concerns with the Minister of Social Services that we're anxious to see him address. First of all, Mr. Deputy Speaker, one of the things that we're concerned about is that when these family review panels hold their hearings, we think it is important for the child or children in question and the parents to have the opportunity for representation at these panels.

And this brings us back again, Mr. Deputy Speaker, to the need for a children's representative or a children's ombudsman to represent the interests of the child in these very difficult circumstances. It also raises the question, Mr. Deputy Speaker, that parents may wish to have representation at the workings of the family review panel. And once again, no provision is made in the legislation for this kind of an initiative.

In addition to that, Mr. Deputy Speaker, we're concerned about the facilities in which the family review panel will hold their hearings. In the case, for instance, of . . . We basically believe first of all that, as a matter of course, these hearings should not be held at the office of the Department of Social Services. Rather, Mr. Deputy Speaker, we believe that the family review panel should undertake their work in a facility in a location that is familiar to the family that are having to appear before the panel.

And in the case, for instance, of many native families, the friendship centres or another facility run by a native social

agency would be a much more appropriate location to hold these panel hearings than would the Department of Social Services. And so, Mr. Deputy Speaker, we would ask the Minister of Social Services to amend the Bill to make provision for this being able to take place.

Another concern that we have, Mr. Speaker, is that with respect to mediation services, it's our view that at least 50 per cent of the mediators who are performing mediation under this legislation should be native people. And there should always be at least one native mediator when the care of native children is under consideration by the legislation.

I think we've gone far too long in the province of Saskatchewan, Mr. Deputy Speaker, with a situation where non-native people with good intent are nevertheless making decisions for native families that they have to live with for long periods of time, and people are making those decisions who in many cases have insufficient knowledge of native culture and native families to always make the right judgement call.

And therefore I think it's long overdue to have native people involved in the mediation process when these very sensitive matters are being handled, particularly matters as sensitive as child apprehension. So we're suggesting that whenever native families face a case of child apprehension in the province of Saskatchewan, that the mediation services and the services of the family review panel always ensure that native people are on those panels and are delivering those mediation services.

Mr. Speaker, many native organizations have also expressed concern to me that they would like to see elders permitted to attend and participate in the sessions conducted by the family review panels, and that's another suggestion that I would appreciate the Minister of Social Services looking at.

In addition to that, Mr. Deputy Speaker, this Bill raises the whole question of the way in which we're handling placement of native children in foster homes in the province of Saskatchewan. And as I have pointed out to the Minister of Social Services during question period earlier in this session, despite the fact that the majority of children that are in foster care are children of native origin, there are very few native foster homes in the province of Saskatchewan. Only a small portion of the native children that are being placed in foster homes are being placed in foster homes run by native families.

And yet, Mr. Deputy Speaker, as the Minister of Social Services well knows, we face a situation where many of the extended members of the family of those children who have been apprehended and who are being placed in foster homes, members of the extended family are quite prepared to take care of those children, and in fact they're anxious to do so.

But as often as not, Mr. Deputy Speaker, the only obstacle to these families being able to care for children who would otherwise go into foster homes is that they don't have the financial resources to take care of the children. They are low income families themselves. Often grandparents or uncles and aunts would be willing to take

care of these children but they don't have the financial resources to do so. And they have been saying to the government now for some time, and it's been articulated very eloquently by organizations like the Metis grandmothers of Saskatchewan, for example, that if only the Department of Social Services would pay them in the same way that they pay other foster parents in the province of Saskatchewan, they would happily care for these children, Mr. Deputy Speaker, rather than them having to be placed in foster homes. And I hope that that is something the Minister of Social Services would be prepared to take up and act upon, and we urge him to do so.

This whole question of the importance of having a native child welfare policy, Mr. Deputy Speaker, is a very pressing one. And one of the major shortcomings of this legislation is that it fails to bring forward and embody a native child welfare policy in the province of Saskatchewan. Despite the fact that we have a new Child and Family Services Act, we really do not have with this government a native child welfare policy in this province. And the need for such a policy is long overdue in the province of Saskatchewan.

Now, Mr. Deputy Speaker, I want to turn to another issue of concern in this legislation, and that is the provisions that the Minister of Social Services has made in this Bill with respect to families having to reimburse the Department of Social Services in the event that moneys are expended by the Crown returning a child to their parents. And I'm particularly considering section 7 of the Bill which I'll be questioning the Minister about in some detail when we get into Committee of the Whole.

But frankly, Mr. Deputy Speaker, this is one of the provisions in the Bill that is really quite unworkable. A lot of the families that are involved in child protection cases in the province of Saskatchewan are very poor and very low income and frankly are not in any position to reimburse the Department of Social Services for services that may be provided to a child, or costs that may be involved in returning that child to its parents.

And if the Minister of Social Services is going to undertake the provisions for collection of this money under section 7 of the Bill, as is proposed here, it's in many cases, Mr. Deputy Speaker, going to be completely unworkable. He'll be unable to collect the money, and his attempts at collection of it will simply create additional hardship and stress for these families.

So I would suggest, Mr. Deputy Speaker, that given the very important matters that are under consideration in this part of the Bill, that these services and these costs ought to be provided by the Department of Social Services at no expense to the families involved.

Now, Mr. Deputy Speaker, there's another provision in the legislation that I would like to comment on, and that is the provision with respect to the establishment of protective intervention orders that can be used by the Department of Social Services, and that essentially, Mr. Deputy Speaker, would permit a situation to occur in which, rather than removing the child from its home when one of the persons in the home is posing a danger to

the child, rather than removing the child, the protective intervention order would actually permit for the removal of the person who is causing danger to the child instead, so that one would get a situation where, rather than placing a child in a foster home, the child can remain in its own home and the person who is endangering the child can be removed from the home.

Now that's described as a protective intervention order, Mr. Deputy Speaker, and we think that that's quite a good idea. But unfortunately, Mr. Deputy Speaker, one of the things that will be unworkable about that provision is that in very violent situations the government is nevertheless proposing to give the person who is endangering the child three days notice before asking for them to be removed from the home.

(1530)

Now, Mr. Deputy Speaker, this is simply going to be an unworkable provision in the legislation, and again we'll be questioning the Minister of Social Services more about this in Committee of the Whole. But if this kind of prior notice is going to be given, then clearly the child is going to have to be removed from the home and supervised by a non-offending party until the three-day period is over. And frankly, Mr. Deputy Speaker, we think it would be much more in the interests of the child if the person who's posing a danger to the child could be removed much more quickly, rather than waiting for 72 hours before that takes place.

Now, Mr. Deputy Speaker, in summing up my remarks, I want to make a couple of comments with respect to preventive family services that have been, I think, very much neglected by the Minister of Social Services during his time in office, and that need to receive a lot more emphasis from this government, and will receive a lot more emphasis from an NDP government should we take office following the next election.

And, Mr. Deputy Speaker, one of the proposals that we want to make to the minister is that he concentrate much more on a team approach when it comes to child protection issues in the province of Saskatchewan. I think, Mr. Deputy Speaker, that it's fairly clear to everyone that we generally need a much better co-ordinated effort between departments of government offering services to the same person as was demonstrated by the Marlon Pippin case as just one example.

But we've got a situation right now in the province where child protection officers are badly overworked, where this government has consistently failed to fill vacant positions for child protection officers when they come due, and we now have got a situation where the minister is proposing to use patronage appointments with respect to filling child protection officer positions.

And, Mr. Speaker, all of that runs against the approach that the Minister of Social Services ought to be taking. It's very difficult for just one person to often make the right judgement call when it comes to a child apprehension issue, and the more the minister can be using a team approach on difficult child apprehension cases, the better kinds of decisions that we will get, Mr. Deputy Speaker.

But his child protection officers at this point are so badly overworked and he is so understaffed in that area of the department that wrong decisions are often made, Mr. Deputy Speaker, and I constantly hear reports about them that are very disturbing to me — situations either where children were in danger and should have been removed from a home and were not, either because there was no foster home to place them in or for a variety of other reasons; or secondly, Mr. Deputy Speaker, cases where children were removed from their family and placed in a foster home when there was another member of the immediate family that was more than willing to care for them, and the child protection officer didn't even know about it.

Mr. Deputy Speaker, those kinds of serious mistakes could be avoided much more . . . they would become much more infrequent if the minister was to use a team approach to this sensitive question of child apprehension, and of course he has failed to do that. Above all, Mr. Deputy Speaker, we urge the minister to pay a lot more attention to delivering preventative services under the family services division of his department.

For instance, Mr. Deputy Speaker, why is it that when it comes to the provision of mediation services, the question of taking advantage of mediation services is left to the child protection officer to initiate. Why aren't mediation services available through the family services division of the Department of Social Services, so that if at any time parents and their children are having trouble relating to each other they can walk into mediation services and ask for help? The situation should not have to reach the point where there is neglect or abuse before a mediator becomes involved, Mr. Deputy Speaker.

And yet that's exactly the kind of situation that the government has set up. It fails to support families before the point of crisis, Mr. Deputy Speaker. It fails to take the steps that would be required to avert the crisis, which often could be done if the resources were simply in place.

Second, Mr. Deputy Speaker, we want to urge the Minister of Social Services and the government to expand the family service worker programs at the friendship centres, and to establish several parent aide positions to assist family service workers at those friendship centres. We also want to see the parent aide program being expanded.

These are the kinds of programs, Mr. Speaker, that will save the department thousands and thousands of dollars every year by avoiding child apprehensions and the costly services that have to be put in place when those apprehensions occur, Mr. Deputy Speaker. And yet those are the very services that this government has neglected now consistently since coming to office.

Mr. Deputy Speaker, we are anxious to see counselling and support services for abused children, or children who are coming into transition houses, often in shock after having faced a violent situation in the home. And yet, Mr. Deputy Speaker, the Minister of Social Services has created a situation in which these children receive no special counselling services, no special help when they come into the transition house.

Mr. Deputy Speaker, it's well established that many of the children who face violence themselves and who are abused, will in turn unfortunately become abusers in their adulthood. That unfortunately often happens, Mr. Deputy Speaker, and the Minister of Social Services would do well to devote a few resources to try to prevent that situation from occurring.

And yet even in the most dramatic of situations where families have been abused, and abused women and children come into a transition house anywhere in this province, the Minister of Social Services has not provided funding for the children involved to receive any kind of counselling or support services. And the government should be ashamed of themselves for failing to deliver that kind of an important service to the people of Saskatchewan.

Fourth, Mr. Deputy Speaker, we want to suggest that one of the areas that the government should invest in when it comes to prevention is expanded day care in the province of Saskatchewan. For instance, there are many, many teenagers with pre-school children who would like to complete their high school education and even go on to post-secondary education, Mr. Speaker. But they're unable to do it because the Minister of Social Services has not provided them with either the funding or the resources, the day-care resources associated with their high school programs, to permit them to stay in school and at the same time raise a pre-school child.

Mr. Deputy Speaker, we need more 24-hour day-care service in this province. In fact, we have basically none at this point in time, Mr. Deputy Speaker. And there are many situations where parents who are in high stress, crisis situations would like very much to be able to place their child in a 24-hour day-care service on a temporary basis.

And that's one of the obvious ways, Mr. Deputy Speaker, in which children can be protected when violent or very highly stressful situations are occurring in the home. And yet, Mr. Deputy Speaker, in almost no communities in the province, with I think the exception of Saskatoon, are such services available. And in Saskatoon, Mr. Deputy Speaker, the society for the protection of (cruelty to) children is constantly having to turn away children when families are in crisis. It's not uncommon at all for that agency to have to turn away 20 to 45 children a month because that government has so badly underfunded that agency, Mr. Deputy Speaker.

But those kind of 24-hour services are very, very central . . . should be a central part of the delivery system when it comes to helping families to place their child and avoid a crisis in the home where that child might be abused or might get into a violent situation.

Mr. Deputy Speaker, a fifth suggestion that we want to make is that . . . and maybe this is the most fundamental one of all when it comes to avoiding abuse in the home, avoiding the large number of child apprehension cases that we've seen in the province of Saskatchewan. We now have some more than 2,200 children in care in the province of Saskatchewan, no longer able to live with

their families, Mr. Deputy Speaker.

And I think that one of the important reasons why the incidence of family violence, violence against children, child apprehensions is occurring, Mr. Deputy Speaker, is because we are seeing more and more poverty in this province, we are seeing more and more financial deprivation in this province as a result of the policies of Premier Devine's — I'm sorry, Mr. Deputy Speaker; I retract that remark; I'm not allowed to make specific reference to the name of the Premier — as a result of the Premier's policies and the policies of the PC government.

Mr. Deputy Speaker, I am very concerned about the fact of this government's failure to provide employment for people. We've got an 11 per cent unemployment rate in the city of Saskatoon. We've got a situation, Mr. Deputy Speaker, where social assistance rates have been frozen now in this province, for families, for a period of some seven years. We've got a situation, Mr. Deputy Speaker, where over 42,000 people last year — men, women, and children — had to depend on the services of food banks in the province of Saskatchewan because the social safety net that this government is responsible for has broken down in the province of Saskatchewan.

That kind of situation, Mr. Deputy Speaker, inevitably leads to more family violence, more cases of child abuse in the home, Mr. Deputy Speaker. And if the provincial government wanted to take one single action that would reduce the demand on family services and would reduce the number of child apprehensions in the province of Saskatchewan, addressing this pressing question of poverty is the first step to take, Mr. Deputy Speaker.

Mr. Deputy Speaker, I want to make one final comment, if I may, before closing debate on this very important issue — actually two. One is with respect to some of the comments that the Minister of Social Services has been making, and they relate directly, Mr. Deputy Speaker, to this question of violence in the home and violence against children, when it comes to reducing social assistance payments to families.

And the minister, as I mentioned, Mr. Deputy Speaker, has frozen social assistance rates to poor families in this province for seven years, and has frozen the family income plan for working families in this province for four years.

Now, Mr. Deputy Speaker, if the Minister of Social Services is looking for a good place to begin when it comes to reducing spending on social assistance in this province, first of all, as Minister of Human Resources and Labour, he might try a full employment policy in the province of Saskatchewan. And second, Mr. Deputy Speaker, he might try to enforce the maintenance enforcement Act in this province.

Mr. Deputy Speaker, we've got a situation right now where over 60 per cent of men who have left their wives and their children are not paying maintenance for their children, Mr. Deputy Speaker. That's a shocking situation. And women are having to go out, Mr. Deputy Speaker, and hire a lawyer and get a court order, and then they find that even when they have a court order that they

can't force their former husband to pay up, Mr. Deputy Speaker.

And the failure of this government to protect those women, and to leave them living in poverty and to leave them depending on social assistance, is scandalous. And, Mr. Deputy Speaker, when people wonder why it is that 70 per cent of all single women who have responsibility for heading up a household with children in this province, in other words, families headed by a single female parent, 70 per cent of those families are poor, Mr. Deputy Speaker, and this is one of the major reasons why — because this government has failed to enforce the maintenance enforcement Act in the province of Saskatchewan.

And in fact do you know, Mr. Deputy Speaker, that they recently closed down the maintenance enforcement office in Saskatoon? Now that is just one example, Mr. Deputy Speaker. If they take this maintenance enforcement issue seriously, that's one of the areas where they could save on spending on social assistance, and it is one of the ways, Mr. Deputy Speaker, in which they could provide these families with a decent income and avoid a lot of the very difficult problems that those families face.

(1545)

Now, Mr. Deputy Speaker, those are some of the concerns that we have about the Bill. And I want to say in closing, Mr. Deputy Speaker, that we will be supporting this legislation on second reading because, despite the many shortcomings that I have outlined, despite the many shortcomings in the legislation that I have outlined, The Family Services Act is now . . . has been on the books, Mr. Deputy Speaker, for some 16 years. It is in urgent need of redrafting. We very much needed this new Bill. And despite all its shortcomings, we will support it in principle on second reading.

But if the Minister of Social Services is not prepared to make amendments in this very important piece of legislation, particularly with respect to patronage appointments for child protection officers and with respect, Mr. Deputy Speaker, to the way in which . . . the very inappropriate way in which the family review panels are being structured right now, then we will not be able to support this legislation when it goes to committee, Mr. Deputy Speaker.

We'll see what the Minister of Social Services is prepared to do, but we are prepared at this point to support the Bill on second reading debate. Thank you very much, Mr. Deputy Speaker.

Some Hon. Members: Hear, hear!

Motion agreed to, the Bill read a second time and referred to a Committee of the Whole at the next sitting.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Schmidt that **Bill No. 8 — An Act to Promote the Growth and Development of Children and to Support the Provision of Child Care Services to Saskatchewan Families** be now read a second time.

Mr. Prebble: — Well, Mr. Deputy Speaker, I'm very pleased to enter into this debate on the very important question of profit child care in the province of Saskatchewan. Mr. Deputy Speaker, members of the government should have no doubt about where we stand on this Bill. We will be opposing this Bill vigorously, Mr. Deputy Speaker, because we believe that there is no place in the province of Saskatchewan for commercial day care.

Some Hon. Members: Hear, hear!

Mr. Prebble: — There is no place in the province of Saskatchewan, Mr. Deputy Speaker, for a day-care system as this government proposes that is based on profit first rather than on the delivery of quality care for children first, Mr. Deputy Speaker. There is no place in the province of Saskatchewan, Mr. Deputy Speaker, for franchising day-care services. There is no place for that. And that is precisely what this Bill does, Mr. Deputy Speaker. And for those among other reasons, we will be vigorous in our opposition to this piece of legislation.

Now, Mr. Deputy Speaker, I want to comment for a moment on the state of day care in the province of Saskatchewan that has set the stage for this very bad piece of legislation. Mr. Deputy Speaker, the government has in effect paved the way over the last seven years for the implementation of profit for profit commercial day care in the province of Saskatchewan. And the first way in which it has done that, Mr. Deputy Speaker, is that it has created a chronic shortage of spaces, day-care spaces for families in this province.

Mr. Deputy Speaker, the province of Saskatchewan has the second lowest number of spaces per capita of all provinces in Canada when it comes to the provision of day care. When you look at the number of children in this province, Mr. Deputy Speaker, whose parents are out of the home and are working, you take the number of children who are under the 12 years of age in this province and you compare that with the number of day-care spaces which we have, which is in the range of 5,300, then when you compare that with the record of any other province in Canada, Mr. Deputy Speaker, only Newfoundland has a worse record than the province of Saskatchewan — only Newfoundland.

Only 7 per cent of the children, Mr. Deputy Speaker, in this province who are under 12 years of age, whose families are working, who need day care, can get day-care services, licensed day-care facilities in the province of Saskatchewan. And, Mr. Deputy Speaker, that compares with 13 per cent at the national level. And as I said, only Newfoundland has a poorer record. Only 4 per cent of their children who are in the position that I described have access to licensed day-care facilities.

But for our province to now rank second, I think is an indication of how badly the provision of day-care services in this province has deteriorated under this PC government.

Mr. Deputy Speaker, I've noted over the past number of years that the government has announced new day-care

spaces and new family day-care homes in the province of Saskatchewan. I noticed, for instance, in August of last year, that the government announced 180 family day-care homes in rural Saskatchewan.

But, Mr. Deputy Speaker, what the Minister of Social Services didn't say at the time was that only 56 of those family day-care home spaces were new spaces. The other 124 were spaces that he was finally getting around to filling after a three-year period in which family day-care homes were allowed to close without ever being replaced.

And so what we've had, Mr. Deputy Speaker, under this Minister of Social Services, is constant announcements about new day-care spaces, but a situation in reality in which most of the so-called new spaces that were being created were simply replacements for spaces that had previously closed.

So that's the first thing the government has failed to do, Mr. Deputy Speaker; it has failed to create an adequate number of day-care spaces in the province of Saskatchewan. And it is now looking to this piece of legislation as a cheap way of creating more day-care spaces without the assurance that those spaces are going to offer high quality care, or without the assurance in many cases, Mr. Deputy Speaker, that those spaces will even be funded by the Department of Social Services.

Secondly, Mr. Deputy Speaker, what the government has done to pave the way for its commercial, for-profit day-care legislation is it has implemented now a seven-and-a-half year freeze in day-care subsidies in the province of Saskatchewan. The day-care subsidy, Mr. Deputy Speaker, is still at a maximum of \$235 a month per child, which is exactly what it was at in 1981, Mr. Deputy Speaker, and it is the same after this 1989 budget has been introduced.

What's happened during that time, Mr. Deputy Speaker, during the period from 1981 to 1989 when this day-care subsidy has not gone up a single dollar for low income parents, is that in the interim the average fee per month for children in day-care centres or in family day-care homes has risen dramatically. That fee, back in 1981, used to be in the range of 245 to \$250. Today, Mr. Deputy Speaker, if you've got a two-and-a-half-year-old and you want to put your toddler in day care in a city like Saskatoon or Regina, it'll cost you on average at least \$360 a month. If you've got a four- or five-year-old who needs day-care services, that'll cost you on average \$354 a month in this province.

And so what that means, Mr. Deputy Speaker, for low income families that must place their children in a day-care centre while they're working is that they are in a position where, instead of having to only pay 15 to \$20 a month per child in day care as they did back in 1981, they're now having to pay 120 or \$130 a month per child in day care.

Now, Mr. Deputy Speaker, if you're earning a thousand dollars a month and you've got two or three children in day care, you could easily be looking . . . with three children in day care, you could be looking at a bill of well

in excess of \$360 a month. And that's quite a bit to take out of a cheque of \$1,000 a month of earning, Mr. Deputy Speaker. And so this situation, Mr. Deputy Speaker, has meant that for many low income families, day-care services in this province are simply no longer accessible.

Now, Mr. Deputy Speaker, in addition to that, this government has made day-care centres and spaces in day-care centres financially inaccessible for many middle income earners, because they've also frozen the income levels at which parents in this province can be eligible for a day-care subsidy now for some seven years. And the result of that, Mr. Deputy Speaker, is that no subsidies are available at all to families with an income in excess of 23,000 a year, on average, unless the size of that family is very large indeed.

And so, Mr. Deputy Speaker, we have a situation in effect where middle income earners in this province simply can't afford to pay the full cost of day care at a day-care centre. They can't afford, Mr. Deputy Speaker, to pay in excess of \$700 a month for two children in day care in the province of Saskatchewan. And therefore, Mr. Deputy Speaker, the spaces in many of the non-profit day-care centres and family day-care homes in the province of Saskatchewan have been inaccessible to them as well.

Now, Mr. Deputy Speaker, the combination of this lack of day-care spaces in the province of Saskatchewan and the fact that many low income parents and many middle income parents, for the reasons that I've just described, cannot access the day-care spaces that do exist, has in effect opened the door wide for the government's plan, a plan that I believe they have had for many years, and that is to introduce into the province of Saskatchewan commercial, for-profit day-care operations.

Now, Mr. Deputy Speaker, I'd like to at this point turn to the Bill itself and comment on some of the areas of the legislation that in principle we find to be most objectionable. First of all, Mr. Deputy Speaker, as I indicated at the outset, members of the New Democratic Party are firmly opposed to the introduction of for-profit, commercial child care in the province of Saskatchewan.

We are also, Mr. Deputy Speaker, firmly opposed to the provisions under this legislation that set up two classes of child care, one in effect that's to be run as a business and referred to as a child care organization under the Act, and the other that is to be run as a non-profit corporation, namely your day-care association — be formally referred to under the Bill as a day-care association — and this of course will be a non-profit day-care centre or family day-care home in the province.

Mr. Deputy Speaker, we think that the government is ill-advised to set up these two classes of child care in the province of Saskatchewan. We also think, Mr. Deputy Speaker, that the government is ill-advised to pursue the model that it obviously intends to follow under this legislation, and that is to permit the franchising of day-care operations in the province of Saskatchewan. We just don't see, Mr. Deputy Speaker, how permitting franchising is going to lead to quality . . . the delivery of quality day-care services in this province.

And, Mr. Speaker, one of the things that we most object to under this Bill is that what this legislation proposes to do, particularly in sections 2 and section 7 of the Bill, is that the legislation badly erodes the principle of parent control of day-care centres. And we believe, Mr. Deputy Speaker, that that is very unfortunate because the quality of care that we now have at many of the non-profit day-care centres in the province of Saskatchewan is in large part due to the fact that parents control the operation, Mr. Deputy Speaker. Parents control the delivery of care to their children. They are responsible for the hiring of staff. They set the budget. They set the priorities within the budget, Mr. Deputy Speaker. They decide whether or not it's important to do things like provide a hot lunch program for children in the day-care centre.

I venture to say, Mr. Deputy Speaker, that we'll see very few commercial centres provide the quality of care that the non-profit centres controlled by parents in this province have provided to children in the last number of years, despite the serious underfunding by this government to those non-profit centres.

Mr. Deputy Speaker, we're also concerned about the fact that this legislation allows the for-profit commercial centres to receive operating grants and subsidies under this Bill, Mr. Deputy Speaker. We're very concerned about that, because it's been more than obvious now for some time that the PC government has no intention of significantly increasing the funds that are available to day-care centres in the province of Saskatchewan or significantly increasing the subsidy that's available to parents.

(1600)

As I indicated before, they've frozen it now for seven years, Mr. Deputy Speaker.

And what this Bill basically purports to do, Mr. Deputy Speaker, is take some of the money that is currently going into the non-profit centres, and that clearly the intention of the government must be to divert some of that money, Mr. Deputy Speaker, to the commercial centres.

That is clearly the agenda of the government. If they're not prepared to put any more total dollars into day care, Mr. Deputy Speaker, if they're not prepared to significantly increase the total amount of funds that is going into day care in this province, and if at the same time they're proposing to pay operating grants and subsidies to the commercial centres, then the logical deduction, Mr. Deputy Speaker, is that they are preparing to cut back on funding and on subsidies to the non-profit centres and the family day-care homes of this province.

That is the agenda of the government opposite, Mr. Deputy Speaker, and it's very clear by this legislation that this Bill is designed to implement that agenda.

Mr. Deputy Speaker, in addition, one of the other concerns that we have is that clearly in this legislation the Minister of Social Services is paving the way for a situation in which he can restrict the proportion of parents in a non-profit centre that can be subsidized, and this is of

great concern to us, Mr. Deputy Speaker. It's of great concern to us because we know that many of the non-profit day-care centres in the province of Saskatchewan currently have in them families, 90 per cent of which, 90 per cent or more of which are receiving some kind of day-care subsidy.

Now what other reason could the Minister of Social Services have for limiting the number of parents in those centres who can receive subsidy, but, Mr. Speaker, to intend to cut back on the number of parents, low income parents, that those non-profit day-care centres are able to serve.

The minister is saying that he wants to set a restriction, and we don't know what it is yet, whether it will be 60 per cent or 70 per cent or 80 per cent of the families in that non-profit day-care centre, or family day-care home, that can receive a subsidy. And he knows full well that in many cases non-profit centres and family day-care homes have all or almost all of the parents that are leaving their children with that day care or family day-care home, receiving some form of subsidy right now.

And if he's planning, Mr. Deputy Speaker, as he clearly is under section 22(2) of this Bill, to restrict those centres in the number of parents that they can receive and provide services to, who are receiving a subsidy, then clearly his intent is to erode the ability of those non-profit centres to function, and in some cases, Mr. Deputy Speaker, they will close down, and the Minister of Social Services knows that full well. And certainly, Mr. Deputy Speaker, we on this side of the House are not prepared to stand by and allow that kind of a situation to happen.

A fifth concern, Mr. Deputy Speaker, that we have about this Bill is that section 25 of the legislation allows the Minister of Social Services to exempt a child care facility from all or part of the regulations of this legislation. And, Mr. Speaker, we find that to be very disturbing. Under what possible situations could the Minister of Social Services decide that it is in the interests of children to completely exempt a child care facility from the regulations governing this Bill? That is an outrageous situation, Mr. Speaker, and a situation that we will strongly oppose.

Seventh, Mr. Speaker, we're very concerned about the fact that we have not seen any of the regulations that the Minister of Social Services is proposing with respect to this Bill. And we will be . . .

An Hon. Member: — That's not unusual.

Mr. Prebble: — Mr. Speaker, in this case the Minister of Education wants to . . . suggest that that's not unusual, and with this government it's not, Mr. Speaker. But, Mr. Speaker, in this case our concern is with the fact that we need to see the regulations to understand how this Bill will really impact on non-profit day-care centres and family day-care homes.

Mr. Speaker, the parents of this province who have children in day care deserve to see those regulations before this Bill takes effect. They deserve to see those regulations before this minister gets a *carte blanche* to put

into place his plan for commercial, for-profit day care in the province of Saskatchewan. And, Mr. Speaker, it's very difficult to know the full implications of this legislation without the Minister of Social Services bringing forward those very important regulations.

Now, Mr. Speaker, I want to touch on a third area that is important with respect to this legislation, and that is to outline what on this side of the House we want to see in any new day-care Bill that we would be prepared to give support to.

First of all, Mr. Speaker, we want to see more spaces for day care in the province of Saskatchewan. In fact, Mr. Speaker, we want to see a universally accessible day-care program in this province. And we believe, Mr. Speaker, that that means providing operating grants to day-care centres that will cover a substantial portion of the day-to-day operating costs of those day-care centres, that those costs would be publicly funded, Mr. Speaker, and that then day care would be truly accessible to everyone in the province of Saskatchewan.

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

Hon. Mr. Hepworth: — I apologize for interrupting the hon. member, but I wonder if I could get leave to introduce some guests.

Leave granted.

INTRODUCTION OF GUESTS

Hon. Mr. Hepworth: — Mr. Speaker, I'd like to introduce to you, and through you to other members of the legislature, three young people sitting in the gallery opposite. They are Craig Rodine and Leah Rodine and Heather Rodine, and they're school children, school young people from my riding, Mr. Speaker.

Craig is the hockey player in the crew and Leah is the ball player, and Heather is graduating this year from grade 12, and a fine young journalist who I know has an exciting career ahead of her. So I would just ask all members to join me in welcoming them to the Assembly this afternoon.

Hon. Members: Hear, hear!

ADJOURNED DEBATES

SECOND READINGS

Bill No. 8 (continued)

Mr. Prebble: — Thank you very much, Mr. Speaker. Secondly, Mr. Speaker, we want to see a provision that will ensure high-quality day-care services being delivered to families in this province. And that obviously, first of all, implies adequate funding, Mr. Speaker. Secondly, it implies parental control of the operations of the day-care centre. Third, it implies significant improvements to the current regulations that govern the provision of day-care services in this province.

For example, Mr. Speaker, we want to see the staff-to-child ratio in day-care centres significantly reduced in this province. Right now, for instance, children over 30 months of age are permitted, Mr. Speaker, to have only one staff person to every 10 children. In other words, you have 10 children, 30 months or more, and you concurrently have in a day-care centre only one staff person looking after those 10 children.

Clearly that ratio is much too high, Mr. Speaker. I would suggest that it should be reduced to something like one staff person to every six children. And those are the kinds of changes to the regulations that would make a big difference to the quality of care in this province.

Third, Mr. Speaker, we very strongly support the delivery of day-care services, either through the non-profit co-operative model, or through the family day-care home model. There may well be some room for employer sponsored day care in the province of Saskatchewan, Mr. Speaker. In fact I think that would be a very positive initiative, as long as the parents at that day care exercise control over the delivery of the program. So parent control with an employer sponsored day care, I think would be a third positive model.

We want to see a situation where all day-care centres are licensed in the province and family day-care homes are licensed in the province, and we want to see a situation, Mr. Speaker, where a flexible and innovative model for delivering day care is put in place for rural Saskatchewan.

Mr. Speaker, I think that flexibility should be the fundamental rule in terms of providing rural day-care services. It's obvious, Mr. Speaker, that we are in urgent need of those services. In fact we face a situation right now where although 39 per cent of the Saskatchewan population in our province lives in rural areas, less than 6 per cent of the total licensed child care spaces in the province are in rural Saskatchewan.

And I think in large part that is as a result of government's failing to develop a day-care model that would be responsive to the needs of parents in rural communities, Mr. Speaker. And clearly we need a model that will provide transportation for children in day care in rural Saskatchewan. We need a model that will be flexible when it comes to responding to the seasonal demand for day-care services.

Many rural families, Mr. Speaker, need day care during harvest; they need day care during seeding; they need day care during those periods of time for hours that may be longer than the regular 8 to 5 or 9 to 5 operations of an urban day-care centre. And so far the Government of Saskatchewan has failed to develop a delivery model that will meet the needs of those families, Mr. Speaker. We on this side of the House are committed to developing such a model in co-operation with rural families when we form government, Mr. Speaker, should we form government after the next election.

And, Mr. Speaker, finally, we want to see a situation where there is more support for parents who choose to stay home with their children. For a long time for

instance, Mr. Speaker, the federal New Democratic Party has advocated the need for extended maternity leave for mothers when they leave the work place to care for children. The current provisions, Mr. Speaker, of 15 weeks of maternity leave are really very inadequate, and one only has to look around the western world to realize that we in Canada have one of the poorest maternity leave provisions of governments in the industrialized world.

And the federal government would do very well, Mr. Speaker, and it would be a real . . . if the federal Conservative government is looking for a way to really support families in Canada, one of the first things that they would do is extend the period of time that women and families are eligible for maternity leave benefits so that women in the work place, when they have a child, are able to stay home with that child for a longer period of time and are able to afford to do that financially, Mr. Speaker. That would be a very concrete way of providing support to families in the province of Saskatchewan.

Now, Mr. Speaker, finally, I want to comment specifically on the issue of quality of child care and our position that for-profit commercial child care and high quality child care just don't mix.

Mr. Speaker, I want to refer here to a number of research projects that I want to make reference to. The first is research work that was done by SPR Associates Inc. and National Mail Surveys Inc. in 1986. They found, Mr. Speaker, that parental involvement, parental support, and the support of parental values were the key indicators of the quality of care that children receive.

In for-profit commercial centres, parents, Mr. Speaker, are excluded as decision makers. They are not on the boards of directors. Non-profit co-ops on the other hand, offer parents an opportunity for full parental involvement and support.

We believe, Mr. Speaker, that parental involvement is best achieved in the non-profit co-op model and that support of parental values is best achieved by non-profit day-care co-ops or by family day-care homes. And, Mr. Speaker, that is one of the reasons why we are strongly opposed to commercial centres and to franchised day care in the province of Saskatchewan.

Mr. Speaker, there is an important difference in attitudes towards day-care regulations between profit commercial centres and non-profit co-ops and day-care homes. And it is that important difference in attitude, as demonstrated in the record of other provinces, that is a second reason why we are opposed to commercial centres in the province of Saskatchewan. Non-profit centres operate consistently, Mr. Speaker, above and beyond the minimum standards that government sets down for day care, and in fact they are . . . historically they have been constant advocates for an improvement in day-care regulations in their province. That has long certainly been the case in the province of Saskatchewan, Mr. Speaker.

(1615)

On the other hand, Mr. Speaker, profit centres in Canada and the U.S. have often been known to lobby for weaker

day-care regulations in their province. And, Mr. Speaker, the case of Ontario, I think, is a good example, where we've seen there that the commercial day-care operators in the province of Ontario have presented briefs to the Government of Ontario throughout the period of the 1980s actually arguing for weaker day-care regulations which would result in poorer quality delivery of service to children, Mr. Speaker, but would of course permit them, Mr. Speaker, to increase their profits.

And third, Mr. Speaker, we have seen situations where the profits that are made by the commercial centres in the province of Saskatchewan are made directly at the expense of staff in the day-care centres and children who are being served by the day-care centres. For instance, the Social Planning Council of (Metropolitan) Toronto did a study of profit and non-profit centres in 1979 and found that the profit making centres in the city of Toronto paid on average 30 per cent less in wages than the non-profit centres in that city.

Mr. Speaker, I predict that if commercial centres come into the province of Saskatchewan, that those commercial day-care centres will drive down the wages of day-care workers in those day-care centres. And those workers, Mr. Speaker, already work at very inadequate wages. The average day-care worker in this province is earning 6 to \$7 an hour.

Mr. Speaker, many of the day-care workers in this province . . . We've been discussing poverty in the legislature over the last couple of weeks, and despite the Minister of Social Services' denial that poverty exists in this province, one of the groups of people, Mr. Speaker, that are frequently facing poverty in the province of Saskatchewan are day-care workers. Because of the inadequate funding that this government has given to non-profit day-care co-ops and family day-care homes in this province, Mr. Speaker, they are unable to pay their staff . . . although they would like to pay their staff more, they're only able to pay them 6 to \$7 an hour, and many of those day-care workers are living below the poverty line, Mr. Speaker.

So in summary, Mr. Speaker, what this Bill means, what this Bill translates into is poorer quality day care in the province of Saskatchewan, a loss of parental control over the delivery of day-care services, and no improvement at all in accessibility of day care in this province.

This Bill, Mr. Deputy Speaker, simply represents a cheap way of creating new day-care spaces in this province without putting any government dollars into the creation of those day-care spaces. It sets the stage, Mr. Speaker, for a weakening of standards governing day care in this province, Mr. Speaker.

And we can be guaranteed, Mr. Speaker, that the commercial day-care centres will operate at the very minimal levels of those standards that are set. They will, Mr. Speaker, I predict that the commercial day-care centres will just . . . first of all, that they will lobby for weaker day-care regulations; secondly, that they will operate at the minimal level that the current regulations that are in place allow, Mr. Speaker; and that, Mr. Speaker, with the onset of commercial for-profit day care

in the province of Saskatchewan, we will see an erosion of the quality of services that can be delivered to children in the province of Saskatchewan.

This Bill, Mr. Speaker, speaks volumes about this government's failure, its lack of commitment to the families of Saskatchewan. This government, Mr. Speaker . . .

Some Hon. Members: Hear, hear!

Mr. Prebble: — This government is hosting a family symposium later this month in the province of Saskatchewan, and it hopes, Mr. Speaker, that that family symposium can be used as a way, as a public relations vehicle for promoting its supposed support of families in this province.

But, Mr. Speaker, we have seen example after example of how this government in practice has failed families in this province. And this piece of legislation is a classic example, because it shows that even when it comes to care for children, this government is prepared to put profit over people, Mr. Speaker.

That's what this Bill is all about, and that's why we'll be opposing this piece of legislation in the Assembly.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Ms. Smart: — Thank you, Mr. Speaker. My colleague, the member from Saskatoon University, has made some very important points about this child care legislation, and I want to add my concerns to the debate at this time.

I notice that part of the Act that's been put before us is called An Act to Promote the Growth and Development of Children . . . Now, Mr. Speaker, that sounds sincere and self-righteous, but I say that coming from the PC government, it's another example of trying to pull the wool over the eyes of the Saskatchewan parents. It's another example of wolves in sheep's clothing. Because the Minister of Social Services and this Tory government have demonstrated over and over again that they have no intention of promoting the growth and development of children.

The Minister of Social Services, the minister who's now bringing this piece of legislation before the Assembly, is the very same minister directly responsible for child hunger in Saskatchewan; for the fact, Mr. Speaker, that children who live in the bread-basket of the world are going to school hungry, they're going out to play hungry, and they're going to bed hungry.

And the Minister of Social Services, the minister who is now grandstanding as the minister to promote the growth and development of children, is the same minister directly responsible for the fact, the fact, Mr. Speaker, that one in four children in Saskatchewan now live in poverty in this province — 64,000 children, Mr. Speaker, 64,000 children.

I've spoken to many women who are desperate to find

good quality child care for their children, because this same minister and his PC government pals have decreed that young women, young single parents, must go work in the paid labour force when their babies are quite tiny and there is no licensed child care available for them.

And I have spoken with many families who have lost good paying jobs and have to survive on a minimum wage which hasn't been increased in years, and mothers who have been forced out to work because of the desperate situation, a situation created by that uncaring PC government opposite, a government which promotes the benefits of cheap labour to its PC Party pals who wallow in the trough of patronage while many, many little children suffer hunger and hurt in this province. And that's how much the Minister of Social Services, and the PC government which he represents, that's how much they really care about families, about women, and about children.

When it comes to caring and promoting the growth and development of children, the minister opposite has demonstrated many times how cold and cruel his PC policies are.

Mr. Speaker, the minister has no credibility in this province as a minister who will act wisely on behalf of children, and his PC government has no credibility either. I want to give you just one of many examples which demonstrates the extent of the PC government's lack of care and concern for little children; how this lack of care is reflected throughout the PC government's system, extending beyond this Minister of Social Services, though he is certainly a ringleader when it comes to attacking children.

I want to read from you a news release dated September 1987, from the Cosmo Civic Centre Co-operative Day Care in Saskatoon, Mr. Speaker. It was released September 15, 1987, and it says:

Province cuts special needs funding to day care.

The Department of Education has followed through on its plan to withdraw its share of funding for the integrated special needs program at the Cosmo Civic Centre Co-operative Day Care in Saskatoon. The loss of the \$1,300 per month grant has been a severe blow to the day care. In an effort to save the program, the day care has instituted a series of staff salary reductions as well as eliminated one part-time position.

The program was one of two pilot projects in Saskatchewan begun in 1981. The other program in Lloydminster also lost its funding. Jointly funded by the day care, the Department of Social Services, and the Department of Education, it was intended to assist pre-school children with mild to moderate developmental problems in an integrated day-care setting to facilitate their eventual entry into the school system.

The project which is run by a co-ordinator with an education degree has been considered a success by parents, educators, referral agencies, and

program evaluators, and it was a model of effective inter-agency and inter-departmental co-operation.

The Department of Education's withdrawal of funds for the program is something of a mystery to the day care since it will cost a great deal more to provide remedial help for the children after they are in school. There is also a great concern that more support should be given to assisting pre-school children with special needs throughout the province.

So they cut that very special program to that particular day care and hurt the children that were affected by that cut.

And, Mr. Speaker, for many years the PC government has done nothing to help develop high quality child care in Saskatchewan. In fact this PC government has failed dismally to provide the funding and the support services necessary to promote the growth and development of children. The failures of this government have been monitored and demonstrated over and over again by the many active people in this province who know what is really needed to provide high quality child care.

Mr. Speaker, as my colleague, the member from Saskatoon University, has pointed out, I and my colleagues on this side of the House have grave concerns about The Child Care Act, as do the vast majority of Saskatchewan people who know what is required to ensure the growth and development of children.

In the course of the debate on this Bill, we are pointing out many reasons why this is a totally inadequate and unacceptable piece of legislation. This is a piece of legislation which is roundly condemned by all people who understand children and their need for loving, high quality care.

Some Hon. Members: Hear, hear!

Ms. Smart: — Unfortunately, we have learnt that trying to reason with the Minister of Social Services and with the PC government is an exercise in futility. I fear that many more children will have to suffer, through poor quality care, before the system can be changed. But change it will be, Mr. Speaker, and for the better, after the next provincial election.

Some Hon. Members: Hear, hear!

Ms. Smart: — The Minister of Social Services no doubt has a lot of defences ready. He will no doubt deliver himself of his usual collection of trite rhetorical phrases, which he hopes will fool the public into believing that he is riding into the 21st century, when in reality he is back-peddalling madly into the past.

The most dreadful part of this legislation, Mr. Speaker, the part that really takes us backward in time, is the fact that this Bill will allow for the operation of commercial child care services. Mr. Speaker, prior to 1975 we had commercial child care services in this province — way back then, in 1975. The minister appears to be under the

delusion that he is being new and innovative with this Bill, but he isn't, and he's not fooling anyone. He's locked in a typical blind Tory time warp.

Commercial child care services existed in this province in the past, and Saskatchewan parents experienced the usual horrors connected with these kinds of operations. Under a New Democrat government, people organized to develop non-profit, parent-controlled, co-operative centres which, when they are properly funded and supported, have proven to deliver much better care for children. But what did this backward-looking Tory government do? It brings in legislation to reimpose the awful conditions of commercial child care centres, to impose those conditions on defenceless young children and their desperate parents.

The child care centres, according to this new legislation, will mean a facility operated by a child care organization or a municipality, but it does not include a family child care home. And here's the definition of the child care organizations that are going to be allowed to provide child care services:

- (i) a corporation that is incorporated, registered or continued pursuant to The Business Corporations Act and of which all of the shares are legally and beneficially (beneficially to themselves, I may add) owned by individuals;
- (ii) a corporation that is incorporated, registered or continued pursuant to The Non-profit Corporations Act;
- (iii) a co-operative that is incorporated, registered or continued pursuant to The Co-operatives Act; (and)
- (iv) a partnership, where all the partners are individuals; (or)
- (v) an individual;

Most of those conditions are for profit care. Mr. Speaker, I assure you and the people of Saskatchewan that I know whereof I speak when I condemn this development as repressive and destructive.

Mr. Speaker, I've had a notice that my colleague would like to introduce some guests, and I would like to sit down and beg leave for him to do so.

Mr. Tchorzewski: — I would ask for leave to introduce some students in the gallery.

Leave granted.

(1630)

INTRODUCTION OF GUESTS

Mr. Tchorzewski: — Thank you, Mr. Speaker, and thank you to the member from Saskatoon for giving me the chance to introduce some students in the Speaker's gallery.

Mr. Speaker, they are 34 students, grades 5, 6, 7, 8, and 9 from Miniota School in Miniota, Manitoba. They've come quite a ways to spend some time with us and we're very happy to have them here. I understand that they have with them their teachers, Jim Procyk, Alvina Warkentin, and Keith Tataryn; as well as chaperons, Trudy Watters and Marg Rollo.

I would like to ask the members to join me in welcoming the students to the Assembly, extending them our best wishes for a very enjoyable trip and visit in Regina and in Saskatchewan, and also a safe trip home.

Thank you, Mr. Speaker.

Hon. Members: Hear, hear!

Mr. Toth: — Mr. Speaker, I beg leave to as well join with the member opposite to welcome the students from Miniota.

The Speaker: — Go ahead.

Mr. Toth: — Mr. Speaker, representing the Moosomin riding, a constituency right along the Manitoba border, I also on behalf of the government extend a hearty welcome to the students from Miniota. We trust that you'll enjoy your stay in our fair city, and we welcome you to the Assembly. I join with the members opposite.

Hon. Members: Hear, hear!

ADJOURNED DEBATES

SECOND READINGS

Bill No. 8 (continued)

Ms. Smart: — I too welcome our visitors. I'm speaking to a piece of legislation which is being brought in to promote for-profit child care centres in Saskatchewan, and I'm very strongly opposed to the legislation before us.

For many years I have been involved in the child care movement in Saskatchewan, which is a growing movement of people dedicated to educating themselves and others about the meaning of high quality child care and dedicated to lobbying governments to ensure that this provision of higher quality child care to all parents who want and need it.

Mr. Speaker, commercial child care services are not the way to do this. The minister protests that he is not paving the way for larger commercial operations like they have in Ontario and Alberta and the United States, but his is just playing stupid when he says this. Just look around you at the way business is operating these days to get around such restrictions. They develop franchise operations, that's what they do. And this legislation paves the way for child care franchise operations in this province.

By this legislation, adults will be allowed and encouraged to profiteer from the urgent need for child care. Adults will be permitted, by this uncaring PC government, to use children for profit. The children's need for care will become another commodity, an item to be bought and

sold in the market-place to make a buck off a kid's need for loving care.

And, Mr. Speaker, I find that disgusting. I find it disgusting and damaging and degrading. And I thought in this province we had moved away from such blatant exploitation of children.

And I want to say, shame on a government that will not move to protect children from such abuse. I say, shame on a government that will not act to protect children in general, and shame on a government that will not do all in its power to provide high quality child care instead of constantly blindly promoting the ideology of the bottom line. Mr. Speaker, the bottom line is what this so-called Child Care Act really is — it's the bottom line.

And this uncaring PC government, represented by the stone-hearted Minister of Social Services opposite, dares to say that this development will provide choices and options for parents. Mr. Speaker, in the choice to have other adults use your children as a business venture, in the dog-eat-dog world of right wing Tory supply and demand economics, that is no choice. That is not an option.

Not even children are spared from this PC's government's blind ideological stampede to privatize every human service and turn a child's basic needs for loving care into a profit-making enterprise. And if I sound angry, Mr. Speaker, I am.

And I feel sick when I think of what is in store for Saskatchewan's children and their parents. Child care for profit will be the only option for a great many people. And when people use it because they are forced to, the PC government will point to those parents and say, they had a choice. I am dismayed when I see how this PC government treats people, how it tries to fool us into thinking it is providing real choices.

Mr. Speaker, in 1987 this Tory government opposite staged a day-care review, headed by the now twice-defeated former minister of Social Services, one Gordon Dirks. And Mr. Dirks at that time tried to introduce commercial child care, and what happened, Mr. Speaker? Parents, child care advocates, educators, concerned citizens, mounted a powerful public opposition to this attempt, and they said very emphatically that child care for profit is a totally wrong-headed approach, and they said it for excellent reasons.

Mr. Speaker, study after study has demonstrated that commercial child care centres provide lower quality care. In Edmonton and Toronto, for-profit child care centres have been found negligent in health care issues and in maintaining suitable child-staff ratios. In Manitoba, research revealed that commercial centres were constantly overcrowded. In Ontario, commercial child care operators actually lobbied the government, in 1982, to prevent the government from improving the standards for child care. That's what commercial centres did — wanted the standards lowered.

And just recently *The Globe and Mail*, which is the

Conservative's business-oriented newspaper, published a series of articles on child care in Ontario in which they reported on a review of 1,600 inspection reports of licensed child care centres. And, Mr. Speaker, *The Globe and Mail* reported — and this was an article in Friday, February 3, 1989's edition of *The Globe and Mail* — reported this from their study of the inspection report:

Generally, commercial centres are less likely than non-profit centres to meet government standards. The worst of Ontario's for-profit centres are more likely to have multiple infractions than the worst of the non-profit centres. All 12 of the centres now facing possible revocation of licences are commercial centres. Commercial centres are also more likely than non-profit centres to have been cited for poor record keeping, staff shortages, poor food, and insufficient toys and equipment.

Mr. Speaker, these are not just words. These are the conditions under which children have been offered care in the province of Ontario by commercial centres.

Poor record keeping, staff shortages, poor food, insufficient toys and equipment. These findings coincide (I will quote again from the article) . . . These findings coincide with the only analysis of the reports the ministry has done. In May of 1988 a consultant who studied Metro Toronto centres reported that commercial centres were less likely to meet the Act's requirements and more likely to experience staff shortages.

Mr. Speaker, why in the world, when the research shows what commercial centres do, are we moving to establish commercial centres in this province? The only reason we're doing it is because we have a Minister of Social Services and a government that doesn't really care one bit about children, and doesn't know anything about protecting families and supporting families and children in this province.

Some Hon. Members: Hear, hear!

Ms. Smart: — Mr. Speaker, an Alberta study by Dr. Christopher Bagley, who's chairman of child welfare at the University of Calgary, concluded in 1986 that for . . . and I quote, "For-profit day care should be prohibited," Mr. Speaker — prohibited. We should not be having legislation in front of this Assembly to establish child care centres for profit; we should be prohibiting them. And it's no wonder that parents and child care advocates in Saskatchewan are so strongly opposed to for-profit child care centres.

Instead of building on the non-profit, parent-controlled, co-operatives model of child care which the New Democrats introduced, the PC government is rushing backwards in time, as I've already said. The PC government is not listening to the wise people of Saskatchewan. The PC government is just blindly imposing its stupid privatization ideology on one of the most crucial human services a government . . .

The Speaker: — Order, order. I know the hon. member feels strongly on issues and intensely, but perhaps she

could use a phrase other than “stupid this” and “stupid that.”

Ms. Smart: — Mr. Speaker, I apologize if that word is unparliamentary, Mr. Speaker. I would say it's imposing a privatization ideology which lacks intelligence. And it is doing this to one of the most crucial human services a government can provide, which is helping parents to care and nurture the youngest and the most vulnerable members of our community, our children.

Mr. Speaker, in 1986 a parliamentary special committee on child care held public hearings across Canada, charged with the task of developing a workable solution to Canada's child care problem. Unfortunately, because of the regressive Tory government in Ottawa, the final report and the proposed legislation were anything but a solution. In fact they just exacerbated the problem.

But this parliamentary committee did advertise across Saskatchewan to elicit responses from the general public. The advertisement read: Child care involves you — parents, grandparents, child-care providers, taxpayers. Just about everybody. The committee wants to hear from you.

And what did the people in Saskatchewan say to this parliamentary, all-party committee, Mr. Speaker? Close to 95 per cent of Saskatchewan people argued against public support of for-profit child care. And this was a considerably higher percentage than the rest of the country, which was at 77 per cent. I assure you that the introduction of commercial child care centres will be a very unpopular move in this province.

The federal PC government in its former child care Act, which has now been withdrawn, proposed for the first time to make federal funds available for operating commercial child-care businesses. The Canadian Day Care Advocacy Association pointed out that this move set a very dangerous precedent. Federal officials were unable to point to any other federal funding arrangement which provided public funds for the ongoing operation of businesses in this way.

Fortunately, this development appears to have been scuttled at the federal level, but this legislation that we're looking at today suggests that it may surface again in another disguise with the PC government opposite. And it certainly will not be opposed. The PC government opposite was co-operating with the federal PC government to set up a system where the operators of for-profit businesses would have been able to keep their hands in the public trough indefinitely to cover operating expenses and then pocket the profits. And that idea seems to be going forward.

But it doesn't make economic sense any way you look at it, Mr. Speaker, unless of course you're a Tory profiteer hoping to benefit from the PC government's blatant promotions of greed and corruption. With the federal government program now defunct, those funds are not available to the provincial government for its program, and so I sincerely hope that it will mean that these plans can't succeed.

I have very good reasons, obviously, for saying that I hate to see this PC government support commercial child care centres. Children are abused enough in our society without this regressive development to add to their problems. The minister opposite, the Minister of Social Services, is deliberately flying in the face of logical and intelligent reasons for opposing for-profit child care.

Research doesn't mean anything to this PC government, responding to parents doesn't mean anything to this PC government, and reality doesn't mean anything to this PC government. All the government wants to do is rejoice in its power to promote greed and to put children at risk. It's mean and it's cruel and it's crazy to do this, Mr. Speaker.

Mr. Speaker, the minister is encouraging profiteering at the expense of high-quality child care that little children so desperately need. And I have nothing but contempt for the promotion of commercial child care services — contempt which this move richly deserves. And I have nothing but contempt for the minister's claim that he is providing choices for the parents of Saskatchewan's children.

This so-called Child Care Act does not provide real choices, it destroys them. It destroys real choices, and that is a crime against the majority of Saskatchewan parents and children, the middle and low income families who will be so badly hurt by these regressive policies. The minister claims, again through his blind ideological attachment to the bottom line, that commercial child care services will provide competition to the non-profit, parent-controlled co-operatives. And he sees this as a good thing.

But, Mr. Speaker, the facts are these. Public funds, taxpayers' dollars will be provided to the commercial centres for their ongoing operations. So what happens then? Obviously what happens is that there will be much less public money available to improve the non-profit centres.

(1645)

It stands to reason, doesn't it? The non-profit centres will not be funded properly, they will be allowed to provide the minimum standards of care, and without strong financial support the ongoing development of high quality child care will be stopped dead in its tracks.

The non-profit centres will have a terrible time trying to compete with a minimum amount of government support. We will have child care services that are totally inadequate all the way around, except for very wealthy parents who not only have the personal financial resources to purchase child care, but who will also use taxpayers' money to finance their elite centres. Wealthy parents may well have choices, Mr. Speaker, but middle and low income parents will find themselves firmly between a rock and a hard place. And the rock and the hard place will be exacerbated, Mr. Speaker, by the federal PC government's policy of tax credits and deductions for child care services, a policy which the PC government opposite also supports.

The Minister of Social Services will no doubt promote this

policy as providing choices and options for parents, so let's look at that one. The Canadian Day Care Advocacy Association put this issue very clearly:

Tax measures do not create spaces in child care centres. The federal PC government has announced that they will double the current child care expense deduction and implement a new child care tax credit for parents who are unable to produce child care receipts.

And if they're unable to produce child care receipts, Mr. Speaker, that sounds to me like an easy invitation to fraud.

They will also provide tax credit for parents who are caring for their own children at home. But these kinds of individual payments to parents do not provide real choices among a range of high-quality, affordable options for child care because they do not create the badly needed licensed spaces. Even as a tax measure this is a poor move. A tax deduction (as we all know) benefits higher income families more than middle or lower income earners.

Mr. Speaker, I know, as do most Saskatchewan people, that parents will only have real choices when enough public funds are made available to provide substantial start-up grants and operating grants to a variety of licensed child care programs. Parents will then be able to choose an accessible, affordable, high-quality program that best meets the needs of their children.

We need a variety of programs in Saskatchewan to meet the needs of rural as well as urban parents — no one disputes that. We need parent support policies in our labour legislation. We need a commitment to use public funds responsibly and wisely. Our children, all children, regardless of their parents' income, deserve no less than the best of care — care which we as a society can provide if we have the political will to do it.

Mr. Speaker, as I've said before, this child care legislation obviously makes me very angry. It is so thoughtless and so potentially cruel to children, it does not deserve support from the members opposite, and I urge them to re-think their priorities. I urge them to withdraw this legislation. I urge them not to capitulate to the stone-hearted Minister of Social Services. He has demonstrated over and over again that he has no idea of how to promote the growth and development of children.

Mr. Speaker, on behalf of all the hard-working people who have served so many years as members of child advocacy groups urging better child care in Saskatchewan, I strongly oppose this legislation. I condemn the PC government for taking such a backward step when so many parents and young children desperately need high quality child care. This legislation is offensive and should be soundly defeated.

Mr. Speaker, we will have more points to raise in the Committee of the Whole. Right now, I move to adjourn this debate.

Debate adjourned.

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Swan that **Bill No. 16 — An Act to amend The Clean Air Act** be now read a second time.

Mr. Tchorzewski: — Thank you, Mr. Speaker. I want to make several comments on this Bill even though I want to make it clear that it is not our intention to oppose this legislation, this amendment to The Clean Air Act, but there are some things that I think are important to be said about the Act itself, and more importantly, about the policy of the government and the administration of this Act, or probably more accurately put, the misadministration of this legislation. I am not sure that I will be able to complete my remarks in the time that we have before 5 o'clock, so if it approaches 5 o'clock I will adjourn so that I can pick it up again at the first opportunity following.

Now I think first of all, Mr. Speaker, that I want to say that this legislation, this amendment, is a good example of this government's very dismal record when it comes to environmental protection. I say that, Mr. Speaker, because all of the evidence of the way that the government has administered this legislation and the way the government has treated the appropriations that have been provided for the Department of Environment can lead one to make no other conclusion than the one which I have said, and that is that the government's record on environmental protection to be an extremely dismal one.

I want to talk about the shell game that we have seen that has taken place here. And here is once again a good example of the shell game. When the throne speech and the budget were brought down by the Lieutenant Governor and then the Minister of Finance, the government made a very good effort to try to make the environment appear to be of a major priority.

Oh, there was a glossy hand-out that was provided with regard to environment, as it was on a number of other subjects. They obviously had looked at the polls, and the polls said people of this country and people of this province are concerned about the environment. You've got to say something. The unfortunate thing and very regrettable thing, Mr. Speaker, is that that's all that the government did, is that they said something. Nothing concrete has come out of it except that statement.

Today we are on day 65 of this particular session of the legislature — day 65. Normally on day 65 the legislature would be winding down. There would be a lot of major Bills would have been passed . . . (inaudible interjection) . . . Well the member from Kinistino speaks from his seat; I hope he will consider standing up and speaking on this Bill when he has the opportunity when I'm completed.

Day 65 normally is when the session would be winding down and most of the major legislation would have been dealt with; the budget has been completed. But on day 65, Mr. Speaker, we only saw 12 Bills, all of which the government yet wasn't able to give first reading to, but 12 Bills on the blues for first reading purposes.

You've got to really wonder, Mr. Speaker, had this session

ran its normal course, had this session finished on day 65 or 73, we probably would not have had any environmental legislation provided at all because the government wasn't ready to have it; they didn't have it ready.

But we're on day 65 and what do we have? We have some minor amendments to The Air Pollution Control Act, a very minor amendment to The Air Pollution Control Act. Now the one significant point here, Mr. Speaker, is this. This Act was passed in 1987. The Air Pollution Control Act was passed in 1987. It received Royal Assent on November 6 of 1987. Now that's fact and that's the record.

But do you know what, Mr. Speaker? To this day, this Bill has never been proclaimed into law. This legislature dealt with it; the opposition supported it. We raised some reservations about whether the government was going to be able to provide the back-up necessary to administer the Act effectively. And the issues we raised have turned out to be true — not only was the government unable to administer this Act, had it been put into place, but it did not even proclaim it. And so you really have to wonder, Mr. Speaker, why go through all this exercise.

Now we have this amendment. And you have to wonder, is the government really serious? What else could you conclude, given the experience that there has been with regard to the way it has been handled since it was first legislated two years ago?

I want to say to the members opposite, and I want to say to the Minister of Environment and Public Safety, Mr. Speaker, the government requires more than the introduction of legislation for public relation purposes to get the heat off itself. That's not going to be good enough. I also want to say that the government requires more than introducing legislation for public relations purposes to become effective in what it pretends to be, its commitment to the protection of the environment.

In 1987 the government introduced new legislation with glowing words and they said what an important thing it would do. It would not only cover industries that had been established after the original Bill, but it would be retroactive to industries that were there before that original Bill was passed. That was good legislation. But what is the good of any legislation if the government then is not prepared to have the will to put it into place and administer it and enforce it, as happened, unfortunately, with this particular Bill where the government never acted on it.

Now I know that the minister may get up in his concluding remarks, if he chooses to make any, or in committee, and he will say, well we needed these amendments. The Bill was passed in 1987 but we couldn't proclaim it because there were some shortcomings and these amendments were necessary. Well I'm going to then ask him, Mr. Speaker, if he needed those amendments, where was he in the last session, in 1988, when he could have brought those amendments in. The government sat on this legislation, did not reintroduce the amendments that he now has proposed, and never proclaimed them and put them into effect,

because, Mr. Speaker, the government was never, ever serious about this legislation.

It obviously had some powerful people in the industrial sector and industry come to the government and say to them, you're not going to do it. Don't you dare do it; you should stall it as long as you can. And the minister caved in, and the government caved in.

And all of a sudden the environment became an insignificant concern for them until they got the latest poll. We had a federal election last fall. In this federal election the environment clearly was an important issue. And the government decided, well it had to respond. So here we are considering the Bill again, with a minor amendment — the Bill having never been proclaimed even though it's been law for over two years now.

Now I say, Mr. Speaker, that this says a lot about the government's lack of a real commitment to the environment. Environment protection needs to be applied rather than just discussed. We have had enough of people who show how well they can discuss environmental concerns, and we haven't had enough of people and government who will go and do something about it.

Some Hon. Members: Hear, hear!

Mr. Tchorzewski: — And in this case, the government has talked a lot about it but it has done very little about it, and I am afraid that is still the situation with the government today.

Today we have had another example of how badly the government manages this particular area of its jurisdiction, with the explosion and the fire at the NewGrade upgrader. Now here we have a situation which clearly, Mr. Speaker, has something to do with air pollution.

You're signalling me that the time is up. As I said, I have a lot more to say on this, and at this time I'll beg leave to adjourn debate on this Bill.

Some Hon. Members: Hear, hear!

Debate adjourned.

The Assembly recessed until 7 p.m.