

## AFTERNOON SITTING

## ROUTINE PROCEEDINGS

## INTRODUCTION OF GUESTS

**Hon. Mr. Tusa:** — I have the honour this afternoon to introduce several guests. First of all, I would first introduce to the House Mr. Howard Dirks, a member from the province of British Columbia. He's accompanied by his brother Edwin, who lives in Estevan. Please welcome Howard Dirks and his brother Edwin to our legislature.

**Hon. Members:** Hear, hear!

**Hon. Mr. Tusa:** — I'm also very pleased this afternoon to welcome to the legislature the Speaker of the Alberta legislature, Hon. David Carter, and his Sergeant-at-Arms, Mr. Oscar Lacombe. Mr. Carter is a native son of Saskatchewan, having been born and raised in Moose Jaw, and he had lived for some time right here in Regina. Let us welcome him to this legislature, Speaker David Carter.

**Hon. Members:** Hear, hear!

**Mr. Lautermilch:** — Mr. Speaker, I would like to introduce to you, and through you to members of this House, former Saskatchewan residents who now reside in Ottawa, Carla and Mike Sheridan and their family. I'm sure they're down for a good, welcome visit back home in Saskatchewan. Wish them a good time and a safe journey home.

**Hon. Members:** Hear, hear!

## ORAL QUESTIONS

## Staffing of Saskatoon Crisis Nursery

**Mr. Prebble:** — Mr. Speaker, my question is to the Acting Minister of Social Services, and it concerns the Crisis Nursery in Saskatoon, a nursery that provides emergency care to children under 12 years of age, many of whom are trying to get away from abusive situations in the home.

Mr. Minister, you will know that the staff at the nursery are insisting that two staff should be in place on every shift, for there is not only the supervision of the children to take care of but distraught parents to counsel, meal preparation to do, and concerns about how one staff person could handle all the children in the event of an accident or a fire at the nursery.

My question to you is this, Mr. Minister. The staff are going to walk off the job at 7:30 p.m. tonight. The nursery will not be available to help children in crisis. Can you tell us what steps you have taken to facilitate an end to the problems faced by the Crisis Nursery, and to ensure that the program they offer children in crisis continues to be available in Saskatoon.

**Some Hon. Members:** Hear, hear!

**Hon. Mrs. Smith:** — Mr. Speaker, to the hon. member. I don't have the details of the situation that he's talking about, and I will take notice of the question and ensure that the minister in fact gets back to the member.

**Mr. Prebble:** — New question, Mr. Speaker, to the acting minister. Madam Minister, this issue is in all the newspapers. The walk-out is tonight. We believe the request of the staff is not unreasonable, and the board of the nursery agrees that two staff would be desirable, but to quote the board chairman:

We simply don't have the money to hire more staff.

Madam Minister, the nursery's budget is \$191,000. Even without the additional staff component that is required, your department pays only 108,000. My question is this: given the fact that you froze Social Services funding to the Crisis Nursery during the 1986-88 period, and given the fact that there is strong community support for the nursery as evidenced by the fact that the community contributes 50 to \$60,000 a year to its operation, and given the fact that it's an urgently needed service, would you commit yourself today to provide a funding increase that would allow the staffing shortage at the nursery to be resolved, and to be resolved immediately.

**Some Hon. Members:** Hear, hear!

**Hon. Mrs. Smith:** — Mr. Speaker, I will ensure to the hon. member that the care of children, and particularly the care of infants, has always been a priority with this government. In fact, the funding for the Crisis Nursery that we are talking about came into being under this government. It is a priority and it will be as such. Social Services and the minister, you can rest assured, will be ensuring that the Crisis Nursery does in fact stay in place and quality care with it.

**Some Hon. Members:** Hear, hear!

**Mr. Prebble:** — New question to the acting minister, Mr. Speaker. Madam Minister, you're fond of looking to Alberta. Look at the crisis nursery in Calgary — much fewer spaces than the one in Saskatoon and two full-time permanent staff positions around the clock. The Saskatoon Crisis Nursery does not only suffer from insufficient staffing resources from you, but it also has to regularly turn away between 40 and 60 children a month, 54 in the month of July.

My question to you is this, Madam Minister: your government has the money to provide a 2 per cent cut in corporate income tax; your government has \$9 million to finance a birthday party for the province, but you don't seem to have the money, Madam Minister, to ensure that small children can be helped to be removed from abusive home situations. Now, Madam Minister, when are you going to get your priorities straight? You, as acting minister, are responsible to ensure the protection of these children. Will you fulfil your responsibility and ensure that the funding is in place for two staff positions at Crisis Nursery in Saskatoon on a 24-hour basis starting immediately?

**Some Hon. Members:** Hear, hear!

**Hon. Mrs. Smith:** — Once again I will remind the member that in fact the program was put into place under this government, and in fact that program receives approximately \$108,000 that they never received under any different government. I have already given you the assurance that it is a priority with Social Services, and the minister will be ensuring that the quality of care remains in place for the Crisis Nursery.

**Some Hon. Members:** Hear, hear!

### Services for Handicapped People in the North

**Mr. Goulet:** — Mr. Speaker, my question is to the Minister of Health. Mr. Minister, you should be aware of the walk being made by Gary Tinker of Pinehouse from La Ronge to Regina to draw attention to the lack of services for handicapped people in the north. Mr. Tinker needs crutches in order to get around.

Specifically he wants to draw attention to the lack of access to facilities for handicapped people in the north and to push for the establishment of a contact office in Pinehouse Lake so that Northerners with disabilities will have a place to seek information and co-ordinate activities. What does your government have to offer northerners with handicaps to help them overcome the many obstacles that Mr. Tinker points to.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. McLeod:** — Mr. Speaker, yes, I'm aware of the undertaking that Mr. Tinker of Pinehouse has undertaken in his walk that he's carrying on to draw attention. He's a victim of cerebral palsy. He will be walking and will be arriving, I believe, as far south as Regina by October 1. He's to be commended on his courage in this area and his determination, and he's shown that in the early days of this walk, I'm informed. And I know people from our Department of Health will be meeting with him along the way, and I will myself.

There's no question that what the member raises that the whole issue of the awareness of the plight of the handicapped, whether it be in the South or in the North, or without drawing boundaries anywhere, is something that we all should be concerned about, and something which we are very concerned about. We're watching it with significant interest. There is a good . . . there's a tremendous budget actually in this province for the awareness of the handicapped, for the help of the handicapped of all natures in all parts of the province — rehabilitation, all of that area.

But the young gentleman from Pinehouse is speaking about a particular area of the province. We're aware that that area of the province, because of its remoteness, does have some particular problems, and we'll be watching it carefully.

**Some Hon. Members:** Hear, hear!

**Mr. Goulet:** — Mr. Speaker, a new question. Mr.

Minister, the same courage and determination that is shown by Mr. Tinker is definitely not shown by your government.

**Some Hon. Members:** Hear, hear!

**Mr. Goulet:** — While the residents of northern Saskatchewan suffer a great deal through your government's neglect of health services in that area of the province, those with disabilities have even a greater problem. Part of the problem can be easily addressed by a simple, expedient approach of opening a contact office in Pinehouse.

Will you make a commitment to that, Mr. Minister? And will you also make a commitment to include increased services for people with disabilities at the proposed La Ronge hospital?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. McLeod:** — Just to expand upon the first answer, Mr. Speaker. It's interesting that the member talks about the proposed La Ronge hospital; that La Ronge hospital that is in fact proposed by this government; that we talked about in estimates just a few days ago; that will have various components to it which are not normally seen in a hospital because of the circumstance in La Ronge, in the North.

That hospital is on the drawing boards under the auspices of this government, not . . . there's the member over there who raises this issue now at the time when the young fellow from Pinehouse who was called by his compatriots in his community, the dream weaver, you know, have a name for him like that. They have a good deal of faith in him; they really admire his determination, as I do, and as all members do. For the member to stand up here a few days after the young gentleman begins walking and, you know, decide that it's going to become a political issue, the member has been representing for 120 days in this House. What has he said about this issue, until somebody with true determination takes on the issue — more than I can say for that member representing his people before this.

**Some Hon. Members:** Hear, hear!

**Mr. Goulet:** — A new question, Mr. Speaker. Again, that was a shameful response by the minister.

**Some Hon. Members:** Hear, hear!

**Mr. Goulet:** — What he is asking for, Mr. Minister — and I'll repeat it to you — is a contact office in Pinehouse. You said absolutely nothing about that. You said absolutely nothing about increasing services for the people in the new proposed La Ronge hospital. And that was planned seven years ago already and you've been planning it for seven years. When are you going to be able to do something about the handicapped in this new proposed hospital, Mr. Minister?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. McLeod:** — Mr. Speaker, once again, Mr.

Tinker, in the 20-some days that he's been involved in his walk, has shown determination. There's no question about that. There's no question that what he's drawing attention to is important, and we take it as important. There's no question that that's true.

But for that member to talk about the La Ronge hospital and said something was in the planning stages by them when they had the socialist experiment north of the jack pine curtain, they had their little socialist experiment, which he's a part of and a product of, and so on in this House, coming here, then I would say to you, Mr. Speaker, that's illegitimate use of this legislature's time and illegitimate use of his attention to issues which are important to the people he represents and that we all represent in this province.

**Mr. Goulet:** — Mr. Minister, I will ask him for the final time. Mr. Minister, why don't you get off the rhetoric and do something in regards to the handicapped people in northern Saskatchewan?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. McLeod:** — Mr. Speaker, there's more being done now for handicapped people than there was under their administration. And there will be more in the future being done as a result of, frankly, some of the attention that is being drawn by Mr. Tinker, and others who are handicapped, and who know the plight of themselves and their compatriots in the North. There's no question that draws attention to it for the wider society. There's no question that that's true.

And there will be more done for handicapped there, as there is more done in Canada for cancer research because of the courage of a person like Terry Fox and others. That's the way in which attention is drawn and a reasonable people and reasonable governments, as well as cancer societies and others, have brought attention to it because of that determination. This is another example of that.

**Some Hon. Members:** Hear, hear!

#### Cost of Community Health Clinics

**Ms. Simard:** — Mr. Minister, your lack of action speaks much louder than your words. And, Mr. Minister, I do want to thank you for getting me a copy of this community clinic study at long last. And having seen that study, I'm sure you agree it shows clearly that community clinics are a very cost-effective method for delivery of health care services.

For instance, the study which centred on community clinics in Saskatoon and Prince Albert shows that, in the case of Prince Albert, community clinic patients had 23 fewer in-patient visits to hospitals, 10 per cent fewer hospital stays, and stays of 15 per cent less duration. In Saskatoon, the in-patient visits were down by 31 per cent, the hospital stays decreased by 24 per cent, and the hospitals stays 9 per cent shorter.

Will you now agree, Mr. Minister, that community clinics should be considered a major vehicle for the delivery of

more cost-effective health care?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. McLeod:** — Mr. Speaker, as I said to the hon. member during the consideration of the estimates of the Department of Health, community clinics have been a fact of life in health delivery in the province since 1962. There's a balance between community clinics and fee for service physicians. That's a balance that's gone on for a good number of years and will continue for a number of years into the future.

What this hon. member, the official spokesman for the NDP — and it should not be missed — is saying, is that fee for service should be eliminated in favour of community clinics, fee for service physicians. That's the official spokesman for the New Democratic Party, and that's what they say. They say community clinics, and fee for service going out the window. That's what she's saying. That's not what I say. Maintain the balance that exists. That's fine. That's the way it should go on for some time in the future.

**Some Hon. Members:** Hear, hear!

**Ms. Simard:** — Mr. Minister, you are not going to put words in our mouth, and we will speak for ourselves, and you know very well what we said in estimates.

**Some Hon. Members:** Hear, hear!

**Ms. Simard:** — You know what we said in estimates, and it'll bear me out in *Hansard* that we said there was room for both fee for service and community clinics. But the fact of the matter is, Mr. Minister, is that studies in the United States, studies in Ontario, show that situations like community health centres and community clinics are more cost-effective.

And another fact, Mr. Minister, is that in June, you will recall, I asked you about complaints from the community clinic saying that they had more patients than they could handle but that you were not making clinics a priority. You were not funding them, in spite of the fact they provide a more cost-effective service, and that's your balance, is it not, Mr. Minister. In spite of the fact they provide more cost-effective service . . .

**The Speaker:** — Order, order. Does the hon. member have a question? If she does, I ask her to put it.

**Ms. Simard:** — Thank you. Mr. Minister, have you corrected that problem with the community clinic in Regina? Have you corrected it?

**Hon. Mr. McLeod:** — Mr. Speaker, as I said to the hon. member and referred to the House, there's a definite role for community clinics. They've been here since 1962. They'll be here for a good, long time into the future. Community clinics are here. Fee for service is here. They will not be here at the exclusion of fee for service, because it's not the policy of this government, nor do I believe that would be a reasonable approach.

The member, if you take her position on behalf of her

party, if that's their position, let them say it and let them say it loudly to the public of Saskatchewan that they want fee for service, that they do not want fee for service, and that they are for community clinics in a much wider role than they now have. Community clinics are here. Community clinics will be here in the future.

**Ms. Simard:** — Mr. Minister, I think you are desperate when you have to start saying these untruths. You're desperate, Mr. Minister.

**Some Hon. Members:** Hear, hear!

**Ms. Simard:** — You sent the Murray commission all over the province. You sent the Murray commission all over the province searching for a solution. You've been talking about health care costs spiralling out of control, and right under your nose you had a report that showed one way that you could assist, at least in certain areas of the province, in providing better services and lowering health care costs, Mr. Minister.

Will you today give this House your commitment that you will endeavour to expand and enhance the community clinic network in this province? Will you take steps to expand and enhance this network, Mr. Minister?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. McLeod:** — There is nothing in the policy of the government to prevent the expansion of community clinics in Saskatchewan. Mr. Speaker, the Murray commission, which has taken more than 500 submissions from individuals and groups across the province, I'm sure has heard from the community clinic sector. I'm sure they have. I'm sure the Murray commission will have something to say about the delivery of health care or physician services through community clinics, through fee for services, whatever. They will have some statement on that.

The member says the answer, and to reiterate my earlier point, she says the answer was sitting right here: you had the answer without the commission. And the answer, according to the official spokesman of the New Democratic Party, is: community clinic, yes; fee for services, no.

**Some Hon. Members:** Hear, hear!

### Housing Starts in Saskatchewan

**Mr. Van Mulligen:** — Thank you, Mr. Minister. My question is to the acting minister of Finance and . . .

**The Speaker:** — Order, order.

**Mr. Van Mulligen:** — Thank you, Mr. Speaker. I want to direct my question to the acting Minister of Finance. Mr. Minister, I want to draw your attention to a heading in the Saturday, Regina *Leader-Post*, and the headline says, "Sask. starts plummet." And the headline refers to housing starts in this province, which in July were down 37 per cent from the previous July, and for the first seven months of this year, the housing starts dropped by almost 46 per cent. So what excuses do you make for this drastic

decline, and how does this show your government's proper management of the economy?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Andrew:** — Well, Mr. Speaker, with regards to the housing sector in the province of Saskatchewan, the Government of Saskatchewan has since 1982 stood in and assisted home owners in the province of Saskatchewan, Mr. Speaker, by assisting them in their mortgage costs. Now we all recall prior to 1982 when the hon. members were in government and the interest rates were riding at 21, 22, 23 per cent, Mr. Speaker, and people were having a great deal of difficulty, not only building a new home but simply trying to pay for the one that they had.

And what did the members opposite do during that terrible period, Mr. Speaker? They saw the bigger priority being to build some more liquor stores or build new high-rise buildings or buy new Crown corporations, buy more farm land, but not to assist the home owners in (a) maintaining their home, Mr. Speaker, or building a new home.

Now always you see in a cyclical resource-based economy like the province of Saskatchewan, housing starts on an up and down level. You have seen that over the last five or six years and you're probably going to continue to see it well, well into the future, Mr. Speaker.

**Mr. Van Mulligen:** — I have a new question for the Acting Minister of Finance, Mr. Speaker, and I might say that if pigs had wings we'd be shooting for our bacon, Mr. Minister, because what you believe and say is one thing; the reality is something else in Saskatchewan.

The article that I referred to states that the reason given for the decline are the weak provincial economy, continued massive out-migration, higher interest rates, and lower consumer confidence. Now when will you admit that your privatization mania hasn't worked and that your give-away to your big-business friends just simply hasn't worked to correct the economy? When will you admit that, Mr. Minister?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Andrew:** — Mr. Speaker, if the hon. member would be prepared to be reasonable and look at the facts of the economy in the province of Saskatchewan, what the hon. member would find is in the manufacturing and processing sector of this economy of the province of Saskatchewan since 1982, that sector of the economy has expanded almost 600 per cent — 600 per cent, Mr. Speaker. And that's because of Weyerhaeuser, it's because of a variety of projects that manufacture resources and products in the province of Saskatchewan.

At the same time, Mr. Speaker, we have seen a decline in the agriculture sector. And that decline has been brought on by drought, and any fair-minded person would acknowledge that, Mr. Speaker; and it's been brought on by low commodity prices, and any fair-minded person would acknowledge that as well, Mr. Speaker.

Clearly, diversification is working, Mr. Speaker. If we can return back to normal crops, normal prices, Mr. Speaker, you are going to see a 6, 7 per cent growth in the economy of the province of Saskatchewan as predicted by the major banks and the Conference Board of Canada.

**Some Hon. Members:** Hear, hear!

**Mr. Van Mulligen:** — I have a new question for the minister, Mr. Speaker. I might say, Mr. Minister, that I'm entirely prepared to be reasonable, and I want to look at the basic economic indicators of Saskatchewan, things such as employment, population, bankruptcies, investment — when you look at all these, you see that the province's economy is faltering, and faltering badly, Mr. Minister, very badly. And all of your talk of recovery is just nothing more than so much hot wind.

If you really believe, really believe that you've been managing the province's economy so well, why don't you call an election or advise the Premier to call an election so that the people of Saskatchewan can decide for themselves if they can afford any more of your leadership, or whether they want to chart a new course? Why don't you do that?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Andrew:** — Two observations, Mr. Speaker. The Conference Board of Canada predicts that the growth in the economy of Saskatchewan will be around eight and a half per cent this year. We'll clearly lead the nation in economic growth. And that's not us speaking, Mr. Minister, that's the Conference Board of Canada, that is a widely regarded institute in this country, Mr. Speaker, and accepted by, Mr. Speaker, most people.

So I would suggest to the hon. member that this is in fact a pretty good sign for the economy of Saskatchewan to recover. That recovery is going to be driven by return to a normal crop and hopefully some better prices. And so the farm economy will lead the way in that recovery, and the recovery will be enjoyed by all in this province, Mr. Speaker, just as when we have drought or low prices, you feel that by all people not just farmers in this province.

#### **Employment Development Agency**

**Mr. Hagel:** — Mr. Speaker, in the absence of the Premier I'll direct my question to the Deputy Premier. Mr. Deputy Premier, in late 1984 the Premier with grant fanfare announced the creation of a new super-agency to create employment in the province of Saskatchewan, the Employment Development Agency. He appointed the member from Qu'Appelle Lumsden in charge of four other cabinet ministers to oversee this fantastic exercise for the people of Saskatchewan. It had a budget in 1985-1986 the election year, over \$200 million, and then for some reason, Mr. Minister, it fell off the end of the world.

Four years later, in 1989, we're down from 442,000 to 432,000 people working in the province of Saskatchewan. Mr. Minister, that is a record of failure of your super-employment agency, and I ask you sir: in light of the fact that we're due for a major cabinet shuffle at the

end of this session; in light of the fact that one of those ministers, one of the five retired, one was retired by his own constituents, and three are still here; in light of the fact, Mr. Deputy Premier, that you will be recommending to the Premier the new cabinet, will you recommend and ensure that those three ministers who are left will get their just rewards in the appointment of a new cabinet as the Premier moves to change the decks in the Titanic in charge of the province of Saskatchewan?

**Hon. Mr. Berntson:** — I have a little trouble with the question because there's a degree of silliness past which we tend not to deal with them in this House, Mr. Speaker. I will say that . . .

**The Speaker:** — Order, order. We're having a difficulty hearing the Deputy Premier.

**Hon. Mr. Berntson:** — I will say, Mr. Speaker, that as it relates to my colleagues and their just rewards, any my views relative to those just rewards, I will be making those recommendations and thoughts known to the Premier, Mr. Speaker.

#### **INTRODUCTION OF BILLS**

##### **Bill No. 94 — An Act respecting Representation in the Legislative Assembly**

**Hon. Mr. Hodgins:** — Mr. Speaker, I move first reading of a Bill respecting Representation in the Legislative Assembly.

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

**Mr. Chairman:** — Order, order. Before the Deputy House Leader continues, could we have order that we may hear him.

##### **Bill No. 95 — An Act to amend The Electoral Boundaries Commission Act**

**Hon. Mr. Hodgins:** — Mr. Speaker, I move first reading of a Bill to amend the Electoral Boundaries Commission Act.

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

#### **ORDERS OF THE DAY**

#### **GOVERNMENT ORDERS**

#### **SECOND READINGS**

##### **Bill No. 76 — An Act to amend The Credit Union Act, 1985**

**Hon. Mr. Meiklejohn:** — Thank you, Mr. Speaker. I rise to give second reading to The Credit Union Amendment Act. Changes are required primarily to update the legislation governing the operation of credit unions in the province of Saskatchewan. In the rapidly changing world of financial services, our credit unions are one of the major players. Credit union assets total over \$4.5 billion.

Three credit union organizations make the list of the top 100 business organizations in Saskatchewan; namely, Credit Union Central, Sherwood Credit Union, and Saskatoon Credit Union. Two of these, Central and Sherwood, make *The Financial Post* list of the top 100 financial institutions in Canada, Mr. Speaker.

These statistics tell only part of the story. There are few parts of life in Saskatchewan which credit unions do not touch. With over 570,000 members from 352 locations in the province, nearly every part of the province is touched. Twenty-four hundred people are employed in our credit union system.

Approximately 30 per cent of their loan portfolio is in the agricultural sector, and 30 per cent in residential mortgages. The activities of credit unions are a vital component in the hopes and plans of the province and its residents. In Saskatchewan we have been well served by a credit union movement which has grown with the province to be an important economic and social force.

Their record of stability and growth is admirable. Over the last five years average growth in assets has been 5 per cent annually. Members also benefit from a high degree of security for their deposits. No credit union member has ever lost funds as a result of a credit union going out of business. Credit unions have also been leaders in innovation of financial services. Daily interest accounts, automated tellers, debit cards, mortgage options, and member financial planning services are all areas where credit unions have been leaders.

Mr. Speaker, most of the amendments may be properly described as being of a housekeeping nature. They reflect our commitment to review and revise legislation where necessary in consultation with the credit union system. Periodic legislative review helps credit unions to compete effectively in an environment characterized by technological and other important changes affecting providers of financial services.

One proposed amendment will provide credit unions with carefully limited powers to sell some insurance products; for example, travel insurance, which has been sold by credit unions for several years. Other changes will clarify services provided prior to The Credit Union Act, 1985. More discussion of specific provisions of the Bill is welcome during Committee of the Whole. Mr. Speaker, I now move second reading of a Bill to amend The Credit Union Act.

**Mr. Pringle:** — Thank you very much, Mr. Speaker. I would like to just make a few comments on this amendment, and I would like to, in advance, thank the minister for his communication with me as he was preparing the amendments. I appreciate that very much.

Obviously, as the minister said, we all in Saskatchewan recognize the value that the credit union system has played in our history. It's got a very proud tradition, and the co-op movement generally has a very proud tradition in the province. And we have some 4 per cent of the national population, yet our co-ops and credit unions generate about 30 per cent of all the revenues in co-ops in the entire country. So obviously co-ops in Saskatchewan

are synonymous in many ways, Mr. Speaker, and that's well-known throughout Canada.

The credit union system as the minister has said have provided a very good service over many years, an excellent example of people working together, of people co-operating, and of member input, which is an important aspect to the credit union system and to the co-operative principles. And of course service to members and education of members and training is one of the hallmarks and a top priority with the credit union system.

Credit unions have served farmers very well in years gone by. They've served small-business people well, and they'd do that again today. Many years ago when the big banks weren't sensitive to the needs of Saskatchewan farmers in rural communities, we got together and developed the credit unions and provided that service ourselves.

So the credit unions and the co-ops have been an important part of the mixed economy approach in Saskatchewan, an approach, along with small business and Crown corporations, which has served us well over the years. And, Mr. Speaker, this is an approach that this government is destroying, which saddens a lot of people in the co-op movement, because there are signals there as well that they're concerned about, one being, of course, is the dismantling of the department of co-ops as a government department, in addition to the cut-backs in program developmental staff in the co-op movement. Again, it's a signal that concerns people in the co-op movement.

But the credit union, the co-ops, they establish their head offices in the province, as everybody knows, and they employ thousands of residents. And in yesterday's *Star* we saw how significant — *Star-Phoenix* — just how significant the co-op movement is in terms of its economic force in the country.

It was interesting in that very same . . . right beside the article that talked about how well co-ops were doing on the national scene — and the Saskatchewan co-ops — there was also a headline that says, "Economist say Devine plan unwise, fails to heed investment economics." And this is a professor, an economist, Don Gilchrist, from the University of Saskatchewan. He says, Mr. Speaker, and I quote:

. . . if the investments are risky (as the Premier said they were), "then what you've got are bad investments funded by the taxpayers, and that doesn't seem to be very wise."

And he says:

My feeling is that people will listen politely and, unless we're all pretty unlucky, the idea will die.

**The Speaker:** — Order, order. We're having a little difficulty hearing the hon. member, and unfortunately it's coming from both sides of the House. And I would like therefore to ask all members to allow the member to continue.

**Mr. Pringle:** — Thank you very much, Mr. Speaker. What this economist is saying is that the Premier's proposal down east is unwise, it won't work, and hopefully it'll die. And, Mr. Speaker, that's part of the "never say whoa in a mudhole" economics that's got this province into trouble.

And the Premier says that this has worked well in Saskoil. Well he forgets that we've lost control of Saskoil. We've lost 25 per cent of the jobs. We lost the ability to make decisions in the province, and we've lost the revenues that were generated and returned to the treasury prior to the privatization of Saskoil. So if that's his success story, then I hope that his proposal does die, Mr. Speaker.

Mr. Speaker, in concluding my comments, I just would like to say that the credit unions are part of the community. Credit unions are us; credit unions have their roots in the province. They value their employees; they value their members as their greatest resource; they have adapted very successfully over many years; they are very innovative; they are providing new financial services to members at low rates.

But what we see is that for the first time in the history of the province, under this government, we have no minister of co-ops, but we do have a minister of privatization.

Now the co-op movement, the credit union movement, has been very successful — and the minister just acknowledged that and I agree with him, been very successful, but we've had no minister over the last two or three or four years. We've had a minister of privatization, and privatization has been a disaster. And so I would say that if the government is going to give some confidence back to the credit union and co-operative movement, then they've got to start sending out some positive signals.

Now this particular amendment is a housekeeping amendment that now allows the credit unions to do things that they've been doing anyway, and is really an amendment that they thought they were getting in 1985.

But having said that, I commend the minister for upgrading the amendments in a way consistent with the way the credit unions want to see them, so I commend him for that. But I think the government has got to begin to serve signals to the credit union and co-op movement that they value that particular segment of our economy, and that they don't just value the big banks and the big potash corporations and the Cargills and the Pocklington.

So we support the amendment, but I think it's important that the government re-establish a minister for co-ops and credit unions and give back the positions, the program development positions, that were taken away over the years to that the co-op movement, the credit union movement can continue to be strengthened and play a vital role in the future as it has in the past, Mr. Speaker. Thank you very much.

**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.

## **Bill No. 84 — An Act to amend The Builders' Lien Act**

**Hon. Mr. Andrew:** — Thank you, Mr. Speaker . . .

**The Speaker:** — Order, order.

**Hon. Mr. Andrew:** — The amendment to The Builders' Lien Act, Mr. Speaker, is, other than a few housekeeping measure, will place both the architects and engineers under the purview of The Builders' Lien Act. Initially when this Act was passed in 1986, that particular group requested an exemption. They have since requested that that exemption be removed so that they could enjoy the protection of the Act.

In a nutshell, Mr. Speaker, that is what this proposed amendment is about, and I would move second reading of amendment to The Builders' Lien Act.

**Mr. Shillington:** — This doesn't come within the strict purview of my critic portfolio, but I do have an interest in it. The minister is, I think, not entirely correct in saying that this is the . . . all there is in it is the architect and the engineer provisions. There are other provisions in it. However I will admit, in fairness to the minister, that those are perhaps the most significant.

I do have a question with respect to the inclusion of architects and engineers within the purview of The Builders' Lien Act. The difference, Mr. Speaker, between engineers and architects and others is that the former two groups provide services. And that's . . . when the old mechanics; lien Act was drawn up, the provision of services was, I think, specifically excluded and has not been included to this date.

While I would acknowledge that architects and engineers require protection, the fact that they're providing services rather than goods raises, I think, a significant problem. I would ask the minister to consider this, because I will be asking him this question in a direct way in Committee of the Whole.

(1345)

I raise the question, Mr. Speaker, of whether or not the following circumstance might occur. A project is begun — architects' fees, by the way, are very significant, up to 10 per cent of the cost of the project. This is no trifling matter.

Let us suppose that shortly after the project begins, the project is aborted for whatever reason — financing fails, company fails, whatever. The question then arises as to whether or not the architect and the engineer can file mechanics' liens for their fees. I think they can and I think that's unfortunate.

I suppose the response the minister might make to that is anyone who is well-heeled enough to hire an architect or an engineer ought to have the wits to include a provision in the contract which provides for an aborted building project. However, by and large, architects' contracts and engineers' contracts are signed without the benefit of legal advice. It is not often that they actually have legal advice.

They come on a standard form. They're 30 or 40 pages long of difficult reading, and I think four out of five people never read those contracts. Then if the project is aborted, a real question arises as to what the engineer and architects are entitled to. They've performed part of their services. I think this legislation gives them the right to file a mechanics' lien for the whole of their contract, the whole 10 per cent.

Clearly, a builder can't do that. And I think it puts the architect and the engineer in a preferred position with respect to the negotiations which must then ensue with respect to their fee. I think that's unfortunate.

I raise that question. I ask the minister to consider that with his officials, and I will be asking for a direct response when we reach the Committee of the Whole stage, Mr. Speaker.

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

### THIRD READINGS

#### Bill No. 57 — An Act to amend The Wascana Centre Act

**Hon. Mr. Andrew:** — Mr. Speaker, I move the Bill be now read a third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

#### Bill No. 13 — An Act respecting Certain Amendments to Certain Acts resulting from the enactment of The Regulations Act, 1989

**Hon. Mr. Andrew:** — Mr. Speaker, I move the Bill be now read a third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

### COMMITTEE OF FINANCE

#### Consolidated Fund Budgetary Expenditure Saskatchewan Property Management Corporation Ordinary Expenditure — Vote 53

##### Item 1 (continued)

**Mr. Anguish:** — Thank you, Mr. Chairman. I'm wondering if the minister has the items ready that he had committed that he would have ready for this afternoon. I'm talking about the list of properties by department. I'm talking about the participation credit list for the '87-88 fiscal year and for '88-89, the cancelled cheque for \$20 million as a dividend to the government, and the deposit slip of the loan back from the government to property management corporation. And the other two things you said you would give me in confidence, not in this legislature, so I won't bother dealing with them again here, sir, but I'm wondering if you have those other items for me.

**Hon. Mr. Taylor:** — I have a list of the various buildings that the government has and the clients of the buildings. I

do not have the participation credit available at this time. We're working on it, but I would certainly forward this list over to you now.

**Mr. Anguish:** — Mr. Minister, there was a report, I understand that was conducted by the RCMP in March of 1984. It was a security inspection report, and I believe it dealt specifically with the legislative buildings. I'm wondering is that a public report or it is classified? Is that report available to members of the opposition, sir?

**Hon. Mr. Taylor:** — I understand it's classified and it's under a federal program. I would have to check with the federal government. If they have no qualms, I have no problems with . . . when you and I sit down and talk about these security issues to share with you in that situation. It wouldn't be made public, but certainly I would share it with you if we get the green light from the federal government. But it is classified by them.

**Mr. Anguish:** — Well, it was my understanding that the report is now your property. It was requested by the provincial government, either your department or some department or by Executive Council, so I would think once the report is turned over to you, it becomes the property of the province of Saskatchewan, even though the report was conducted by the RCMP.

**Hon. Mr. Taylor:** — In discussing with my officials, they feel that we have to contact the federal government. It would only be right. Whether we have to get their permission or not, we're not absolutely sure, but we would like to contact them first and follow up from there. And you have my commitment that we will do that.

**Mr. Anguish:** — Mr. Minister, there's another study that I'm interested in. It has to do with office security and confidentiality. It was a study performed by the Coopers & Lybrand Consulting Group. It took place in 1987. And I'm wondering if you could provide us with a copy of that report. You certainly don't have to check with the federal authorities on that one. And I'm wondering if you can provide us with a copy of the Coopers Lybrand report.

**Hon. Mr. Taylor:** — No, there was no study commissioned by property management to Coopers Lybrand on that issue.

**Mr. Anguish:** — Well we're quite certain we've got from other authority that there was a report done on office security and confidentiality by Coopers & Lybrand. In fact, I've seen a memo that went from one Maurice Nakoneshny on April 15, 1987, and he refers to office security and confidentiality.

Now if your security service is in charge of Vital Points and investigations and security and confidentiality, I'm wondering who else would have commissioned such a report within government. And if there was someone else who commissioned such a report, who's undermining your authority from the security services branch because they're looking at office security and confidentiality? Obviously then if you didn't commission it, someone has no confidence in your security branch to perform their duties, sir.



**Hon. Mr. Taylor:** — I'm not aware of that study at all, sir.

**Mr. Anguish:** — Well, see for one thing in here they refer, number nine — this is dated the 4th of the 10th of '87 — concerns waste paper disposal. And it says in here, is says:

All waste paper from the project will be shredded. No discretion is to be exercised. Waste paper should not be crumpled, but rather laid flat in a desk drawer awaiting destruction. When convenient, all such paper shall be shredded by the consultant or given to the receptionist. The receptionist will secure the waste paper if she is not able to shred it immediately. All material should be shredded across rather than parallel to lines, written or typed, in order to ensure maximum effect.

So it seems a fairly detailed study that was performed and I find it hard to believe. Wouldn't you give us your undertaking that you'll find out who's undermining the authority of the security services branch? Did someone else in another department commission this study by Coopers & Lybrand? Or are you going to look into it and find out who, in fact, is looking into areas that I thought were the sole responsibility of your new security service, Mr. Minister?

**Hon. Mr. Taylor:** — We're not aware of that study at all. If you'd like to provide it to me, I'll do some investigating, but we're not aware of it.

**Mr. Anguish:** — There's another section in this particular document that talks about electronic sweep, dated the same date as the first document, 4th of the 10th of '87.

A local firm has been contracted to conduct an electronic sweep, telephone debugging of the project offices on a monthly basis.

Can you tell me, sir, what the name of the firm is who was contracted to do the electronic sweep and the telephone debugging?

**Hon. Mr. Taylor:** — No, I'm sorry. We have no knowledge of that whatsoever within property management.

**Mr. Anguish:** — Well can you tell us who else would possibly have the authority in government to commission such a study, other than the property management corporation? Is there anybody else who would have the authority in government to do that? Would it be the Premier doing a double-check on you, for example?

**Hon. Mr. Taylor:** — If you could indicate what project that study is concerned with, maybe we could help you more, but we don't know what you're talking about.

**Mr. Anguish:** — Well, Mr. Minister, I've always assumed that it was done through property management corporation, so I don't know who the study was done for. We're the ones who are asking the questions in here. Obviously, because of a few memos I know that there was a study done, but because of the confidentiality of it, I guess we don't know who it was done for. And you, as

minister in charge of the security service, don't know who did the study either. But it was done for the Government of Saskatchewan, and it was done by Coopers & Lybrand; it was done in 1987. Why would we know more about this than you would, and you're the minister in charge of the security service?

**Hon. Mr. Taylor:** — I guess because you have the document. Certainly the property management have had no information on this and know nothing about it.

**Mr. Anguish:** — I could go on to sections about used ribbon and carbon paper, and how to destruct them, but don't put them through the shredder because it will damage the machine. There's a number of things here: document inventory and logs, the off-site storage and use of Micom disks. I suppose what I would ask you, Mr. Minister, how many studies have you had done in terms of security and confidentiality for the property management corporation?

I know of one for sure, and you've acknowledged that. I thought I knew of two, but you don't acknowledge one, so I guess really I only know about one. But I'm asking you, either internally or externally, how many studies have you done of security and confidentiality of government offices, personnel, and documentation?

(1400)

**Hon. Mr. Taylor:** — I think it depends what you call a study. I mean, the major study that was ever done was on Vital Points, which you're aware of. Our security people are working day to day with various types of security for our buildings, and so on. Now if you call that studies, we would have to go back and find out how many of these there were. But if you're talking about major studies, again, other than the Vital Points we're not aware of any major studies.

**Mr. Anguish:** — The study that was done by the RCMP in 1984, was that to deal just specifically with the Vital Points program?

**Hon. Mr. Taylor:** — Yes, that was Vital Points.

**Mr. Anguish:** — Have you, sir, complied with all the recommendations in the report, or are there some recommendations that you felt you could not comply with? Was there a review done, some you complied with, some you didn't, some you decided maybe that there was a better route to handle them?

**Hon. Mr. Taylor:** — In general we have complied with the majority of them. To be exact for you, though, we'd have to go back to it, because of it being '84, and review it. But in generality, yes, the major recommendations have been complied with.

**Mr. Anguish:** — Well the new procedures or new activities that you've complied with, flowing from the recommendation, have they been all working quite well? You're pleased with the changes that you've implemented under property management corporation, or are there some areas where you feel are a bit lacking yet, sir?

**Hon. Mr. Taylor:** — Yes, generally we're satisfied. We may have a review in a year or two with the RCM Police and update if there are any areas that we're not quite satisfied with. But in general terms, yes, we're satisfied with the implementations that have taken place.

**Mr. Anguish:** — I guess the recommendation in the one report that has to do with paper shredding hasn't worked very well, has it?

**Hon. Mr. Taylor:** — Again, I know nothing of the report. It seems you have a piece of paper from somewhere.

**Mr. Anguish:** — I'm certainly looking forward to the private meeting you said we could have together because I think it should be very revealing for both of us. But these reports, Mr. Minister, again I say are open to abuses, if not by you as an honourable individual, possibly in the future by other administrations, because there seems to be a real lack of control on accountability, and even a worse lack of control would be on the security service of property management itself.

And when you tell us this morning that there's absolutely no surveillance done by the security service, I have a hard time understanding if your description of surveillance is the same as my description of surveillance. I'm wondering if you could confirm for us whether or not that the security service had people at one point in the Walter Scott Building which is on Albert Street here in Regina. It's approximately across the street from the Premier's residence, and there was a mock share offering at one point not too long ago — I'm sure you'll remember — about selling shares in the Premier's home. It was sort of a play on the privatization moves that the government has been doing up to date. Can you tell us whether or not the security service of property management were involved in some picture taking activities of the participants in the mock program to sell shares in Premier Devine's house, sir?

**Mr. Chairman:** — Order. Members are not to use other member's names.

**Hon. Mr. Taylor:** — I say I remember that rather foolish demonstration that took place over there, selling shares in the Premier's house. It wasn't very well received by the . . . people of Saskatchewan thought it was nonsense, as is colouring books and wanted posters and all this foolishness, that some people think they should go to those ends.

Be that as it may, again the type of security actions that are taken regarding members of the legislature — yourself, myself, and others — are best discussed in our meeting, this very important meeting that you and I are going to have, and I will certainly share with you at that time. I don't think it serves the best interest of members for you and I to be discussing it publicly.

**Mr. Anguish:** — You make a very good point, Mr. Minister, and that's why I still maintain there should be an all-party committee of the legislature that oversees the activities of the security service. Because I can bet you that if your organization was up selling shares on my

house up in The Battlefords, that you wouldn't have anybody there taking pictures of the people selling shares on my house, and I don't know why the people selling shares on my house wouldn't be any greater a security risk than the people selling shares on the Premier of Saskatchewan's house.

They were staging a media event to make a very strong point that people have very strong feelings about in the province of Saskatchewan — the whole area of privatization. And I say it is a wrong activity for people that are employed by the government to be taking pictures of other people while they're participating in a public demonstration that is legal and entitled under the charter of rights in the province of Saskatchewan and in Canada, and they should not be involved in that activity. If you don't call that surveillance, I don't know what you call surveillance, Mr. Minister.

So obviously your definition of surveillance and my definition of surveillance are different, but if we had an independent appraisal of surveillance, I believe that my definition of surveillance would be upheld, sir. So I question that. And again I look forward to having further discussions with you.

It's not an item that I think that individual members should be discussing in their offices. Again I go back to very sincerely suggesting the advisability of having an all-party committee to oversee the activities of any security service that's set up. And I reflect again to CSIS (Canadian Security Intelligence Service). When Ottawa set up CSIS, I had the pleasure of being a member of parliament at that time and I know that they set up an all-parliamentary committee. At the current time there are two Conservatives, two Liberals, and one New Democrat that sit on the committee to oversee the activities of CSIS, to keep it from getting into the political realm like it could well get into here in this legislature.

And I very clearly understand what you say about not getting into a political harangue about security measures. Whether it deals with Saskatchewan, whether it deals with NDP members or Conservative members, or whether it deals with the security of our nation, it's still important. But when you look at senior members of this legislature, I am sure there are enough members around with enough integrity to view their job with the seriousness and the integrity that it should be viewed. And that's why I go back again to the fact that there should be a committee to oversee the activities of the security service in the province of Saskatchewan, because even though you and your officials may have every confidence in it at this time, future administrations or future ministers that might be put into there may not have the great integrity that you seem to say you have, sir. And so I say that it protects the citizens of Saskatchewan for a long time into the future by having a greater degree of accountability, instead of bringing these issues into the political realm where, I agree with you, sir, they do not belong.

I would like to leave off for now. I understand one of our members has a couple of guests to introduce, and one of the other members has a very short question.

Just before I do allow the introduction here though, sir, I'm wondering what authority does property management corporation have over the legislative buildings and the legislative grounds? If you could just describe that to me — it was my understanding that the legislative building does not come under the responsibility of property management. If I'm wrong, I'd like you to explain the relationship between property management corporation and the Legislative Assembly itself, sir.

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

**Mr. Trew:** — To ask leave to introduce guests.

Leave granted.

### INTRODUCTION OF GUESTS

**Mr. Trew:** — Thank you, colleagues, and thank you, Mr. Chairman. There are five guests seated in the opposition gallery, one of whom is from Ontario and down visiting his brother and sister, and Leslie's children. I ask all members to join me in welcoming — I'll introduce them individually — from left to right: Leslie Griffin is the mother of Robyn on her immediate right, and Lee; and Mitch Griffin is in the yellow T-shirt; and seated next to Mitch is his brother, Scott. I ask all members to join me in welcoming Scott, in particular, to Saskatchewan.

Before I take my place, Mr. Chairman, I've a note here from that group, and it says, "We're thirsty; synchronize your watch; we'll meet you at 12:35 p.m. Neptune time." I just want to report to my visitors, we're on an even stranger time than Neptune time here, and unfortunately when my colleague from The Battlefords is done, I will be on, so I can't join you for that drink.

Please join me in welcoming the Griffin family.

**Hon. Members:** Hear, hear!

### COMMITTEE OF FINANCE

#### Consolidated Fund Budgetary Expenditure Saskatchewan Property Management Corporation Ordinary Expenditure — Vote 53

#### Item 1 (continued)

**Hon. Mr. Taylor:** — In answer to the member from Battleford's questions, first and foremost about selling shares in your house, you can have my assurance that I would never be part of anything of that type. I don't believe in that. I think it was nonsensical. I won't be having, or any group that I would be associated with would be selling shares in your house, so you can rest assured.

Getting down now to the security within the building, I think that was your next question, and where the property management corporation has authority and where the Wascana Centre Authority exists. On the grounds of the Legislative Building, certainly it is the Wascana Centre Authority, up to the doors. Once you come in the building here, basically it is under the jurisdiction of the

Sergeant-at-Arms who, I believe, is answerable to the Board of Internal Economy.

However, on security for members' offices and things of this nature, we have a very close working relationship with the Sergeant-at-Arms and his group. But the blues that are outside and all these people, the security within the building is basically under his jurisdiction.

**Ms. Smart:** — Thank you, Mr. Chairman. Mr. Minister, as you know, since 1986 I've been asking about a washroom for the women MLAs in this building. I'm asking not just for myself, but I'm asking on behalf of the other women that are here now and the women that are going to be in this legislature, particularly after the next election and in the future.

Now, Mr. Minister, I have a letter from the Speaker of the House referring me to you, as the minister in charge of the property management corporation, as being the person to speak to about this issue. That's why I'm addressing you today, because we've had some correspondence about this privately and your response has been twofold. One is to point out to me that there are washrooms in this building for men and women, and I'm aware of that fact. Those are public washrooms, and are available to everyone in the building. I want to acknowledge that I'm aware of that.

Your other response has been to create a washroom by taking away the washroom belonging to the pages over there beside the government lounge on the other side of the House and labelling that for the women MLAs. And that's not acceptable to us, Mr. Minister. We feel that as women MLAs we deserve to have our own washroom that's separate from either side of the Legislative Assembly, and one that's available to women on both sides of the House, similar to the men's washroom.

Now, Mr. Minister, I have a letter that was sent from you to the Speaker of the House regarding this issue. You've acknowledged that a feasibility study has been done on construction of a washroom for the women MLAs; you've said in the letter that there is currently no washroom in the Legislative Building exclusively for women MLAs, and you've said that this washroom would be constructed and finished similar to the men's private washroom, complete with antique fittings and finishes. And, Mr. Minister, in this letter you're saying that the cost of that would be \$110,000.

Now I want to go on record, I want to be very clear, particularly because the Minister of Finance has attacked me in the *Star-Phoenix* this morning with a letter to the editor, I want to be very clear about the costs and what I'm asking for. A hundred and ten thousand dollars for antique finishes and furnishings is not what I'm asking for, and if that's too expensive for a basic washroom for the women MLAs, I am not in favour of a fancy, luxurious place. I want you to understand that clearly.

I have asked for a couple of things that be included in this washroom. I have asked for what I think are essential for women MLAs in this building, given the long hours that we work here. And I'm referring of course to the item that

the government members want to attack me for, and that's the request that a couch be in this washroom or that some space be made for women to lie down.

(1415)

I am thinking not of myself, Mr. Minister, I am thinking of women that might be in this legislature who are pregnant and who might have problems with pregnancy. And I'm thinking of women who might have problems with menstruation. Those are realities for women, and it's essential that we have some facilities that we can go to.

That's why we need a locker space. Some of us come from other parts of this province. We don't live in Regina. We need a locker space where we might keep a change of clothing for similar reasons, Mr. Minister. Those are very real reasons.

It's not easy for me to stand in this legislature and bring up this item. I'm doing so because I've been asking privately for it since 1986. We need those facilities in this building.

Now I understood from this letter that you sent to the Speaker that you were looking at construction after the spring session. Well this is going to be the end of the spring session here sometime this fall. But now I understand that this essential need has been put aside for a long-term study of other needs that might go on in this building before you proceed with any further construction.

Now I'm expressing my concern. This is an essential thing that we need here now. I'm asking the government to treat me with respect in this request to proceed with that item as soon as possible because it's very necessary. And I'm asking you, if you have other long-term projects that you're going to put this one aside for, to study along with the other long-term projects, what those long-term projects are that are as necessary as a washroom for the women MLAs.

**Hon. Mr. Taylor:** — Well, Mr. Speaker, I've had correspondence with the member opposite as she alludes to, but I do say you put your case well. Certainly I don't think you can think that there will not be a washroom constructed at some time. The whole thing of . . . And I take you as being sincere when you're saying you don't want lavish finishings. But I think you realize too, that in keeping with the character of this building, that we have to stay with the codes.

So in other words, we would want to have the same type of finish as is in the men's bathroom. I think in the best interest of keeping this beautiful building as it is, that we're all proud of, we'd want to do that. That does drive up the cost to that amount, but I'm not saying that is the limiting feature.

I've heard from members on our side of the House that they're rather satisfied with the arrangement out here now. But certainly if that is not satisfactory to all female members of the legislature, I would like the group of you to sit down — because there's not that many of you — and come to a consensus of what you think is an appropriate expenditure of the taxpayers' dollars. And if it is the

unanimous decision of the female members that they would want that \$100,000 spent on a female's washroom, I would be very understanding of that. You make your case for a couch and some lockers and so on; I think you put it very well today, and I could say that your presentation has not fallen on deaf ears.

**Mr. Anguish:** — Mr. Minister, just a few brief questions before we wrap up. First off, the list you sent me over, the clients listed by project, I appreciate that. For the sake of saving time, I'd like to know which of these buildings are leased and which are owned by property management? And I'm wondering if you could tell me who in your department that I would get in touch with to determine which buildings are leased, which are owned by property management?

**Hon. Mr. Taylor:** — You would just get in contact with my chief of staff, Jackie Mason. We would provide that to you as quickly as we can.

**Mr. Anguish:** — Mr. Minister, it was revealed earlier this year in the House that property management has full access to CPIC (Canadian Police Information Centre) information off of the RCMP files dealing with persons, criminal records, vehicles, drivers' licence, vehicle registration for the purpose of investigation, law enforcement, administration of justice, screening applicants for licences, confirmation of criminal records, requires fingerprint comparison — so you have full access in your department to the CPIC files. I'm wondering who is the liaison person to get the information from the CPIC files, and is that the same person who does liaison with CSIS?

**An Hon. Member:** — Oh come on, it was a simple question . . .

**Hon. Mr. Taylor:** — The member from Regina Centre is babbling again.

To the member from Battlefords, who is asking some serious questions, I would like to give him the exact information. And regarding CPIC, as says, SPMC (Saskatchewan Property Management Corporation) security service is afforded the same limited access to CPIC as all other government security groups across Canada. Their requests are screened through a contact in the enforcement agencies. There are no direct computer connections. And the person that would be . . . the liaison in this would be Mr. Harry Stienwand, and Mr. Cutts.

**Mr. Anguish:** — So Mr. Cutts and Mr. Stienwand both have access to the CPIC information then do they? You mentioned Mr. Cutts? I see you shaking your head.

**Hon. Mr. Taylor:** — No, what I meant by that, if you wanted to contact Mr. Stienwand, you go through Mr. Cutts. Mr. Cutts does not have access to that information.

**Mr. Anguish:** — No, I'm having enough trouble dealing with you; I don't want to contact anybody else without going through you. Would Mr. Stienwand also be the liaison person with CSIS, Mr. Minister?

**Hon. Mr. Taylor:** — Yes, it would be through Harry if we

were dealing with them.

**Mr. Anguish:** — Well, Mr. Minister, I guess I don't really have to reiterate but I will anyway. I have a great deal of concern with your security service, and I'm not talking about personalities, I'm not talking about individuals, I'm just talking about the concept of a provincial government having a security service with the apparent lack of accountability, other than on the good will of individuals that either work within the security service or work within your office or work with the upper echelons of the property management corporation. I do not think it's a good practise. History would bear out that it in fact is not a good practice to have security services that are apparently taken on . . . a power that traditionally, at least, has not been there in the province of Saskatchewan.

And although you say you don't see the need for a body to look at that in a non-partisan way to keep it out of the political harangues of the legislature, the Minister of Justice obviously does, at least he indicated that to the press. And I would hope at some point in time, you would have a discussion within your cabinet of the very valid reasons as to why you would want to have the watch-dog overseeing any security service. And I believe any security service does need a watch-dog because it should not be the power of a police force or a security service that runs astray with the affairs of state. The affairs of state should govern what security services and police forces do.

And when we have the political system that we do, and thank goodness we do have the democratic system that we do in Saskatchewan and in Canada, that there should be something removed from Executive Council alone to see that such agencies do not build their own private kingdoms and do not at some point in the future use — which they have the ability to do — to use their authority for purposes that are not in the best interests of Saskatchewan people.

And I look forward to discussing some of these things with you again. I'd like to also thank your officials for appearing here today. I know I have not always had the best relationship with Mr. Cutts and . . .

**An Hon. Member:** — That's not what he says.

**Mr. Anguish:** — Well I'm sure, Eric, that he likes me, but I still say that we've not always had the best relationship. I remember a meeting one time in North Battleford, that he wouldn't start until I left. And I thought I had every right to be there. So eventually I left. We didn't . . . He's a large man so we didn't argue the point too strongly, but I did eventually leave, and I wasn't at the meeting where I felt I should be.

But, Mr. Minister, I do thank your officials for appearing here, and I thank you for your time before the committee.

**Hon. Mr. Taylor:** — Well thank you very much, and I think the meeting that you and I have talked about having — we'll convene that at a time appropriate to both of us — will shed some more light on the whole security actions of the government. I think it will allay many of the fears that you may have. I look forward to that.

And I'd like to thank all my officials for assisting me in these estimates. So thank you for your questions and the manner in which the estimates were conducted.

Item 1 agreed to.

Vote 53 agreed to.

**Consolidated Fund Loans, Advances and Investments  
Saskatchewan Property Management Corporation  
Vote 168**

Item 1 agreed to.

Vote 168 agreed to.

**Saskatchewan Property Management Corporation  
Capital Projects**

**Mr. Chairman:** — Any questions?

I'd like to thank the minister and his officials.

(1430)

**Consolidated Fund Budgetary Expenditure  
Legislation — Ombudsman  
Ordinary Expenditure — Vote 21**

**Item 13**

**Mr. Chairman:** — Order, order. Would the minister introduce his officials?

**Hon. Mr. Berntson:** — Okay. Mr. Chairman, I have officials here from Provincial Secretary, from Ombudsman and from Finance. Deputy provincial secretary is sitting beside me, Bill Clarke; the assistant ombudsman is Earl McKeen, sitting on this side of me; and director of financial services branch of Department of Finance, Bill Hoover, responsible for the administration of the Provincial Secretary, and he's sitting here behind the deputy provincial secretary.

**Mr. Pringle:** — Thank you very much, Mr. Chairman. I would like to welcome the officials, too, and join the minister in doing that. I have just a few short comments and a couple of questions, Mr. Minister, if you don't mind.

I would like to first of all commend the staff at the Ombudsman's office, commend the Ombudsman, for the fine work that was done in the past year. And the function of that office is very important, and the staff have worked very hard. And course we know by the report there was a significant increase in the number of complaints to the office last year. And in addition to that, of course, there were some special investigations like the Bosco investigations. So our compliments to the office on a job well done.

I was also pleased with the increase in this year's budget of 10 per cent, approximately, and I recognize that that's a response to the Ombudsman's request and suggestion that things were getting pretty tight. While it only

represents an increase of 10 per cent since 1984 in the scheme of things, and in a sense is a loss over that period of time, the increase in this year's budget, I'm sure will be appreciated by the Ombudsman.

I guess the increases in the number of complaints are in the areas — I would suggest that that's an indication that there are some difficulties in some of the government programs if people feel the need to complain more to the Ombudsman's office. And I note from the report the increasing complaints in agriculture, and of course we know the state of agriculture in the province and that despite a lot of rhetoric, a lot of the real farm problems are not being dealt with.

So obviously there's going to be some concerns there and some complaints to the Ombudsman's office, but also complaints on the increase in social services and workers' comp and health care and education. And I guess that's sort of a verification in that the increase in complaints is in those areas, sort of a verification of what we've been trying to say in the Assembly, and that is that a number of government programs, partly because of funding, but also partly because of lack of innovative leadership, are indeed in trouble.

So I think that's a verification of some of the things that we've been saying, and I think that the government would be wise to take a look at the nature of some of those complaints and to re-evaluate the way that some of those programs are operating.

I think that what we've seen this year not only with the Ombudsman's office by the Bosco report, which was very well done and a credit to the office, but we've seen with the challenge of the Human Rights Commission to the government policy in Social Services and the way in which the Provincial Auditor brought in the report and was attacked this year that it proves that the independence of these offices is very critical, that the importance of watch-dog agencies, in terms of keeping the government accountable is very important.

And I would say that there needs to be a change in the attitude of the government, and that as these watch-dog agencies bring a bad message sometimes, like the Provincial Auditor's report a couple of years ago, we can't attack the office. We have to instead look for ways to improve on what the offices that are designed to hold us accountable are in fact telling us we need to improve on.

As you know, Mr. Minister, this is the 16th report that has been presented by the Ombudsman's office, and there have been very few changes over that period in terms of the staffing arrangement or the way the office reports and the way the budget is struck and this sort of thing, and I guess it's similar to the report of the previous ombudsman, this '88 report, is that maybe it's time that some of the areas be addressed and rethought.

For example, partly the role, but also the way the office reports to the legislature and gets its funding from the legislature, and where the Ombudsman is suggesting that in the report that he views that his powers are somewhat limiting. I mean, he can make a report and file it, but beyond that, beyond writing to the minister, there's not

much he can do. He's indicating that sometimes, because there's not much he can do beyond file a report and try and negotiate with the minister, some of the people who complain feel that what's the use.

So the public feel that the office lacks teeth because it cannot go far enough to ensure that issues are resolved. And he indicates, as I understand what he's saying, is that there's a need to become a bit more independent from the government and be accountable to the legislature as a whole, more so than had been the case in the past and I'm not blaming this government. I think 16 years we've had the office and this is not the first time we've heard that maybe there needs some kind of committee to reassess the financing arrangements.

So he talks about the standing committee. Now as I understand it and maybe I can get some clarification on this, the standing committee would help strike a budget as well. Obviously the government of the day is accountable for the budget and the taxpayers funds, but I would agree with what I think the Ombudsman is saying and that is that we're all, as legislators, accountable as well, as that that budget is miniscule in terms of the overall government budget.

So the standing committee might have some ability which would include opposition members I presume, to make budget allocations rather than the treasury board process which we accept as being normal. His suggestion around hearing cases as a standing committee, again if I understand that, I'm not sure I agree or don't disagree with that. I'm not sure that that's the role here of a standing committee to look at specific cases, but I would be interested in the observations or your own personal views around that.

So I guess given the time factor, the constraint I'm under on this matter, I am concerned that a couple of staff that were lost even though there's a budget increase this year, a couple of staff positions have not been regained, and I could be incorrect there, from a couple of years ago. And so I would like some clarification on that.

Maybe I'll just ask my other questions, Mr. Minister, and then you can respond to them all if you like. Given the fact that the work-load has gone up some 350 complaints, obviously at least the staff that were there two or three years ago should come up to that level, because this was the second highest number of complaints the office ever received.

I guess I'd be interested, Mr. Minister, secondly on your thoughts about the standing committee concept. I think it's a serious proposal and I don't fully understand it, although I did talk in the last year with the Ombudsman about this kind of procedure and did express the desire to have at least some input and share my views with you on the budgetary requirements of that office.

And the third question I have is that it's a fairly small office in the scheme of things, the Ombudsman's office. And I note from the budget that you've allocated \$36,000 for office rent, and that seems to me like a lot of money for a small office. And I guess I would be interested to know what the renting arrangement is and who the landlord is?

**Hon. Mr. Berntson:** — I'll try and work through those backwards. The office space is through an arrangement with the property management corporation. Whether or not the government, or property management, own the property or not, I don't know. But in the event that they don't, they would have done the contracting for the lease and then the lease would be paid by the Ombudsman's office. So in any event, that's done by the property management corporation.

On the question of the staff, you're right, there were two vacant positions as of April of last year and those positions have been deleted.

The number of cases, and this is as current as we can get — August to August. This year over last year, the absolute increase was 73 cases for a complaint increase of 9 per cent. And there have been 67 cases — August to August — handled, that is dealt with and brought to a conclusion, and so on. And that, in addition, is a 9 per cent increase.

So you can see that with the current staffing and the current budget they are staying right with the level. So the nature of the complaint, I suppose, has something to do with the demand on the time of the investigating officers, and so on.

And I agree with you that the number of complaints would probably reflect the economic situation in a large part of agricultural sector over the last several years. I think there's no doubt about that, and of course, when agriculture is in trouble in this province, that impacts on the whole economy in one way or another. So it's probably a reflection of the agricultural sector and the difficulties that they've faced over the last several years.

On the question of the committee, I know that when you were talking about this, you had some reservation as to whether or not the committee would actually be involved in specific cases. I think I would go farther than that and say that I don't think the committee should be in any way involved. That's why we have the Ombudsman and the independence of that office.

And as you know, ombudsmen's offices . . . well they're not brand-new, they've been a recent thing in Canada. When I say recent, maybe a couple of decades at the most, and there has been evolution in all jurisdictions in varying degrees.

And I don't rule out what the Ombudsman argues as being a preferred situation, and what you kind of semi-endorse, and it probably merits some further discussion.

But paramount, I think, to all of these discussions is the fact, as you pointed, that in a parliamentary democracy, ultimately the executive branch is responsible for budgetary items, and to the extent that control is lost of that, executive branch or the treasury benches loses, if you like, their ability to manage government. Now I don't quarrel with you that it's a very small piece of a large pie, but they're still important considerations and ought not to be taken lightly.

I agree with your first comment, and that is that the people at the Ombudsman's office from top to bottom have performed very well over the last year, and I want to congratulate them for that.

(1445)

**Mr. Pringle:** — Thank you very much for your responses, Mr. Minister. Would you be willing to either meet with me yourself or have one of your officials meet with me and the Ombudsman to at least pursue this a little bit, because the Ombudsman mentioned this to me a year ago and he's put it in his report, and I guess I feel it's a serious sincere request, and I'm sure you do, and I would like to have the opportunity to follow it up further just to discuss the pros and cons and the merits and see whether or not it might be something that would be feasible in the future.

**Hon. Mr. Berntson:** — I think we're getting altogether too friendly, but when we leave this place, whenever we leave it, I'd be happy to find time sometime after adjournment to visit with you about that privately.

Item 13 agreed to.

**Supplementary Estimates  
Consolidated Fund Budgetary Expenditure  
Legislation  
Ordinary Expenditure — Vote 21**

Item 5 agreed to.

**Consolidated Fund Budgetary Expenditure  
Provincial Secretary  
Ordinary Expenditure — Vote 30**

**Item 1**

**Mr. Trew:** — Thank you, Mr. Chairman. Mr. Minister and officials, welcome to the Provincial Secretary estimates. I want to start with the executive administration, not surprisingly, top of the page, and I note that the total expenses in that subvote have jumped, the total expenditures jumped from \$628,000 in '88-89 to a projected \$1,155,900. Stated another way, there's an increase in personal services of \$286,500, and in other expenses of \$241,400. Can you explain why such a huge increase? Is it to do with the provincial inquiry centre being rolled in there? If not, I very much want an explanation please.

**Hon. Mr. Berntson:** — The increase is as a result of the agreement that was come to between Canada's Secretary of State and the province of Saskatchewan relative to French language. There are four positions provided for for the French language office and there are three positions provided for for the office of the Premier in Prince Albert.

**Mr. Trew:** — The three people in the Premier's office are also included in that deal with the Canadian Secretary of State?

**Hon. Mr. Berntson:** — Oh no, no, no, no, no, no. There are two — two issues. One is the French language office, and that's as a result of that agreement. Second, it's the . . . separate and apart from that is the Premier's office

in Prince Albert.

**Mr. Trew:** — Okay, I'm not sure where the money from the Canadian Secretary of State shows up as revenue, but it must show up somewhere as revenue. Can you tell me where that would appear?

**Hon. Mr. Berntson:** — Yes, there's about \$300,000 that will show up as revenue coming from Sec State when the French language office is put in place.

**Mr. Trew:** — So the Provincial Secretary, if we ignore the French language issue, has had close to a 25 per cent increase in the executive administration, in personnel services and other expenses. Is that correct?

**Hon. Mr. Berntson:** — Yes, and that's to cover off the office of the Premier in Prince Albert.

**Mr. Trew:** — Mr. Minister, would you give me the names and salaries of the ministerial assistants as of the end of the year, and the same if it is the same at March 31. I want the names and salary of the ministerial assistants and their salary, December 31 and March 31. I'm just checking to see what changes there have been in that period.

**Hon. Mr. Berntson:** — Okay. Under the Provincial Secretary there's one executive assistant; her name is Connie Young. December, she was getting 3,016 per month; March 3,143 per month. And I'm told that the increase from December to March was because of the linkage with the public service, and as the public service gets an increase so does the executive assistant.

**Mr. Trew:** — Thank you, Minister. You talked about the Premier's office; I want to deal with that for a little while. What is the responsibility of the provincial secretariat in regards to the Premier's offices. Do you pay all of the expenses? Do you staff them completely? What is the staff complement at each of those . . . each of the Premier's offices that is the responsibility of the provincial secretariat?

**Hon. Mr. Berntson:** — There are two offices, okay? One's in Saskatoon, one's in Prince Albert. In Prince Albert we pay the ongoing costs of the operation, plus two people, and I think they are a director and a secretary or a stenographer. In Saskatoon the complement is three people, a director, an administrative assistant, and a receptionist.

**Mr. Trew:** — Could you tell me what the total budget then is for those offices, and can those figures be broken down by salaries, and other expenses as well?

**Hon. Mr. Berntson:** — Okay, in P.A. the total budget is \$221,800. Of that, salaries would take up 116,700, and other — and this is as far as the breakdown goes — others take up 105,100. Saskatoon office, the total budget is 239,700; salaries 73,3(000), and others, \$166,400.

**Mr. Trew:** — Are there people employed in the Premier's offices who are not paid by the provincial secretariat? Is there some sort of a split funding arrangement there?

**Hon. Mr. Berntson:** — There are some others that are

there under a secondment arrangement that are not the responsibility of the Provincial Secretary.

**Mr. Trew:** — Can I have the names of the people then that your department, the provincial secretariat, pays for?

**Hon. Mr. Berntson:** — We can send that over. Those people that are the responsibility of the Provincial Secretary, we can send those over.

**Mr. Trew:** — Today?

**Hon. Mr. Berntson:** — Yes, as soon as we're finished.

**Mr. Trew:** — Okay, yes, thank you. The secondment puzzles me a bit. How does a secondment work? I know from my dealings with Saskatchewan Transportation Company that the Premier has seconded an employee from there, and the people of Saskatchewan wind up paying this person's salary while they're doing . . . they're at the beck and call of the Premier.

I'm just trying to figure out whether you think that is a fair way for the Premier to be utilizing people of the province. I want to state, Minister, that I understand the desire to second people for short terms for special projects. But my question is where should that funding come from? Should it be left to the line departments or the Crown corporations, in the case of Saskatchewan Transportation Company, or should there be a refund from the provincial secretariat to the places where these people are seconded from?

**Hon. Mr. Berntson:** — All the people in the public service, I suppose, to some degree or another, are at the beck and call of the Premier as the chief executive officer of the province, if you like. And if, for some specific purpose, he needs some particular talent on a secondment basis, he will do that. As I say, they are not in this case, the secondments in these offices are not the responsibility of the Provincial Secretary, and so I simply can't speak for them.

(1500)

**Mr. Trew:** — The problem that I have with this whole, nice little cosy arrangement is that we can have, and indeed we do have the situation where the Premier will second people from all throughout the public service — people from all walks of Saskatchewan, and he seconds them to do his political bidding. And it's a real neat little package. You can stand in the legislature and say, oh well the Premier's office doesn't cost us an arm and a leg. Meanwhile, you've got, at any given moment, you've got any number of people on secondment away from the jobs that they are hired to do, and instead doing the political work on behalf of the Premier.

And I guess I wouldn't be objecting if it were just the odd secondment now and then that took place, but as we are all aware, that's not what is going on. How many secondments does the Premier's office utilize in a year?

**Hon. Mr. Berntson:** — I don't have any idea. And there may be, like, many — some for shorter periods, some for longer periods. I would have no way of knowing that as a



Provincial Secretary.

**Mr. Trew:** — Mr. Minister, I want to turn to the Provincial Inquiry Centre, and I see that personnel services have been reduced by 7.4 years and the expenditure disappears — \$255,100 disappears — and yet other expenses goes from \$85,900 up to \$300,000. Is this . . . well I won't even suggest to you what I think happened. You tell me what happened.

**Hon. Mr. Berntson:** — There were seven employees at the Provincial Inquiry Centre, and I don't know just when it was . . . On April of '89 the inquiry centre was contracted out on a competitive bid basis. There were three bids on the . . . eight people, eight different organization or companies were asked to bid on this. Three people actually bid, or three companies or organizations actually bid. Polmac Communications was the successful bidder. The contract cost to the Government of Saskatchewan is \$300,000.

There were seven people in the inquiry centre, and all of them found positions elsewhere in government. So those seven people that used to be in the inquiry centre are no longer there, and the \$300,000, of course, is the cost of the contract to the private inquiry centre that handles both federal and provincial inquiries, as is done in other jurisdictions.

**Mr. Trew:** — So you privatized the Provincial Inquiry Centre, is exactly what your government is all about, and now I'm content, Minister. That was what I . . .

**An Hon. Member:** — That was what you'd have thought.

**Mr. Trew:** — The minister says, that is what I thought. He is of course correct; that is what I thought.

Minister, you have a . . . your total budget for the provincial secretariat has gone up from three and a half million dollars last year up to \$8,058,500 this year. And of course it is all the political operation of this government, of your government; it is pure and simply trying to make people think things are going well. I see you've got a little over \$4 million to the Future Corporation, so we're going to have a . . . that's, I assume, close to half the payment for the birthday party that should be a going away party.

How can you justify, Minister, such a huge increase in costs at a time when under your administration we are seeing the deficit that is the shortfall of the provincial government revenues, we see that deficit growing by leaps and bounds every year under your administration, and we see well more than doubling of the provincial secretariat budget, while we've got people lined up to food banks — you seem to have all kinds of money to spend on a food bank — but how do you justify all that increase?

**Hon. Mr. Berntson:** — If the member opposite really believed that the Future Corporation's 4.2 million should be more appropriately budgeted as a going away party, you'd think that he would be actually quite pleased with it.

But the truth of the matter is, Mr. Chairman, the Future Corporation is anything but a birthday party — anything but a birthday party, Mr. Chairman. And I want to take you through a few of the things that the Future Corporation has been involved in and will be involved in, Mr. Speaker.

They have been involved in a very significant way in the science centre here in Regina. They are involved in a project I believe largely inspired by President Leo Kristjanson of the university, where some significant scientific-type . . . I think seven or nine of these sites in Saskatoon will come together and become part of an educational tour for kids, students visiting Saskatoon.

There is a . . . I believe it's in the Quill Lakes constituency, Mr. Speaker, where the school board of the Quill Lakes has entered into an agreement with the Future Corporation to design the school of the future, Mr. Speaker, a super high-tech school of the future, Mr. Speaker, with the results of that exercise being made available to all school boards in Saskatchewan.

There's a science and technology exposition planned, Mr. Speaker.

There is a research project, Mr. Speaker, with the Veterinary Infectious Diseases Organization. Now I know that members opposite wouldn't be terribly critical of research done by VIDO (Veterinary Infectious Diseases Organization) with the support and help and encouragement of the Future Corporation to enhance our place in the international market in agricultural red meat sector, Mr. Speaker.

There's a Canadian Institute of Food and Science Technology, co-operation between them and the Future Corporation, Mr. Speaker.

There is a youth conference, a youth conference in 1990, Mr. Speaker, that will bring the youth of Saskatchewan together to talk about where Saskatchewan fits in a world economy, and how we can take advantage of our position in that world economy.

Mr. Speaker, there is a science teachers' institute; there is a fibre optic technology pilot project in Regina, Mr. Speaker; there is a local business in school pilot project. I believe that one is in the Kindersley School Division, Mr. Speaker. There is correspondence education for rural adults; the rural science and tourism centre, Mr. Speaker; a future agri-technology applications and marketing project, Mr. Speaker.

And I want to compare this to the last birthday party. And those are only a few of many.

I want to compare this to the last birthday party, Mr. Speaker, which cost the people of Saskatchewan \$12 million, in 1980 I believe it was — Celebrate Saskatchewan — about \$12 million. And the most significant thing that happened during that home-coming, well we had a lot of people come home and visit and I don't say that's all bad. I think that's just fine. But aside from that the most exciting and important thing that happened was the land bank commission was

giving out land bank baseball caps that nobody would wear.

I will compare the Future Corporation, Mr. Speaker, to anything that has ever been planned by the previous administration for the purposes of enhancing Saskatchewan within Saskatchewan and without Saskatchewan; for the purposes of our young people coming to understand technology, where we fit in the world economy, and how we access those markets in world economy, Mr. Speaker.

**Mr. Anguish:** — Thank you, Mr. Chairman. Mr. Minister, I just have a few questions about the Future Corporation. You made a comparison about the Future Corporation, the birthday party for the 85th birthday of the province of Saskatchewan and compared it to the 75th birthday. Well I'd point out to you that people do understand celebrating 25th anniversaries and 50th and 75th and 100th and bicentennials and things like that, but what people in Saskatchewan have failed to understand is you announcing a birthday party for the 85th birthday celebration, and announcing a large sum of money at one time.

I would say, Mr. Chairman, that your people in the Future Corporation, Mr. Wright, or whoever made the decision, made a very astute decision when they channelled the activities of the Future Corporation away from a view of a birthday bash to some of the very good projects that are happening. And that certainly wasn't the original intention, or it wasn't indicated in the original announcements of the Future Corporation. It was labelled as a birthday party.

**An Hon. Member:** — No it was not.

**Mr. Anguish:** — Well the documents from the very beginning indicate, and words in this House indicate, birthday party. And I can document that to you if you want a private meeting with me like the Minister of Public Participation did, we'll have a private meeting and I'll show it to you in print.

But it's changed from that birthday bash, and I still maintain that the original intention was to have a fund there to try and make people feel good enough to re-elect a Conservative government, and you've likely even given up on that, so I suppose . . .

My question to you, Mr. Minister, is that you read off a very extensive list of projects funded under the Future Corporation, and some of those projects have my full support, very good projects. I am wondering if you can provide us with a comprehensive list of those projects that have been approved by the Future Corporation, the amount of funding approved by the Future Corporation for the project, and the location of the project. So if you could provide us with a list of those that have been approved, I'd appreciate that very much.

Secondly, I'm wondering if you can tell us out of the total funding to the Future Corporation, what portion of the Future Corporation allocation will be used for administrative, and what portion of the Future Corporation will be used for advertising, and what

portion of the budget will be actually used for funding of some of these special projects that you mentioned already today, Mr. Minister.

And if you give me your undertaking that you'd provide all that to me, I won't have any further questions for you.

**Hon. Mr. Berntson:** — Mr. Speaker, I'm struggling, but I think I'm going to win over the temptation to respond to some of the more partisan shots at the earlier part of his remarks. I will say that we don't run the Future Corporation; we are the funding agency for the Future Corporation, so you will understand that it will take some time to pull together the list and the breakdown of the budget that you've asked for, but we will undertake to provide that very soon.

**Mr. Anguish:** — I'm sorry, someone else was talking. I understood you to say that you don't run the program, and I understand that. Cliff Wright and his organization run the program. But if I understood you correctly, even though it might take a little bit of time, you'll get the information from the Future Corporation itself and provide us . . . have one of your staff or somebody review the questions that I've asked you this afternoon. You will provide us with that information?

**Hon. Mr. Berntson:** — Yes.

**Mr. Anguish:** — Thank you.

Item 1 agreed to.

Items 2 to 6 inclusive agreed to.

Item 7 — Statutory.

Vote 30 agreed to.

# **Supplementary Estimates 1989 Consolidated Fund Budgetary Expenditure Provincial Secretary Ordinary Expenditure — Vote 30**

Items 1 and 2 agreed to.

Vote 30 agreed to.

**Mr. Chairman:** — I would like to thank the minister and his officials.

The committee reported progress.

(1515)

## **COMMITTEE OF THE WHOLE**

### **Bill No. 9 — An Act respecting Adoption**

**Hon. Mr. Schmidt:** — Thank you, Mr. Chairman. I have with me the assistant deputy of Social Services, and I'll introduce some of the other officials here. Dr. Allan Hansen was introduced yesterday; Lorelle Schoenfeld, her official title is policy and intergovernment research division; Richard Hazel, directly behind me. And Donna Young, director of child care is with me and she's seated

in the back row. We're ready to proceed.

### Clause 1

**Mr. Prebble:** — Thank you very much, Mr. Chairman. Mr. Minister, as you well know we have a number of serious concerns about this piece of legislation. We are opposed to it, and I guess in summary form I could say, Mr. Minister, on four grounds.

First of all, Mr. Minister, we believe that the proposals for private adoption agencies are not in the best interests of adoptive children in the province of Saskatchewan.

Secondly, Mr. Minister, we take strong exception to the likelihood that these private agencies will charge an agency fee, and that in addition to that adoptive parents will face significant legal fees by virtue of this Bill.

Thirdly, Mr. Minister, we've got a lot of concerns about the proposals with respect to independent adoption, and we are concerned, Mr. Minister, about the fact that there are no provisions in this legislation for a home study before independent adoptions are completed in this province.

And fourth, Mr. Minister, we're concerned about the question of equity of access to adoption services in the province of Saskatchewan, and we're worried about the fact that if we get two or three private adoption agencies operating in this province, and in effect dramatically reducing the number of infants that are handled through the Department of Social Services, that people in northern Saskatchewan and in rural Saskatchewan will be at very much of a disadvantage in terms of accessing the services of those private adoption agencies, which will almost certainly be in the cities.

Now I want to ask you a number of very specific questions about the Bill, Mr. Minister, and the first one is with respect to your plan to establish private adoption agencies in this province. Clearly, you're intending to shift the large proportion of infant adoptions out of the Department of Social Services and into private agencies. We already have one such agency in Saskatoon, Christian Counselling Services. For the past several months now you've been seeking out a Regina agency to contract adoptions with, and as you know, there are only about 60-plus infants each year that are available for adoption through the Department of Social Services, and obviously those numbers will fall if more private agencies are put in place.

So I would like you to tell us what your plan is over the next two or three years with respect to the number of private agencies that you expect to become involved in the adoption field, where you expect them to be located, and how many children you expect each of them to handle each year.

**Hon. Mr. Schmidt:** — Mr. Chairman, with respect to independent adoptions and all adoptions, they have to be approved by a judge of the court. And who is better to judge than a judge whether parents are suitable to receive a child? The judge has to satisfy herself that the parents are fit, and the judge may do that in whatever way the judge

sees fit. I have faith in the judges of Saskatchewan. I have faith that they will not give children to families who are not fit to have children. I am not concerned with respect to the discretion these judges will show. After all, when you consider that people who have their children naturally have to have no qualifications whatsoever, I am not particularly concerned that judges will make mistakes and give children to families who are not fit to look after them.

With respect to adoption agencies, we now have one adoption agency in Saskatchewan which is operating, Saskatoon Christian Counselling in Saskatoon. We started that agency's right to do adoptions as a pilot project, and the reason for the pilot project was that this agency felt there was a need for open adoptions in Saskatchewan.

They came to me and they indicated that there were young mothers who would prefer to know the family that their child will go into to be raised and live the rest of its life as part of that family. They wanted to have some choice. They wanted to have varying degrees of open adoption. In addition, this agency indicated to me that they felt there were some young mothers out there who would prefer to have their child and adopt it to a family of their choice, as compared to have an abortion, and that given a choice between open adoption and abortion, they would choose open adoption.

It seemed to me that there would be nothing wrong with allowing these mothers the opportunity to have their children live in a family of their choice. So therefore we initiated this program as a pilot project, and the open adoption has worked reasonably well.

Up to about two months ago, they had handled in 15 months, 31 children. I don't know, has anybody got information on what they might be up to now? Just a few above the 31 mark in the last month or so, to update our information, but in the first 15 months they handled 31 children.

And of the 31 children, so far I've only received one complaint of problems developing and I'm checking into that, and I intend to phone the family to get information on the problems that arose there. One complaint out of 31 cases is a pretty good success ratio, and I felt that open adoption is a concept that we could look at throughout Saskatchewan.

I might say initially, when we started this pilot project, there were certain people in my department who indicated this was either not wise or not possible. After Saskatoon Christian Counselling operated it for approximately one year, my department officials saw that this pilot project worked well and asked if they could implement open adoption through the department throughout Saskatchewan. At the time, Mr. Chairman, I was looking for an agency for southern Saskatchewan — Regina or Moose Jaw or Weyburn — but an agency that could cover southern Saskatchewan.

I currently do have an agency interested, but I have had to advise them that due to the fact that my department has now indicated that they were so pleased with the pilot

project that they feel they can deliver open adoption throughout Saskatchewan, that I have to wait and see. As of April, we commenced open adoption throughout Saskatchewan through our department so that the mother now has a choice of going to the Department of Social Services or going to Saskatoon Christian Counselling.

With respect to the interested agency in southern Saskatchewan, I've had to write to them and indicate that initially I felt we needed a second agency in southern Saskatchewan, but I have to wait and see what the uptake is on departmental open adoptions before we have a second agency in southern Saskatchewan. I do not do this as a matter of ideology. If there is need for a second agency, we will then contract with a second agency.

It's too early to tell how open adoption is working within my department, we just started in April. It is a new concept. Other jurisdictions have shown interest in this concept, and I have indicated publicly that I have no intention of establishing more than two agencies in Saskatchewan. As we speak today, I only have need of one agency, and if we should need a second agency, we will proceed with a second agency.

**Mr. Prebble:** — Mr. Minister, a question with respect to agency fees. You've indicated in the press that agency fees could be charged. You haven't said for certain that they will be, but certainly this Bill does not prohibit agency fees in any way, nor does it restrict the level of fee that may be charged.

My question to you is: are you expecting that agency fees will be charged by private adoption agencies? Even in the case of Christian Counselling in Regina . . . in Saskatoon, rather, Mr. Minister, you know full well that your department has not fully funded Christian Counselling Services to carry out its adoption work. So is it your intention to allow private adoption agencies that establish in this province, under this Bill, to levy agency fees? And are you intending to place any restrictions on those fees?

(1530)

**Hon. Mr. Schmidt:** — Mr. Chairman, here we go again with the fully funding and who determines what is fully funded. If I allowed every agency to write their own budget and fill in the blank cheque from the province of Saskatchewan, then we couldn't possibly borrow enough money in this province to have those cheques actually cashed. The Department of Social Services has to have control of public expenditures.

It's an interesting turnaround that the members opposite initially were against Saskatoon Christian Counselling being an adoption agency. It's interesting to note that there were people from that particular party of the NDP who were opposed to a Christian agency doing adoption . . .

**An Hon. Member:** — Who says it's Christian?

**Hon. Mr. Schmidt:** — Well the member from Regina Rosemont says, who says it's Christian. Well when I was there, they seemed to be Christian to me . . . (inaudible)

interjection) . . . Well maybe you should go there . . .

**Mr. Chairman:** — Order. If the member from Regina Rosemont wants to get into the debate, certainly there'll be an opportunity for him to ask questions. So I'd ask him to allow the minister to make his comments.

**Hon. Mr. Schmidt:** — Thank you, Mr. Chairman. The members of that opposite party were against a Christian agency doing counselling and adoption.

The agency initially received \$104,000, which was transfer funding. Those were positions we didn't have to fill at the department, because the department adopts out about 61 or 65 children per year. We didn't know how many children this agency would handle in the first year. We transferred over funding that we would have put into the department to this agency to see what they could do with it.

It turned out that this agency in the first 15 months adopted and handled 31 adoption cases, not to mention other cases where the mother chose to keep her child. We initially transferred the funding of \$104,000, but their demand was so great that we increased that to \$139,000, an increase of 33 per cent. I don't know if that fully funds them or not. That is all the money that the department is prepared to divert to this particular agency at this time, and if they have to raise additional funds that's within their own jurisdiction, and they have to make their decision. We are prepared to commit \$139,000 at this time.

So I really don't know what fully funding is. The agency of course could always use more money, but they're very reasonable and responsible and they are managing on \$139,000. We will see what the effect of the department now doing open adoptions throughout Saskatchewan is. It could be that the demands for the agency services may drop. At Social Services we tend to react with the changing times, and we will monitor this situation.

**Mr. Prebble:** — Mr. Minister, it's obvious you don't want to answer the question about whether or not there will be agency fees. You can't deny that under your Bill there will be legal fees, and they may well be very significant, Mr. Minister. And I wonder if you will acknowledge that in light of adoptive parents having to pay agency fees and having to pay legal fees, that the criterion for adoption is no longer going to be solely whether or not the adoptive parent will provide a good home. Rather, another criterion, Mr. Minister, will be whether the adoptive parent can afford to proceed with the adoption. Isn't that what this Bill does, Mr. Minister?

**Hon. Mr. Schmidt:** — Well at present this agency does not charge fees, but I will not say that there would never be any fees charged by agencies. It seems to me from my recollection of the two children that our family had which are our natural children, there are certain costs involved with respect to having natural children. I remember maternity clothes were a large cost. When you're adopting, you should also expect that there might be some costs. And I'm not saying that there would be a large fee, but I'm not ruling out that there will never be a fee charged by these agencies. And I think most parents are

prepared to pay a reasonable sum towards the cost of providing this service to them.

At present, because we diverted funding from Social Services over to Saskatoon Christian Counselling, and it was not an added burden to the struggling taxpayers of Saskatchewan, we are not having a fee charged. But in the future we would have to monitor the situation and see if the costs got too high to the department, I think potential parents would not object to paying a modest sum towards the processing of the applications.

**Mr. Prebble:** — Well, Mr. Minister, it's clear that there's going to be an agency fee; it's clear from this Bill that there's going to be a legal fee, and that means, Mr. Minister, that you are changing the foundation rules under which adoption takes place in the province of Saskatchewan. And you know that full well. And the criterion will no longer be solely whether or not the adoptive parent can provide a good home for the child.

Now I have a question for you specifically in regard to legal fees. And my question basically is whether or not your Department of Social Services will be providing assistance to people to obtain independent legal advice under this Bill. There is a requirement in the legislation that a birth mother, for instance, has to obtain independent legal advice before proceeding with an adoption. In many cases, obviously, the birth mother is going to be unable to afford to pay such legal costs.

I'd like to know what will be the legal bill of the average adoptive parent dealing through a private agency, Mr. Minister? How much do you expect the average adoptive parent to have to pay in legal fees by virtue of this Bill, and will your department be providing financial assistance to adoptive parents and to birth parents, and specifically to birth parents with respect to the requirements to seek independent legal advice under this Bill?

**Hon. Mr. Schmidt:** — Well, Mr. Chairman, with respect to Crown ward adoptions, the Government of Saskatchewan provides the independent legal advice or covers the costs of that. With respect to agency adoptions, the agencies have been covering the costs of the independent legal advice. With respect to independent adoptions, the individuals are responsible for their own costs of independent legal advice.

People who have no means at all, or have limited means, would qualify for legal aid. This has not been a very serious problem in the area of adoption.

**Mr. Prebble:** — Well, Mr. Minister, that's simply unacceptable. It's unacceptable to think that all adoptive parents have to pay the cost of their own legal advice. That could very well mean, Mr. Minister, if there's an agency fee, and there's a requirement for independent legal advice, that the cost of an adoption to an adoptive parent could well be in excess of \$1,000 dollars, and you know that full well. And that, Mr. Minister, is very unacceptable to members on this of the House.

Mr. Minister, I want to ask you a question with respect to independent adoptions. It seems clear by virtue of this Bill you're going to make independent adoptions

easier in this province, and this is being done in several ways. Prior to this legislation, independent adoptions have required the specific permission of the Minister of Social Services. And this legislation legitimizes independent adoptions. This in itself would not be of concern to me if it were not for two other provisions that will make independent adoptions easier.

First, there's no requirement for a home study before an independent adoption is approved. In the case of a step-parent adoption, I don't frankly see the need for a home study. But in the case of other independent adoptions, a home study should be done, just as it's done for any Crown ward adoption, simply because such a home study is in the best interests of the children involved. It is a mechanism for their protection. And I remind you, Mr. Minister, that as Minister of Social Services it's your obligation to ensure that their best interests are protected.

Second, no certificate of placement is requirement for an independent adoption, despite the fact that it's required for any other kind of adoption.

So, Mr. Minister, I guess my question to you is: why are you making independent adoptions exempt from the safeguards that you've built into the process for other forms of adoption, both with respect to the requirement for a certificate of placement and with respect to the requirement for an independent home study.

You will know full well, sir, that judges in the courts vary their practices considerably with respect to the requirements for a home study. Some judges will always require a home study before they approve an adoption. Others almost never require it, Mr. Minister. The only way of ensuring that the best interests of a child will be protected in the case of an independent adoption, Mr. Minister, is to, by virtue of this legislation, guarantee that a home study will always be done, with the exception, of course, of step-parent adoptions, where I don't see the need for it.

**Hon. Mr. Schmidt:** — Well, Mr. Chairman, section 4 of the Bill for the first time sets out guide-lines for judges as to what they're to do with respect to adoption in determination of a child's best interests, and section 4 lists them from (a) to (i).

I have faith that the judges of Saskatchewan will act in the best interests of children. The member opposite questions the wisdom of our provincial judges, and I cannot accept that line of thought, and I have to stand up for the judges of Saskatchewan that that is their duty to judge what is fair and proper. And they will do that duty and they will have the guide-lines under section 4 to follow. I see no problem here.

The member opposite would be inclined to have as much bureaucracy involved in everyone's life as possible. I submit to you that judges will adequately deal with this matter.

Clause 1 agreed to.

## Clause 2

**Mr. Chairman:** — The House amendment to clause 2, moved by the member for Saskatoon University:

Amend section 2 of the printed Bill:

- (a) by striking out clauses (b) and (c); and
- (b) by re-lettering clause (d) through (t) as clauses (b) through (r) respectively.

**Mr. Prebble:** — Mr. Chairman, this amendment gets at the heart of our opposition to private adoption agencies in the province of Saskatchewan. It's obvious from what the minister said that there's going to be agency fees for adoptive parents. It's obvious from what the minister said, Mr. Chairman, that there will be legal fees for adoptive parents which they will have to pay, which will not be covered by the agency and any funding that it receives from the Department of Social Services.

It's also obvious, Mr. Chairman, that there's only going to be at most two private agencies in the province, making it virtually impossible for people in rural Saskatchewan and northern Saskatchewan to access the services. We are opposed to this provision, Mr. Minister, and therefore we are moving the amendment.

Amendment negated on division.

Clause 2 agreed to.

Clauses 3 and 4 agreed to.

#### Clause 5

**Mr. Chairman:** — Amendment to clause 5 of the printed Bill. I find the amendment out of order on the basis that it is:

. . . fee for services performed for that purpose of the lawyer shall be borne by the minister (government).

So it's a cost to the government.

**Mr. Prebble:** — Mr. Minister, I want to go on record as stating that we are strongly opposed to a provision that requires that the cost of independent legal advice be borne by the parties, whether it be the birth mother or the adoptive parents. It should be the Department of Social Services, Mr. Minister, that is funding these costs.

I would like to see you, and I want to ask you the question now, sir: are you prepared to move an amendment to this legislation that states that wherever independent legal advice is required to be sought by law in this Bill, the cost of that independent legal advice will be covered by your department? Are you prepared to agree to that by virtue of changing clause 5 in this Bill.

(1545)

**Hon. Mr. Schmidt:** — Mr. Chairman, what the NDP are proposing here is that the struggling taxpayer again bear the cost of adoption, and the answer to his question is no.

Clause 5 agreed to.

Clauses 6 to 10 inclusive agreed to.

#### Clause 11

**Mr. Prebble:** — Mr. Minister, I want to ask you a question with respect to who's going to check criminal records of prospective adoptive parents in the case of an agency adoption? Will this be done by the agency or will it be done by the Department of Social Services? And I want to know, Mr. Minister, why there is no specific reference to who's responsible for that in this piece of legislation? That should be something, sir, that is done by the department and not by a private agency. It's inappropriate for a private agency to be doing that.

**Hon. Mr. Schmidt:** — Mr. Chairman, whenever there is an application for adoption, we are notified as a department and check the records for child abuse with respect to any member of the adopting couple. We also can, much to the objection of the member opposite, obtain the criminal record through CPIC, and the member had objected to the government having such power to find criminal records. I'm sure he'll agree in this case that we should have access to criminal records. And so that, we believe, is one legitimate use of those particular records.

**Mr. Prebble:** — One more question on this section, Mr. Minister, and that is with respect to who's going to pay the cost of an agency being able to apply for an adoption order? Are you assuring us, Mr. Minister, that the full cost of agencies applying for adoption order and the court costs associated with that will be paid by your department and will not have to be paid by the private agency and in turn levied to users of the adoption service?

**Hon. Mr. Schmidt:** — Mr. Chairman, for the one agency that now operates, their costs are included in their annual allotment of \$139,000. I said earlier, I do not believe that should the demand increase in the future, or should the costs to the taxpayers get out of hand, that some degree of fee is out of the question. But at present there isn't any.

Clause 11 agreed to on division.

Clauses 12 and 13 agreed to.

#### Clause 14

**Mr. Prebble:** — Mr. Chairman, the effect of the amendment that we're proposing here would be to require that a home study be completed except in the case of a step-parent adoption for all independent adoptions.

It's our view, Mr. Minister, that a home study is essential to be provided for under this legislation. That's clearly what's in the best interests of children, and I am shocked, Mr. Minister, that frankly, you, as Minister of Social Services, are prepared to allow independent adoptions, other than step-parent adoptions, to proceed without a home study. That is truly incredible.

**Mr. Chairman:** — Order. The amendment moved by the

member for Saskatoon University to clause 14. Will the members take the amendment as read?

Amendment negated on division.

Clause 14 agreed to.

### Clause 15

**Mr. Prebble:** — The effect of this amendment is that it's an amendment that basically ensure that no certificate of placement is required in the case of a step-parent adoption, but that a certificate of placement is required for all other independent adoptions.

I want to just say another word about this, Mr. Chairman. Mr. Minister, I think it's amazing that you're proposing that there be no certificate of placement in the case of an independent adoption. This means that there's no record of the birth mother, and that if the child as an adult adoptee later wants to find his birth parents or birth mother, he can't.

I wonder, Mr. Minister, if you can explain to us how you can justify a situation in which there will be no record of the birth mother? Surely, Mr. Minister, you're at least prepared to agree to this amendment as proposed by the opposition.

**Hon. Mr. Schmidt:** — Mr. Chairman, this is simply a matter of record that my department is convinced that the records will cover this matter, and that there is no legitimate concern that the members opposite or the public should have in this particular case.

Amendment negated on division.

Clause 15 agreed to.

Clauses 16 to 29 agreed to.

### Clause 30

**Mr. Chairman:** — There is a House amendment to clause 30. Will the House take the amendment as read?

**Mr. Prebble:** — Thank you very much, Mr. Chairman. Mr. Chairman, the effect of this amendment is to ensure that post-adoption services in this province are levied at no charge. Mr. Minister, I think it's one of the unfortunate, many unfortunate aspects of your record as minister that we in Saskatchewan become the first province in Canada to charge for post-adoption services, and specifically to charge people for personal information about themselves, Mr. Minister. That is clearly inappropriate. A sixty dollar fee for getting a xeroxed copy of basic information on file with the department respecting things like a family health problem, or the ethnic origin of parents, or the physical characteristics of birth parents, Mr. Speaker, that is entirely inappropriate, a \$180 fee for facilitating contact between birth parents and adult adoptees when you know that there's mutual consent, and when the Department of Social Services knows the whereabouts of both the adult adoptee and the birth parent, Mr. Minister.

We believe that there's no justification for people having to pay for this information, Mr. Minister. I want to hear your explanation about why people should have to pay to access information about themselves. I think it's a very dangerous precedent that you've set, and I wished dearly that you would drop this proposal for post-adoption fees. The amendment that I'm moving, Mr. Chairman, would have the effect of in effect cancelling those post-adoption fees now levied by the department.

**Hon. Mr. Schmidt:** — Mr. Chairman, I say to taxpayers of Saskatchewan, there's the member from Saskatoon University with his hand in your pocket again. He would like to have both of his hands in your pocket, taking your money to pay for services for other people.

I mean, when you go to the Land Titles Office and you want to search your title, you pay a fee. When you go to Land Titles Office, you want to change your title, you pay a fee. For many things, if you want a service you pay a fee. This is not a service like health care that is universally required by all people. This is a service that's required by certain individuals. We waive the fee if they can't afford to pay the costs.

But the member opposite says we are the first government to charge a fee. Yes, we are also the first government to make the information available.

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Schmidt:** — And the demand was so great that we couldn't keep up with the demand. And should we then go to the taxpayers and say, empty your pockets so we can hire more people to provide this service? So, Mr. Chairman, there is another example of the NDP wanting to put their hands in the taxpayers' pocket so that everything can be free, providing you keep your pockets covered.

Amendment negated on division.

Clause 30 agreed to.

Clauses 31 to 33 inclusive agreed to.

### Clause 34

**Mr. Chairman:** -Amendment to clause 34, moved by the member for Saskatoon University to:

Amend section 34 of the printed Bill by striking out the section and substituting the following:

"34 No person shall procure or assist in the procurement of children."

**Mr. Prebble:** — Mr. Chairman, you've just read the effect of this amendment. We want to see the clause read, Mr. Chairman, "No person shall procure or assist in the procurement of children."

Mr. Minister, at present this section, as it's worded, would permit you to provide written approval for someone to engage in the business or practice of procuring or

assisting in the procurement of children, and I'd like to know why you would ever want to give permission for this, Mr. Minister. This section would also permit regulations relating to the procurement of children. And I guess my question is, Mr. Minister, why not simply prohibit the procurement of children by virtue of this legislation?

**Hon. Mr. Schmidt:** — Well, Mr. Chairman, the reason we continue to practice of the minister being able to give permission is because this happens quite often. And you get a situation where a doctor knows of a woman who would like to adopt out her child and he knows of a good family, and it's against the law for him to introduce them to each other without my permission. It's against the law for him to arrange for that private adoption.

We make certain that there is no fee or sale of babies involved, and the department's recommendations come to me and I approve them. I read them all personally, and I don't recall if I ever rejected any. I think I questioned one once, but they are all very legitimate and honest people. You have professional social workers, you have religious people, you have doctors and other people who would be guilty of an offence just for introducing or telling someone that there is a potential baby available for adoption.

So therefore we review these at the department, and with the permission of the minister we allow this type of introduction to take place. It's happened in the past, and we intend to follow it in the future.

**Mr. Prebble:** — Once again, Mr. Chairman, I just want to make the point that clearly there is no home study provided for this, Mr. Minister, and it's that that we particularly take objection to.

Thanks, Mr. Chairman.

Amendment negated on division.

Clause 34 agreed to.

#### Clause 35

**Mr. Prebble:** — Mr. Chairman, I want to simply ask the minister here: this is the section that makes provision for a fine of up to \$10,000 and imprisonment up to one year in the event that there are violations of the legislation with respect to prohibition of advertising in relation to the adoption of a child. Can you tell me, Mr. Minister, whether or not there has ever been a single prosecution for these offences by your government.

I guess the key question here, Mr. Minister, is whether or not you have the political will to prosecute. And I'd like to ask whether there has ever been such a prosecution?

(1600)

**Hon. Mr. Schmidt:** — Mr. Chairman, not that we know of, which is good, because as far as we know nobody has broken the law. And we would hope that there would be no prosecutions for impaired driving as well, but unfortunately that law is broken from time to time.

I might say that we have doubled the fines in this case, and the member opposite need not concern himself with us doing our duty to prosecute should a crime arise. I recall as a lawyer once suing my first cousin in doing the duty I had to do, and we will do it again if necessary.

Clause 35 agreed to.

Clause 36 agreed to.

#### Clause 37

**Mr. Chairman:** — House amendment to clause 37, moved by the member from Saskatoon University.

Amend section 37 of the printed Bill:

(a) by renumbering the section as subsection (1); and

(b) by adding immediately after subsection (1) the following

“(2) No agency referred to in subsection (1) shall charge any fee for services respecting the adoption of children.”

**Mr. Prebble:** — Just going to make a very brief comment on this, Mr. Chairman. I think this gets to the heart of the debate. The Minister of Social Services says that is it acceptable for private adoption agencies to charge adoption fees; it is acceptable for adoptive parents and birth parents to have to pay legal fees.

We say, Mr. Minister, that that fundamentally changes the rules with respect to adoption in this province, that adoption will no longer simply be a matter of ensuring that people do not become adoptive parents unless they can provide a good home for children.

We say, Mr. Minister, that the new rule is going to be that adoptive parents, in addition to being able to provide a good home, will have to be able to afford the adoption agency fees, and they will have to be able to afford the legal fees.

And we say, Mr. Minister, that that is entirely unacceptable; that the sole criterion for adoption in this province should be whether or not the adoptive parent can provide a good home for the child. And we say, shame on you, Mr. Minister, that you would change such a fundamental value in our society.

I move this amendment, Mr. Chairman.

**Some Hon. Members:** Hear, hear!

**Mr. Chairman:** — Order, order.

Amendment negated on division.

Clause 37 agreed to.

Clauses 38 to 44 inclusive agreed to.

Clause 45 agreed to on division.



The committee agreed to report the Bill.

## **Bill No. 90 — An Act to amend The Legal Aid Act**

### **Clause 1**

**Mr. Prebble:** — Thank you very much, Mr. Chairman. Mr. Minister, I want to get right to the point here with respect to questions on this Bill.

Mr. Minister, as you well know, last year your department and the federal Department of Justice commissioned a joint evaluation of the legal aid system in this province. That documented, Mr. Minister, that 49 per cent of defendants and litigants surveyed in the court system were going unrepresented. The levying of a legal aid user fee will simply increase the number of people in this province, Mr. Minister, who will appear before the courts unrepresented.

Mr. Minister, I wonder if you can explain how you can justify a user fee to legal aid clients whose income is less than 70 per cent of the poverty line. I want to remind you, Mr. Minister, that already the persons who are eligible for legal aid in this province fall far below the poverty line. For instance, just as an example, the Statistics Canada poverty line for a family of four, two parents and two children, is \$22,842 a year. That family is ineligible for legal aid if the income is in excess of \$14,300 a year, Mr. Minister.

And my question to you is, therefore, since it's obvious that you will be charging a user fee to this family in the 11, 12, 13, \$14,000 range of income, well, well below the poverty line at 60 to 70 percent of the poverty line, how can you justify the charging of a user fee, Mr. Minister, to this family? Can you explain that to me?

**Hon. Mr. Schmidt:** — Mr. Chairman, some taxpayers can't afford legal aid and therefore they get it free, paid for by the other taxpayers of Saskatchewan and Canada. Some taxpayers have to struggle to pay their legal fees because they are in the middle income and lower middle income brackets and have to pay their own legal fees.

Under this proposal there are taxpayers who fall in between those categories who will have most of their legal fees paid for by the other taxpayers of Canada and Saskatchewan and will contribute a portion depending on their income towards their own legal fees.

With respect to legal aid, 70 per cent of legal aid in Saskatchewan is criminal. It's not quite the same as medicare where you have no choice or determination of whether you will be ill or not. With respect to criminal matters, we're sympathetic with people who have to go to court and defend themselves, but certainly there is some degree of choice here and whether people would repeat or continuously need legal aid. This matter is not the same as some of the other universal programs that we have come to expect in this country.

So we are having in this Bill a compromise between the state paying of everything out of the taxpayers' pockets and the taxpayers paying some of their costs.

**Mr. Prebble:** — Well, Mr. Minister, the point here is, though, that legal services are not available at all to persons who, in general terms, are 70 per cent . . . are at an income level of 70 per cent of the poverty line or more. So we're talking about levying a user fee on those whose income is, roughly speaking, less than 70 per cent of the poverty line. And that to us, Mr. Minister, is very unacceptable.

I want to ask you another question with respect to the levying of a user fee on clients whose income is far below the poverty line, because basically, Mr. Minister, we believe that you are denying people's democratic rights to access the courts. And I want to ask you, Mr. Minister, if you will acknowledge that you may also be in violation of section 10 of the Canadian Charter of Rights and Freedoms. I want to ask, sir, if you have assessed whether or not that's the case, and whether you have reviewed the judgement of the Saskatchewan Court of Appeal, and specifically the warning on page 4 of that judgement that your user fee could be in violation of a low income client's right to counsel, Mr. Minister.

I want to just remind you what section 10 of the charter says, and I quote:

Everyone has the right on arrest or detention to be informed promptly of the reasons therefor; to retain and instruct counsel without delay and to be informed of that right; and to have the validity of the detention determined by way of *habeas corpus* and to be released if the detention is not lawful.

We argue, Mr. Minister, that you may well be in violation of this section of the charter with this provision for user fees, and, Mr. Minister, I think that the Saskatchewan Court of Appeal has given you fair warning. And you're obviously choosing to ignore their judgement, and specifically page 4 of their judgement, when they ruled on the case between the Legal Aid Commission and Elizabeth Fry Society earlier last year.

**Hon. Mr. Schmidt:** — Mr. Chairman, the Department of Justice advises us that this law is within the Canadian Charter of Rights and Freedoms. While the courts have responsibility for enforcing the charter, the Canadian constitution and the Charter of Rights and Freedoms did not go so far as to take away from the legislature the power to determine what levels of income required assistance to obtain legal aid.

Therefore, fortunately the elected people of Canada, the people through their representatives, still retain the rights to govern, and the charter is not a factor in this particular Act.

**Mr. Prebble:** — Well, Mr. Minister, we'll have to wait and see with respect to that. We would question your judgement in that regard, and we strongly oppose the notion of a user fee levied at low income people who will, I believe, be denied access to the courts by virtue of this Bill.

Mr. Minister, another question, and this is with respect to your 1988 evaluation document again, which showed

clearly that the costs of delivery legal aid will increase with increasing private bar referrals. At present, Mr. Minister, Saskatchewan legal aid costs are the second lowest of all provinces west of Atlantic Canada. And my question to you, sir, is: why institute privatization of legal aid when you know that such privatization will increase costs to the taxpayers of funding the legal aid program in the province?

**Hon. Mr. Schmidt:** — Mr. Chairman, we're not ideologically bound here. We believe that some degree of choice and competition should be available to the client and also there should be competition in the system. However, if private lawyers cost us more money, we won't deal with private lawyers. If they cost us less money, we will deal with them. If the costs are about the same and the client makes their own choice, then it's not our decision.

**Mr. Prebble:** — Well, Mr. Chairman, I want to ask another question with respect to the whole matter of privatization. We question the minister's judgement in regard to this by the way, Mr. Chairman. His own evaluation report, and I refer specifically to exhibit 401, summary of referral cost calculations, shows that after a detailed examination by the federal Department of Justice and the provincial Department of Social Services, it was found that in fact privatization of legal aid cost taxpayers more money. And that is very clearly documented in that exhibit, Mr. Minister.

(1615)

But I think that another thing that the 1988 evaluation demonstrated, Mr. Minister, is that legal aid clients are being very well served by the current legal aid system. The evaluation documents that in the course of 12-month period there were only 33 complaints out of 17,000 full service applications for legal aid assistance. Three-quarters of the clients surveyed by the evaluation were either satisfied or very satisfied with legal aid services.

So I guess, Mr. Minister, my question to you is, if the current legal aid system is working well, why privatize it? Why not instead address the need for increased staffing levels in local legal aid offices? Such a move would ease the heavy case-load burden that most of your legal aid staff face, Mr. Minister. That is well established by the evaluation, and it seems to me that that should be your priority rather than spending additional moneys on privatization when the current system is working perfectly well.

**Hon. Mr. Schmidt:** — Mr. Chairman, I have to take exception. There was not a joint evaluation undertaken by the federal government and Social Services. The federal government did an evaluation with respect to legal aid. It's a review they do from time to time. They contract this out. We had one person to represent us on the board, or on the evaluation. It was chaired by Dan Ish, the dean of the university law school. I cannot accept that he has not had a bias towards socialism, and I cannot accept that he would be any more independent than Roger Carter who initially wrote the report on legal aid. These individuals are of upstanding character, are

academically sound in their field. But I would say that you have to go long and hard to find anyone in Saskatchewan who is politically neutral. And I cannot accept that those two individuals were ever politically neutral, and therefore, I cannot accept this recommendation as being what is best for the people of Saskatchewan.

We were elected to govern and make decisions. We have no control over the federal government and the degree of independence that they might seek and the people that they put on these matters, and so I cannot accept the evaluation in its entirety, and therefore, I consider the matter closed. We are elected to govern; we will govern in a fair and reasonable manner, and the fact is that Saskatchewan is so polarized politically that it's rather difficult to find anybody independent to do any kind of a joint evaluation.

**Mr. Prebble:** — Well, Mr. Minister, you know full well that this evaluation was undertaken in great detail, and both your department and the federal Department of Justice, as you acknowledged, had significant input into it.

And I ask you to go back to the exhibit 4.1, the summary of referral cost calculations. And as I said, Mr. Minister, this exhibit summarizes the extra costs that come with higher levels of privatization in the legal aid system. It shows, for instance, that if 10 per cent of full service cases were referred to the private bar, then the costs of delivering legal aid services would go up approximately 2 per cent. It shows that if all full service cases were referred to the private bar with only duty counsel and summary advice being prepared by legal aid staff, that the costs would increase between 64 per cent and 93 per cent. That would be the additional cost to the taxpayer.

But, Mr. Minister, given your current budget for legal aid, which is in the range of about six and a half million and given the fact that you're going to be raising about \$140,000 from your user fee every year, I wonder if you would acknowledge, sir, that even a 2 per cent increase in legal aid costs — let's just assume that we see privatization to the extent of 10 per cent — using the forecasts of exhibit 4.1, Mr. Minister, it's clear that the costs of delivering legal aid services in the province would go up in the range of 130 to \$140,000 a year. Now that happens to be, Mr. Minister, about the same amount that you're expecting to raise from user fees.

And I ask you, sir, do you not find it a little ironic that at the same time that you claim that you need to raise the \$140,000 from poor people for user fees for legal aid services, that your proposal simultaneously in this Bill to increase privatization of legal aid services will result in extra cost to the taxpayer of at least \$140,000 a year? Don't you find that ironic; or do you deny the forecasts in exhibit 4.1 in your own evaluation?

**Hon. Mr. Schmidt:** — Well the member opposite isn't listening. This isn't my own evaluation, and I don't accept the evaluation as being what's appropriate in legal aid in Saskatchewan. But also, I've already indicated I don't intend to spend the taxpayers' money needlessly, and if private lawyers cost too much money, then we won't be spending the extra money, I can assure you that.

It's interesting, the member opposite sits in the chair of the Leader of the Opposition — maybe he has aspirations — and when he sits in that chair, he should at least follow the party line.

The member of the opposition has stood in that seat and said they believe in a mixed economy. The Canadian Bar Association has recommended a mixed model of clinics and private lawyers. They said that we should have this system even if it costs a little more. We could consider a little, but certainly not any large sum. But certainly we have to allow the choice to the client. You have to be prepared to allow a little bit of competition.

The member opposite proposes a socialist system, but his leader proposes a mixed system. Well if he's going to sit in the leader's chair, he should at least follow the party line.

**Mr. Prebble:** — Well, Mr. Minister, I don't find that to be particularly profound, Mr. Minister. I want to raise a question with you, Mr. Minister, with respect to a January 5 press release that I'm sure you're very familiar with. It appeared in the *Star-Phoenix*, and in it your chairman of the Legal Aid Commission said, and I quote:

There is no increase planned in contracting out legal aid services in North Battleford or other centres.

This was in response to a claim that I made in January, Mr. Minister, that you were getting ready to privatize . . . have increased privatization of the legal aid system, and that you were going to implement a pilot project in The Battlefords at the legal aid clinic there to test this out.

Despite the fact that your chairman of the Legal Aid Commission denied that you were going to increase contracting out, in reality you did proceed with this privatization experiment in North Battleford, in effect misrepresenting . . . you misrepresented . . . Mr. Minister, your chairman misrepresented, in the *Star-Phoenix*, the plan of your government. On February 15 you started a pilot project respecting the increased use of the private bar in The Battlefords. And I have here the outline of that pilot project and among the written reasons for the project, Mr. Minister, is the following, and I quote:

. . . to determine the feasibility of making a major change to the private bar tariff.

And I'm citing here now from the Saskatchewan legal aid document that outlines the reasons for this pilot project. Now, Mr. Minister, my question to you is, is it your intention as part of this privatization of some legal aid services to increase the tariff that legal aid pays to the private bar?

**Hon. Mr. Schmidt:** — Mr. Chairman, we did commence with the pilot project in North Battleford. I might say that it showed us that the commission is delivering services generally acceptable to the clientele; the clientele stuck with the commission lawyers, for the most part. The uptake was not as great as we thought it might have been. That indicates the value of competition as showing you a clear evaluation of how well people are doing, and I

commend the Battleford office for being able to keep their clientele and keep their clientele satisfied. But however, in the future, if they don't keep up those good standards, the clientele will have a choice.

We intend to extend that kind of a pilot project throughout the province gradually, and this will require the legal aid lawyers to maintain high standards or lose their clientele. This is nothing that other lawyers don't have to do all of the time, and I don't think the lawyers at legal aid really object to providing standards of legal aid that will keep their clients with them.

**Mr. Prebble:** — Well, Mr. Minister, I would appreciate your clarification again on whether or not you are preparing to increase the tariff that legal aid pays to the private bar. And when you're answering that, Mr. Minister, I wonder if you could also indicate to me whether you are intending to permit extra billing by the private bar — a move that obviously we would consider to be highly inappropriate. Could you answer those two questions for me, please, Mr. Minister.

**Hon. Mr. Schmidt:** — Mr. Chairman, the private bar tariff was last reviewed in 1986. We would like to raise it, but due to the finances of the government as a whole, the majority of our new expenditures have gone to Health, Education, Social Services, and we can't really put legal aid to the private bar on a priority list with Health and Education and other Social Services matters. So we probably won't have the money to raise it in the near future.

**Mr. Prebble:** — Mr. Chairman, again the minister has not answered a significant part of the question, and that is, Mr. Minister, are you intending to permit extra billing by the private bar with respect to legal aid services? Could you give us your commitment today here in the Assembly that you will not permit that?

**Hon. Mr. Schmidt:** — Well as long as we have a contribution policy, there may at some time be some merits in having the contribution made directly to the private bar lawyer. There is also some consideration to what the members opposite would call extra billing.

At present we have decided that we have no way of implementing that system fairly at the present time. And in consultations with the bar association, we had agreed that we would not allow extra billing at this time. But Mr. Deputy Chairman, never is a long time, so I can't say that we will never do this.

**Mr. Prebble:** — Mr. Chairman, a question to the minister with respect to the North Battleford project. I wonder, Mr. Minister, if you will acknowledge that in reality this privatization pilot project was a failure; that there was no enthusiasm exhibited whatsoever by legal aid clients to use the private bar; that in fact they had to be encouraged to do so by the legal aid office in The Battlefords at the instructions of the Legal Aid Commission, and that in effect, Mr. Minister, that the project was a disappointment; that even the private bar itself was not particularly enthusiastic about it.

And, Mr. Minister, if this pilot project was in fact a failure,

which I consider it to have been, why are you continuing to insist that privatization of legal aid services is essential in this province?

**Hon. Mr. Schmidt:** — Well, Mr. Chairman, we don't insist that there be privatization of legal aid. If we were dogmatic about this, we would probably do the most efficient thing and contract out legal aid by areas on a tender basis. At present I've decided that that is not the route to go now, and so we are prepared to continue with the existing system.

I cannot acknowledge that the pilot project was a failure. It would have only been a failure if we would have had a preconception based on ideology that there must be privatization of legal aid. This is something I did not have. I might point out, Mr. Deputy Chairman, I gave up on ideology when I quit that party, because I could see how harmful blind ideology would be to the people.

We're prepared to do whatever is practical. In this case we have given the clientele a choice. We have satisfied the criticism that they did not have a choice of lawyers. They now have a choice. If they do not wish to take that choice, it is of no concern of mine. I have given them that choice and I'm prepared to do it right across the province, and if they're satisfied with the services provided by legal aid lawyers, then I congratulate legal aid lawyers.

And I really . . . there can be no success or failure in this pilot project. It is what the people want. And they will get what they want, and they can vote with their feet.

**Mr. Prebble:** — Well, Mr. Minister, you say that you have no ideological commitment to privatization, but if you just wanted to do a little more contracting out, sir, if that was your only agenda here, then you wouldn't need to amend the legislation that's before us now. It wouldn't require an amendment.

Clearly, Mr. Minister, you're planning to do more than just a little privatization, more than just a little contracting out, otherwise you wouldn't need this Bill, Bill 90.

(1630)

Now, Mr. Minister, my next question to you deals with the matter of staffing in legal aid offices and the security of the jobs of legal aid staff in those offices. Before you provided funding for the privatization experiment in The Battlefords legal aid office, I believe that a staff person was laid off in that office in December of 1988. And then of course you came forward with funding for your privatization project.

And one of my fears, Mr. Minister, is that privatization of legal aid will result in lay-offs of staff in legal aid offices around the province. Legal aid staff are already badly overworked, as documented by your 1988 evaluation. The average staff person in a legal aid office is carrying more than 300 cases a year, Mr. Minister, and staff lay-offs would obviously be very detrimental to the work of legal aid and very unfair to the staff.

So my question to you, sir, is this: can you guarantee that there will be no lay-offs of legal aid staff anywhere in the

province as a result of your privatization as authorized by this Bill?

Mr. Chairman, the minister is sitting in his seat and not answering the question. Perhaps he didn't hear it. I'll repeat it: Mr. Minister, are you prepared to give this Assembly your commitment, your personal guarantee as Minister of Social Services on behalf of the provincial cabinet, that as a result of the privatization provisions that are outlined in Bill 90, there will be no lay-offs of legal aid staff anywhere in the province? Can you give us your personal assurance that that will be the case, Mr. Minister?

**Hon. Mr. Schmidt:** — Mr. Chairman, we don't anticipate any lay-offs in the legal aid system. But I would at no time ever box in a government so that it could not manage the government, and therefore I will give no such assurance. I will say to the employees of legal aid, we have no intention of laying anyone off at present, but I can't really predict what the future will be like a year from now or five years from now. And you have to have the flexibility to manage in government.

I say to the member opposite, that's what's wrong with a government owning everything, owning every Crown corporation, owning everybody's business, because they then stand up as a government and say, we'll never lay anybody off; we'll never adjust to the real world.

They have a somewhat socialist government in Sweden, and they used to praise that government over there on that side, but what they haven't taken note of is that in Sweden, there's a difference. The Social Democratic government of Sweden allows industries that are doomed to failure to fail and puts the taxpayers' money into new industries that will be successful. The members opposite believe that you should never have that flexibility. You should keep pouring money into existing industries for ever.

**Mr. Prebble:** — Well, Mr. Chairman, I found that to be very concerning. I want members of the Assembly and the public to note the minister's words: we're not planning any lay-offs at the present time.

I don't know how many times I've heard that with respect to various privatizations, and then a few months later, what do we see, Mr. Chairman? We see lay-offs. And I insist, Mr. Chairman, that the minister give us his personal commitment that over the course of the next 18 months, as a result of this Bill, for the remaining time roughly, Mr. Chairman, that this government will be in office until we could expect an election, the next year to 18 months, that there will be no lay-offs of legal aid staff anywhere in this province by virtue of the privatization proposed by Bill 90.

**Hon. Mr. Schmidt:** — Well, Mr. Chairman, for six months now the members of the opposition have been grandstanding in front of the TV cameras. Let me just once indulge in anybody who's watching on television today to pay close attention to what the member is saying. He's basically saying that the government should keep their hands in your pockets regardless of whether they need the money or not.

Let us look at a situation. If the crime rate went down, should we pay people at legal aid to twiddle their thumbs, Mr. Chairman? I mean, he wants a guarantee that we will always need the same number of people there regardless of how much crime there is. If the crime rates goes down, you would require fewer lawyers and fewer paralegals and fewer secretaries.

We will try to reduce the crime rate. The way society is going now, I'm not optimistic that we can reduce it in the next year and a half, but we will certainly try. And if we do reduce it and the demand for services isn't there, the inevitable is that you would have to lay off some staff. That is the answer that everyone with any common sense can understand.

**Mr. Prebble:** — Well, Mr. Minister, I think you're clearly on the record, and your statements are very unfortunate indeed, because you know that there is not going to be, unfortunately, any decrease in the crime rate in Saskatchewan in the year, certainly not under your government. And, Mr. Minister, you know that it's hardly likely that legal aid staff with case loads of over 3,000 per staff person are going to twiddling their thumbs in their office, Mr. Minister. Your comments are absurd, to say the least.

Mr. Minister, my fear is that with the privatization of legal aid services and with the reintroduction of user fees for legal aid services, we're going to witness a further erosion of legal aid in the province of Saskatchewan. We've seen a steady erosion of legal aid services in Saskatchewan ever since the election of your government, Mr. Minister. We saw initially after you were elected, the elimination of most civil law services with the exception of family law services in the province. We've seen more recently, Mr. Minister, a cut-back of more than \$400,000 in funding to the Legal Aid Commission some two years ago.

Mr. Minister, my final questions relate to when you are going to address some of the real issues that are facing legal aid in the province of Saskatchewan. And, Mr. Minister, the first question I want to ask you is whether or not you will act on the recommendation of the 1988 evaluation study to reinstate civil law services within legal aid. And I'm specifically referring here, Mr. Minister, to matrimonial property services, administrative tribunals, wills and estates, landlord/tenant disputes, and poverty law advocacy. Those were all services, Mr. Minister, that were provided under legal aid under the New Democratic Party. Your government cancelled them, Mr. Minister.

Your 1988 evaluation recommends that those services be reinstated. Will you reinstate those services and for once deal with one of the real issues that deserves to be addressed in the legal aid system?

**Hon. Mr. Schmidt:** — Well, Mr. Chairman, the member opposite laments that legal aid lawyers may have 300 cases per year. When I practised law, I considered it a poor year if I didn't have 350 cases, and I don't know of any private practice lawyers who get every second Friday off either, Mr. Chairman.

So certainly we should not start lamenting the work-load at legal aid here as compared to the work-load of lawyers in private practice. The people at legal aid are doing an adequate job, are adequately compensated, and we expect there will be no major changes at legal aid in the near future.

With respect to adding other so-called free services that legal aid could provide, I ask the member opposite why should anyone with an estate be entitled to legal aid? It seems to me that there is money there; they should pay their fees like everyone else. People with no estates, that I could see. But why should we do wills and estates?

As a matter of fact, it is not unlawful, and it's perfectly legal for people to sit down, in their own handwriting and write out their own will — cost nothing. If you want to know how to do it, you could maybe make a phone call, or go down to the book store and you can get a book that says how you do it. But it's all you have to do is write it out in plain English. I don't recommend it as the best course of action, but it certainly costs nothing. And so the member opposite clearly doesn't understand the true legal system out there and what's really happening.

We cannot pay out of the taxpayers' pocket for fee-generating services nor will we pay for fee-generating services. Some of the services he refers to are duplicate services provided by the workers' advocate and other government agencies, and we are not going to provide duplicate services. So I say to the member opposite, it he truly understood the legal system out there, he would feel a lot better about how legal aid is functioning.

**Mr. Prebble:** — Well, Mr. Chairman, I just want to clarify for the benefit of the minister that we're not proposing that fee-generating services be provided, but clearly most of the services that I outlined, Mr. Minister, are not fee-generating and you know that full well. And you also know, Mr. Minister, that the evaluation that your department and the federal Department of Justice commissioned made these recommendations, and clearly, Mr. Minister, the evaluation team felt that these services were required despite the comments that you've just made, and that we're talking here about duplication with the workers' advocate or anybody, and you know that full well.

The final point, Mr. Chairman, that I want to make relates to the need to take two additional steps to improve the legal aid system in this province, and first of all, Mr. Minister, we believe that there is a need to increase the income cut-off point for eligibility for legal aid services, increase it to the Statistics Canada poverty line, Mr. Chairman. Mr. Minister, there is simply no reason why legal aid services should not be offered to any person in this province whose income falls below the poverty line, and yet, Mr. Chairman, what the Minister of Social Services does is he has frozen now the family income cut-off line for the last five years, as he knows full well. And because the legal aid cut-off conforms to the family income cut-off, the legal aid cut-off is falling further and further below the poverty line in this province, as defined by Statistics Canada.

So I want to ask the minister in conclusion, first of all

whether he is prepared to increase that income cut-off line for legal aid services to the Statistics Canada poverty line?

And second, Mr. Chairman, I want to ask the minister if he will reinstate the level of legal aid funding required to reduce the case-load of legal aid staff to a more reasonable level again, as recommended once again by his own 1988 evaluation study.

**Hon. Mr. Schmidt:** — Mr. Chairman, not at this time.

**Mr. Prebble:** — Mr. Chairman, I heard the minister say, not at this time. Is that correct, Mr. Minister? He's indicating that's correct. And I think, Mr. Chairman, that that is very unfortunate.

I want to say in conclusion, Mr. Chairman, that we on this side of the House are strongly opposed to the levying of a user fee for legal aid services. We believe, Mr. Chairman, that such a fee runs counter to the basic rights of all citizens in this province, including those who are low income, to be able to access the courts and to be able to do that as a matter of democracy right in this province and in this country, Mr. Chairman.

And we have the unfortunate situation now where 49 per cent of people in Saskatchewan are going before the courts unrepresented. The levying of this user fee will simply increase those numbers, Mr. Chairman.

We also stand in opposition to the, what we believe is the minister's agenda for significant privatization of legal aid services in this province. I think it's unfortunate that the minister has not seen fit to adopt any of the positive recommendations in the 1988 evaluation study commissioned by his department.

We stand in opposition to this Bill, Mr. Chairman. Thank you very much.

Clause 1 agreed to.

Clauses 2 to 12 inclusive agreed to.

Clause 13 agreed to on division.

The committee agreed to report the Bill.

(1645)

**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**

**Clause 1**

**Mr. Prebble:** — Thank you very much, Mr. Chairman. Mr. Minister, as I'm sure all members of the Assembly are aware, we are firmly opposed to the introduction of commercial child care in the province of Saskatchewan. We simply believe, Mr. Chairman, that this will not be in the best interest of children. And I want to begin, Mr. Minister, by referring you to what the experience has been in other Canadian provinces with respect to commercial child care.

I think we've seen a situation, Mr. Minister, where for instance in Ontario, we have witnessed private commercial day-care centres becoming a lobby on the Ontario government, lobbying the Ontario government vigorously for weaker standards and weaker regulations in day-care centres in that province. We have seen, Mr. Chairman, a situation in the province of Manitoba where there have been day-care scandals literally.

And I simply refer the Minister of Social Services to last month's *Winnipeg Free Press*, and the scandal associated with a commercial day-care centre in downtown Winnipeg. I'm referring here to a Winnipeg day-care, Mr. Minister, known as the Raggedy-Ann day care, and you will be aware, Mr. Minister — at least I would hope your officials are well aware — of the fact that at that day-care centre, at that commercial day care, there have been significant allegations made by staff working there that the children have not been fed adequately, that the staff have not been properly trained, that lunch in some cases for children simply amounted to a bowl of soup and a little bit of bread. In one case, Mr. Minister, and I'm just quoting here from one of the workers:

What sticks vividly in my mind about the McPhillips location (speaking of Raggedy-Ann day care) is one day when all we had to feed close to 40 children was a box of mashed potatoes, one pound of hamburger, and two cans of vegetables.

I'm quoting here, Mr. Minister, from the July 18, 1989 *Winnipeg Free Press*. Now I'm not suggesting that every commercial day-care has such a record, Mr. Minister, but I am also suggesting, Mr. Chairman, I am also suggesting that we've never had such a day-care scandal in the province of Saskatchewan, and that is because we haven't allowed commercial day care into this province.

My question to you, sir, is: look at the Manitoba record with respect to scandals like this and then tell me whether commercial day care is in the best interests of Saskatchewan children.

**Hon. Mr. Schmidt:** — Mr. Chairman, Saskatchewan has two commercial child cares in operation. They have been in operation for nearly 20 years. They operated when the NDP were government. The NDP wouldn't allow any further child cares that were commercial when they got elected in 1971. The two commercial child cares that have operated for nearly 20 years, or at least 20 years, have done an adequate job and members opposite could have shut them down if they thought they were poorly operated. We find that they give adequate care.

So the member's argument is a little shallow considering the past record of his former government in keeping the two commercial child cares in operation, and denying that they can't function properly.

**Mr. Prebble:** — Mr. Chairman, we're not saying, Mr. Minister, that it's not possible for some commercial day-care centres in this province to adhere to the regulations and operate properly. We are saying that in general terms, as a matter of policy, it's not in the best

interests of children to place them in commercial day-care centres simply, Mr. Minister, because there is a built-in incentive for the motive of profit to come before the motive of caring for the children.

Because the purposes of these commercial centres, unlike the non-profit centres, is in the end, Mr. Minister, to make a profit. And I'm not saying, Mr. Minister, that profit in all situations is inappropriate, but I'm saying that when it comes to the care of children, profit should not be the primary motive. You're introducing legislation which in fact guarantees that profit will be the primary motive in many of these commercial chains, some of which, Mr. Chairman, will be from out of province and will not have the best interests of Saskatchewan children as their first priority, Mr. Chairman.

Mr. Minister, I want to refer you to the Alberta situation for a moment. And I'm sure you will be aware, or I hope at least your staff are aware of a study done a few years ago by Christopher Badgely, the chair of child welfare at the faculty of Social Work at the University of Calgary entitled, "Day Care in Alberta: A Review with National Implications." And, Mr. Chairman, I just want to cite from one small portion of this study. It says the following with respect to Alberta privately run day care:

Staff training is inadequate and standards relating to maximum group sizes and quality of care of virtually unenforced. Inspection by licensing officers is negligible. No effort is made to have private operators account for the millions of dollars they receive in subsidies. Not surprisingly, a study commissioned for the sharing our future conference, recommended that for-profit day care centres be prohibited.

Mr. Minister, this is the chair of child welfare at the Faculty of Social Welfare at the University of Calgary writing this study of commercial day care in the province of Alberta showing clearly that staff training in those commercial centres was inadequate, that quality of care was virtually unenforced by the Alberta government.

You know full well, Mr. Minister, that you have cut back on your staff in the day-care branch in this province that enforce standards and regulations with respect to day care in Saskatchewan. When I talk to people in day-care centres, they tell me that they hardly ever see the staff from your department any more. Already there is virtually no regulation or enforcement in many parts of the province.

Mr. Minister, what we're setting ourselves up for here is basically a duplication of the experience in Alberta. And, Mr. Minister, I think that that is very unfortunate. I want to ask you: have you reviewed this study by Christopher Badgely, and on what basis, sir, do you refute the conclusions that he came to as they pertain to the Alberta experience?

**Hon. Mr. Schmidt:** — Mr. Chairman, child care branch has had approximately 19 persons added to its staff since 1982, which there are 93 child care centres in Saskatchewan. Seems to me that it would not be difficult for them to monitor them quarterly, and that's their

intention. The member opposite clearly is indulging in partisan politics here and is not facing the reality that child care is adequately monitored with the additional staff.

**Ms. Smart:** — Thank you. Mr. Minister, when child care monitors are not seen in the child care centres, you're not doing your job in terms of regulating these child care centres that you have now. And with the development of profit child care, one of the things the Badgely commission said in Alberta was that profit child care should be prohibited.

Now you have a responsibility for the care of the children in this province that need child care, and you seem to be ignoring all the studies and all the research that's been done and all the many voices of people who are concerned about child care who have told you over and over again and have made many presentations here in the province that for-profit child care is not acceptable.

Commercial child care has been proven over and over again not to offer the quality of care that the children of Saskatchewan need. There have been many, many instances of commercial child care centres abusing children. And you're moving backwards in time, Mr. Minister, to a time when child care would be for profit. We have not had that in the province, and that has been a progressive move, not a blocking of child care.

But you have let the financial support for the non-profit child care centres slip steadily every year during your administration, and so you're created a situation where there's a chronic shortage of licensed, non-profit child care centres. And you have made many spaces that do exist financially inaccessible to low and middle income families by refusing to subsidize them properly, and so many families are feeling under the pressure to enrol their children in commercial child care centres.

So you've done two things: you're supporting commercial child care centres, and you've made the situation so bad in Saskatchewan that people are desperate, and they're prepared to accept commercial child care centres even though those centres have been shown by research not to offer the quality care that children need. And if the member from Weyburn would stop chirping from his seat — he obviously doesn't care a bit about children, or he would be standing up to oppose this legislation.

Mr. Minister, we want you to begin by explaining to us why the 235 maximum monthly subsidy per child has not gone up one penny since 1982, while non-profit child care centre fees during that time have risen in the range of 120 a month to the point where the average fee is about \$360 a month, and the income levels at which people are eligible for day-care subsidy has remained frozen for seven years. So you have not supported the non-profit child care. Why? Why not?

**Hon. Mr. Schmidt:** — Well, Mr. Chairman, the member opposite has forgotten that in 1986 there was a \$20 per month per child operating grant brought in that did not exist prior to 1982, and she has conveniently forgotten that \$20 increase towards the cost of child care which can

be translated into a slower increase in fees in the child care branch.

So the member opposite is philosophical, believes that there should be only state-owned and -operated child cares. There were two commercial child care centres in Saskatchewan that were allowed under the Liberal government of Ross Thatcher, and they continue to operate today. Parents still take their children there, are satisfied with the services they are receiving. If the parents were not satisfied, those commercial centres would have gone out of business many years ago.

So the member opposite really is concerned that the vested interests in child care do not wish to have any competition. I believe that choice for parents, which translates into price and services competition, providing better than the regulations require, more services than the minimum, is an option that parents should have. Therefore we'd like to have more spaces, more choice, and we will regulate minimum standards. But those child cares that provide the best care will receive the children.

**Mr. Prebble:** — Thank you very much, Mr. Chairman. You've certainly not dealt with the question posed by my colleague from Saskatoon Centre. Mr. Minister, what we're asking you to do is to drop your plans for commercial day-care chains in this province and go with the proven model that we know works in the best interests of children in this province, which is non-profit centres and family day-care homes.

Those are the two models that we would like to see you stick with, Mr. Minister. And what you should be doing is doing everything you can to ensure that those vehicles for delivering child care in this province are made as accessible as possible to people in the province of Saskatchewan. And what you have been doing, as my colleague indicated, is seeking to make non-profit centres and family day-care homes inaccessible to low and middle income earners in this province by freezing your subsidies for seven and a half years.

(1700)

Mr. Minister, by keeping the maximum subsidy at \$235 a month, just like it was in 1981, and in effect, Mr. Minister, by ensuring that middle income families have no access to the subsidy at all, and what we want you to do instead, Mr. Minister — and I'd like you to answer this question for me — will you make a commitment to this Assembly that you will immediately increase the day-care subsidy to at least 330 to \$340 a month, Mr. Minister, maximum?

And will you give us a commitment that you will lift the current freeze that you've placed on accessibility to the subsidy in such a way that middle income earners can once again at least get partial subsidy for their day-care services? Will you in other words make access to the family day-care homes and the non-profit centres more accessible and abandon your plan for commercial day care in this province?

**Some Hon. Members:** Hear, hear!

**Hon. Mr. Schmidt:** — Thank you, Mr. Chairman, well

we're making some progress here. I believe that the members opposite were opposed to family child care homes. I'm pleased to say that they are now in . . .

**An Hon. Member:** — Nonsense, nonsense and you know it.

**Hon. Mr. Schmidt:** — Well, I'm pleased that they now acknowledge they're in favour of family child care homes because we will have more family child care homes in Saskatchewan in the future. So at least we have some agreement on that point.

The members opposite are merely philosophically opposed to anyone running a child care that is not running it on behalf of a government or a co-operative. And in the matters of philosophy and ideology, I think we will never agree, so there's no need to go into a lengthy debate here. We will ensure that the same regulations and licensing rules apply to all people. And as I indicated earlier, there are two commercial child care centres now, they abide by the same rules, and will continue to abide by the same rules.

The committee reported progress.

### THIRD READINGS

#### Bill No. 9 — An Act respecting Adoption

**Hon. Mr. Hodgins:** — Mr. Speaker, I move that this Bill be now read a third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

#### Bill No. 90 — An Act to amend The Legal Aid Act

**Hon. Mr. Hodgins:** — Mr. Speaker, I move this Bill be now read a third time and passed under its title.

Motion agreed to, the Bill read a third time and passed under its title.

The Assembly recessed until 7 p.m.