

The Assembly met at 2 p.m.

Prayers

ROUTINE PROCEEDINGS

INTRODUCTION OF GUESTS

Ms. Simard: — Thank you, Mr. Speaker. I would like to take this opportunity, Mr. Speaker, to introduce to you, and through you and to the other members of the Legislative Assembly through you, some 23 students from Davin School who are sitting in your gallery, Mr. Speaker, grade two students. They are accompanied by J. Finlay, the teacher, and Grace Penny and Mrs. Kulynych as chaperons. I will be meeting with the students after for drinks and pictures, and I would like to ask you to join me in welcoming them to the legislature.

Hon. Members: — Hear, hear!

Hon. Mr. Meiklejohn: — Thank you, Mr. Speaker. It gives me pleasure this afternoon to introduce to you and other members of the legislature a group of some 24 students sitting in the west gallery from Wolseley School. These students are in grades 9-12. They're accompanied today by teachers Bernie Martineau and Gary Frederickson and their bus driver Marvin Rein. I will be meeting with this group following question period, Mr. Speaker, and I would hope that the visitors today will enjoy the proceedings in the legislature, and I look forward to any questions that they may have following the session. I'd ask all members to welcome them in the traditional manner.

Hon. Members: — Hear, hear!

Mr. Koskie: — Mr. Speaker, it gives me a great deal of pleasure to introduce to you and to other members of the House some 24 grade 8 students from Lake Lenore School. They're seated in the east gallery. They're attended . . . with them is their teacher, Wade Weseen; other parents and drivers, Myles Yeager, Dan Kolbeck, Gwen Stuckel, Agnes Viczko, Eugene Schemenauer.

Mr. Speaker, I had planned to meet with the group following question period. However, I'm going to have to be in a debate and my colleague, the deputy leader of our party, will meet with the students following.

I want to welcome you here and hope that you have an enjoyable visit here to Regina.

Hon. Members: — Hear, hear!

Mr. Hopfner: — Thank you, Mr. Speaker. It's with pleasure that I can join the member from Quill Lakes in agreeing with him in the reception of our students from Lake Lenore.

I would like to indicate to the students that, and I'm sure that many of them wouldn't know me, but I had attended Lake Lenore first 16 years of my life, and I think it's one of the greatest communities in this province. And I would hope that the students are very proud of their home and their school.

And I too would like to take the opportunity to welcome them and ask all members to make it a point and take it upon themselves to stop in the community of Lake Lenore as they're travelling the province. I know that they'll be received well. Thank you.

Hon. Members: — Hear, hear!

Hon. Mr. Hodgins: — Thank you, Mr. Speaker. Mr. Speaker, I would just like to add my own words of welcome, through you and to you, to all members of the legislature, to the students from Lake Lenore. Lake Lenore borders on my constituency and names such as Schemenauer and Yeager and so on certainly are from my constituency as well. And I'd like to add my own personal words of welcome.

Hon. Members: — Hear, hear!

Hon. Mr. Martin: — Thank you, Mr. Speaker. I'd like to introduce some grade 3 students from Wilfrid Walker School, Mr. Speaker. They are in your gallery. And they are accompanied by Darlene Lazenby, who is the teacher, as well some chaperons: Terri Tramer, Mrs. Zinkhan, and Johnston Sattelmeier. And we have some parent drivers as well, Mr. Speaker.

It's my opportunity to meet with these young people in a few minutes and talk about Wascana Centre and etc., and what they see here in the next half-hour or so. So, Mr. Speaker, I'd ask all members to join with me in welcoming the students from Wilfrid Walker School.

Hon. Members: — Hear, hear!

Hon. Mr. Devine: — Thank you, Mr. Speaker. I just got a note here that I have grades 4 and 5 from Macoun School from Macoun, Saskatchewan. There are 15 of them in the west gallery. They are accompanied by their teacher, Merv Young; the bus driver, Ray Leise.

And I'm going to be meeting with the students later and we'll be having pictures. I would like all members to please welcome the students in grade 4 and 5 from Macoun, Saskatchewan.

Hon. Members: — Hear, hear!

Mr. Lingenfelter: — Thank you, Mr. Speaker. It's my pleasure to introduce to you a new candidate for the New Democratic Party in the next provincial election, the candidate from the Rosthern constituency, Kim Dmytryshyn.

Kim is seated in your gallery, Mr. Speaker. Along with her is her husband, Zane, and the three children. I want all members to welcome them here today and I'm sure that they will enjoy the proceedings here this afternoon.

Hon. Members: — Hear, hear!

ORAL QUESTIONS

Direct Mail-out on Health Care

Ms. Simard: — Thank you, Mr. Speaker. My question is to the Minister of Health. Mr. Minister, a while back I asked you about a massive mail-out conducted for your department by Nancy McLean's Corporate Strategy Group and David Tkachuk's firm, Strategic Direct Marketing. I have the results of that survey and I find them quite interesting. Out of some 394 cards mailed out by your department, only about 7,000 had comments to make on the health care system. That works out to about \$43 a response, Mr. Minister. How do you justify that sort of an expenditure out of what you describe as a tight health care budget?

Some Hon. Members: — Hear, hear!

Hon. Mr. McLeod: — Mr. Speaker, the direct mail program that was conducted by Corporate Strategy Group and that the Department of Health sent out direct mail on a whole series of issues related to health and especially with specific reference to the Everyone Wins program and the emphasis within that Everyone Wins program in terms of the value of good nutrition and the accident prevention, a whole series of other areas, Mr. Speaker. By anyone's measurement the response, the level of response to that from the citizens of Saskatchewan and the continuing responses, I might add, asking for materials that go on even at this date, quite a number of months after the first mail-out was sent out, by anyone's measurement is a tremendous success.

And the people of Saskatchewan have appreciated the information that had been sent out. They appreciate the thrust of the Everyone Wins programs and of the whole area of promotion of wellness. And it will be an initiative that this Department of Health of Saskatchewan will continue because we believe that that is the direction for the future — promotion of wellness rather than a continuing emphasis only on the curing of illness.

Some Hon. Members: — Hear, hear!

Ms. Simard: — Mr. Minister, the final . . . new question, Mr. Speaker. The final report sets out the reasons why people responded to your mail-out. And one of the reasons stated is the friendly and open manner of the minister's letter, that positioned the minister as interested and caring. In other words, making it look like you really care what was said.

And then the report contained some 36 computer-generated, interchangeable paragraphs which you could slip into any letter to make it look like the letter was written for the individual. Is that what the report refers to as positioning the minister to look interested and concerned, Mr. Minister, as opposed to being a minister who is open and concerned?

Some Hon. Members: — Hear, hear!

Hon. Mr. McLeod: — The emphasis on the direction of the whole campaign as it relates to the promotion of wellness is one that I will not apologize for to the hon. member or to anyone else. The fact is . . . I mean the member can make, you know, can speak in derogatory terms, whatever, of this program. The member full well

knows that the program has been successful and it's been successful for the following reason.

It's been successful because the people of Saskatchewan believe strongly, as well, in the promotion of wellness. They believe strongly in the emphasis of the Everyone Wins program. The member can say, well it's positioning the minister to look interested. I'll let the people of Saskatchewan decide, others decide whether the Department of Health in Saskatchewan, the Minister of Health in Saskatchewan at the present time, displays an interest in the health and well-being of Saskatchewan citizens, Mr. Speaker.

This Department of Health and this minister and this government do care about the health and well-being of the citizens of Saskatchewan. And the programs throughout the Department of Health — \$1.5 billion worth of health care programs; \$170,000 an hour on health care out of the budget of the province of Saskatchewan. There's no question, Mr. Speaker, the people know this government, this minister, and the Department of Health, care for the health and well-being of Saskatchewan citizens.

Some Hon. Members: — Hear, hear!

Ms. Simard: — New question, Mr. Speaker. Mr. Minister, if you cared and your department cared and the government cared about the health and well-being of Saskatchewan people, you wouldn't have cut the northern food transportation subsidy. You wouldn't have cut back on public health nurses and community health nurses. We wouldn't see such high levels of tuberculosis in northern Saskatchewan. And you wouldn't have decimated the school-based children's dental plan, Mr. Minister.

Now it's interesting to compare your planned response to those with concerns about your dismantling of the dental plan to the realities of what people think. And your computer-based response states, Mr. Minister:

By assigning children enrolled in our children's dental program to private practice dentists, we have ensured that they have the best qualified practitioners assessing and treating them.

Now in view of the fact, Mr. Minister, that the studies do not bear out that there was a lesser quality of service in the school-based dental plan, in view of that fact, Mr. Minister, how do you justify having your Toronto-based consultant answering these concerns with rhetoric that is simply not based on fact?

Some Hon. Members: — Hear, hear!

Hon. Mr. McLeod: — Mr. Speaker, the Corporate Strategy Group — the member says Toronto-based consultant — Corporate Strategy Group is a professional organization that does the kind of direct mail activity that we entered into in the promotion of wellness, all of those things. And we entered a contract with them as do departments of Health and departments of government and the private sector corporations, and others across Canada will engage companies like this to put out the

message that you want to put out.

We determined the message; we determined the message that went into the letter. The letter . . . and I make no apologies for anything that was said there because everything that was said there was factual. The member raises examples of the school-based dental program. I just remind the House, Mr. Speaker, there are 37 communities in Saskatchewan today who have dental services — dentists there for all generations, people of all ages, in those 37 communities where there was not dental service prior to the change that took place.

Some Hon. Members: — Hear, hear!

Ms. Simard: — Mr. Minister, there were 338 school-based clinics across this province and 400 dental therapists employed.

Some Hon. Members: — Hear, hear!

Ms. Simard: — Now the minister will know that yesterday was the third anniversary of your government's dismantling of the school-based children's dental plan. And of those who responded to your mail-out with comments on the dental plan, fully 81 per cent were opposed to your government's privatization of the school-based children's dental plan. If your privatization of health care in this incidence was such a good idea, Mr. Minister, why are people so soundly rejecting it?

Hon. Mr. McLeod: — Mr. Speaker, I think it's fair to say that the only place in Saskatchewan that you will hear any sort of prolonged disagreement with the way in which dental services are delivered to the citizens and the children of Saskatchewan is from that member in this House. That's a fact.

Mr. Speaker, the member has raised this question for a good long time and has said, rural people, they have always disguised all that they've said and said rural people do not have the services, rural people don't like the change, rural people are not using services. Mr. Speaker, rural people are using the service to a greater degree than are urban; rural people are using the services, increased enrolment and increased utilization in the program by rural people; 37 communities that now have dental services that did not have dental services. The member cites 300 and whatever odd number of school-based clinics that were in existence before, but she neglects to say that many of those 338 had a visit perhaps once a year, in some of those cases once a year, by a dental therapist, once a year.

Now that, Mr. Speaker, you can't characterize, nor can the hon. member, as once-a-year service being service to the whole community, grandma, grandpa, the parents and the children of the family.

Some Hon. Members: — Hear, hear!

Ms. Simard: — Mr. Minister, your own response to your mail-out shows 81 per cent of those who responded were opposed to your changes. You can't ignore that, Mr. Minister.

Now, Mr. Minister, there are approximately 3,600 more children from 5 to 13 who could be covered under your plan as compared to the old plan, because there are simply more children who are eligible to be enrolled. But even at that higher number, there are approximately 3,500 less children who were treated; and of those who are eligible, 83 per cent were treated as opposed to 88 per cent under the old plan. And of those actually enrolled in the new plan, 11,000 were missed for treatment, Mr. Minister. And we don't even have all the statistics with respect to completes, but we know many of them haven't received complete treatment, or a certain percentage hasn't.

Now in view of the fact, in view of those facts, Mr. Minister, in view of the increased cost to parents in taking time off and travelling, and in view of the fact 14- to 17-year-olds are no longer included in the plan, what I want to know is how you can stand in your place and defend it.

Some Hon. Members: — Hear, hear!

Hon. Mr. McLeod: — Mr. Speaker, on several occasions the hon. member has characterized the change in the dental program as a privatization. You know, she uses that word — privatization of the dental plan. And I have said — I've given this response to the member before and I'll give it to the House again — Mr. Speaker, I would ask anyone to tell me, what is the difference?

They say that medical services, physician services in Saskatchewan are not privatized; that's what they say. They're not privatized, physician services. But what happens? A citizen of the province goes to a physician, receives a service, and the physician is paid by the Government of Saskatchewan, and that's a public medicare system. That's what they say, and I agree with that.

But a citizen of Saskatchewan goes to a dentist, in this case a child — goes to a dentist; the dentist is paid by the Government of Saskatchewan on behalf of that citizen, that client; and the members opposite say that's privatization. They say that's a privatized dental plan when they don't say medical services that are paid for in exactly the same way are not privatized. They can't have it both ways in this either, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Rafferty Dam Project

Mr. Lyons: — Thank you very much, Mr. Speaker. Mr. Speaker, my question today is to the minister responsible for the Souris Basin Development Authority. Mr. Minister, once again the Canadian Wildlife Federation has attacked your bull-headed approach in going ahead with building the Rafferty-Alameda dam regardless of the consequences.

I quote to you, Mr. Minister, the lawyer for the Canadian Wildlife Federation, Joanna Bernstein who says that the building of the dam makes "an absolute mockery" of environmental law at a time when work is supposed to be stopped. It's obvious, Mr. Minister, that the Canadian

Wildlife Federation, along with everybody else in this province, sees your political tactic of driving ahead with this project regardless of the consequences.

My question to you, Mr. Minister, is this: when are you going to stop flouting the laws of this land, doing whatever you want regardless of what the law says, in order to fit your own political agenda? When are you going to stop, Mr. Minister?

Some Hon. Members: — Hear, hear!

Hon. Mr. Martens: — I want to indicate to the Assembly and to the member opposite that this government has always operated under the auspices of all of the law in relation to the building and construction, the licences in the Rafferty dam. And I think that as we go through the process, Mr. Speaker, the items of the legality and the consequences of the law are becoming more and more evident to me that we are operating within that framework. And we have on behalf of the Government of Saskatchewan, stopped work when they asked us to; we've proceeded with work when we were given a licence to; we have always operated under the jurisdiction of the law.

Some Hon. Members: — Hear, hear!

Mr. Lyons: — A new question to the same minister, Mr. Speaker. Mr. Minister, there are very few people in the province of Saskatchewan who believe that you are not violating the spirit of the agreement that you signed, you and your government signed, with Ottawa. They see your actions for what they are, Mr. Minister, which is nothing more than a very cheap method, a very cheap method of getting around the laws of the country which shows, I would say, your contempt, your very real contempt for the environment and for the environmental process in this country.

I wonder, Mr. Minister, have you consulted with your former cabinet colleague, the member from Turtleford, whether or not he agrees that you're perfectly within the spirit of the agreement that you signed with Ottawa? Have you consulted with that member, Mr. Minister, your former cabinet colleague on whether he agrees with your assessment?

Some Hon. Members: — Hear, hear!

Hon. Mr. Martens: — Mr. Speaker, I just wanted to reaffirm what I said before: that we have operated within the framework of the law on every licence that was issued and every deflection or moving away from that licence that the federal government told us we had to do. We stopped building. We proceeded when they authorized us. And, Mr. Speaker, as a matter of law, they are paying us a million dollars a month because we are the injured party, the people of Saskatchewan are the injured party in the way that it was handled by the federal government, not by us, Mr. Speaker — the federal government.

Some Hon. Members: — Hear, hear!

Mr. Lyons: — A new question to the same minister. Mr. Minister, in today's announcement the Canadian Wildlife

Federation is asking the federal government to stop paying you that \$1 million a month. They're saying that because you have broken the agreement, that they should be cutting that funding to you. If that money is to stop, Mr. Minister, if that money is to stop, Saskatchewan stands to lose millions of dollars. I wonder, sir, if you can give this House an accounting here today of how that money that you have received has been spent, and whether or not you think you're taking that money in good conscience.

Some Hon. Members: — Hear, hear!

Hon. Mr. Martens: — Mr. Speaker, the Saskatchewan Wildlife Federation have indicated support for the project, so has the Canadian Wildlife Federation. They are involved in this debate on the basis of law and the regulations as they apply, and the process. The thing that points to the fact that they are in agreement with it is that they have stated it. The second thing is that the federal government realizes the inaccuracy of the way they proceeded and are paying us a million dollars a month, which we are keeping in trust in the Saskatchewan Water Corporation until the matter is totally resolved.

Some Hon. Members: — Hear, hear!

Mr. Lyons: — New question to the same minister, Mr. Speaker. Mr. Minister, I'm glad that you rose here today and said that you're keeping that money in trust, because if the Canadian Wildlife Federation takes you to court and you're found, in fact, to have broken the spirit of that agreement, it would certainly put the reputation of this province in jeopardy. Something that the Premier of this province has already done in the past week.

Mr. Minister, I want to ask you this question. It seems to me, Mr. Minister, that you're making the same mistake in regards to the Cargill plant at Belle Plaine that you made with Rafferty-Alameda. There have been environmental objections raised that you are aware of because it deals with groundwater; it deals with the water quality and the water quantity and its effect that the Cargill plant will have on that, Mr. Minister. I wonder whether or not you people will believe . . . do believe in any advance planning whatsoever, and are you totally blind to the consequences of your actions. And will you, if you are not, if you are not totally blind to those consequences, if you will agree to hold open public hearings on the Cargill plant in Belle Plaine so you don't end up in the same kind of mess that you ended up with Rafferty-Alameda?

Some Hon. Members: — Hear, hear!

Hon. Mr. Hodgins: — Mr. Speaker, the hon. member has now switched gears and is talking about the Saskatchewan fertilizer plant at Belle Plaine. The member may not be totally familiar with the announcements that I made last week, but I want to reiterate, Mr. Speaker, what the mechanism is that we are using to deal with the Saskatchewan Fertilizer Company plant at Belle Plaine. Mr. Speaker, departmental officials in the Department of Environment maintained, after reviewing the proposal, that this project was not a development as defined by the Act.

Mr. Speaker, I, after considerable thought and

consideration and discussion with the people of Saskatchewan, made the decision jointly with the Saskatchewan Fertilizer Company, that notwithstanding the letter of the law, we will still proceed with a formal environmental impact assessment, a formal process, Mr. Speaker, that will go a step above and beyond what is required by law. And that process will be followed to a T, Mr. Speaker.

And in direct response to the hon. members question, yes, there will be public meetings; yes, there will be a good process; and yes, that plant will operate, but only after thorough environmental reviews have been conducted once again.

Some Hon. Members: — Hear, hear!

Tabling of Financial Statements on Crown-Controlled Corporations

Mr. Van Mulligen: — Thank you, Mr. Speaker. My question, Mr. Speaker, is to the Premier and it deals with his pledge to bring about a more open and honest and responsive government in the province of Saskatchewan. Mr. Premier, today your Public Accounts Committee, in the Public Accounts Committee, your caucus members used a majority to defeat yet another motion which called for more accountability of how taxpayers' dollars are spent. The motion in question called for the legislature to receive annual reports, quarterly statements, and all other pertinent documents from firms in which the government has an equity share of less than a hundred per cent and more than 10 per cent.

Since this is information that shareholders can get by merely holding one share, why would you deny this information to the legislature and the public who, through you, own many shares?

Some Hon. Members: — Hear, hear!

Hon. Mr. Hepworth: — Mr. Speaker, I think there's been a long established convention through many administrations relative to what's made public when governments are in joint venture commercial enterprises with other private parties, Mr. Speaker. It stems from the fact that whatever political stripe the administration is, there are certain things that you can't be making available to the opposition, to the competitors. I think that's a long standing convention. Having said that however, of course corporations, private and public, are bound by their own audits and audit processes, Mr. Speaker.

Mr. Van Mulligen: — Mr. Speaker, a new question to the minister who as previous Finance minister, is barely comprehensible on the subject. Shareholders, people who own one share in these companies, get information that is denied to the Legislative Assembly of Saskatchewan.

We're talking about corporations in which taxpayers own major, major portions of shares — companies such as the potash corporation, Cameco, WESTBRIDGE, Ipsco, and Saskoil. Saskatchewan people have substantial tax dollars in these companies but you're saying that they're not entitled to any information. How can you possibly

call that accountability, Mr. Minister?

Some Hon. Members: — Hear, hear!

Hon. Mr. Hepworth: — Mr. Speaker, the traditional practice is being followed.

Mr. Van Mulligen: — Mr. Speaker, I didn't hear the answer and I assume it's the same kind of non-answer we've been getting to many questions.

Some Hon. Members: — Hear, hear!

Mr. Van Mulligen: — Mr. Speaker, I want to put a new question to the minister. Mr. Minister, in 1987 the Public Accounts Committee, and this is both sides of the committee — the Conservatives and the New Democrats — passed a resolution recommending that the government prepare legislation which would ensure that audited financial statements for Crown agencies established under The Business Corporations Act and owned 100 per cent by the Crown be tabled in the legislature, the same as Crown corporations.

Now to date we haven't seen any of that. And my question is: when is your government going to prepare that legislation, as requested by the committee, so that there's an accounting of the public's money spent in these corporations?

Some Hon. Members: — Hear, hear!

Hon. Mr. Hepworth: — Mr. Speaker, relative to any specific requests, I'd want to examine that, number one. And number two, I would just repeat, not wanting to sound repetitive, but probably being repetitive, that traditional practice is what's being followed, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Interprovincial Trade in Beer

Mr. Mitchell: — Mr. Speaker, my question is to the minister responsible for Economic Diversification and Trade. Recently your government met with federal officials to discuss the lowering of provincial trade barriers in the sale of beer. Since such a move would have a dramatic impact on the brewing industry in Saskatchewan, could you tell this House whether or not you support the federal proposal to remove trade barriers?

Some Hon. Members: — Hear, hear!

Hon. Mr. Schmidt: — Mr. Speaker, we support in part the federal measures because we have a new brewery in Saskatchewan, Great Western Brewery, which we believe should be able to sell beer in Alberta, Manitoba, British Columbia. And there is a policy Canada-wide that is if you have to . . . in order to sell it in a province, you have to brew it in a province. Saskatchewan is making progress with respect to negotiating with the western provinces for reciprocity in beer with respect to our new small brewery that is growing every day in Saskatchewan, that is an employee-owned brewery, and we'd like these employees to be able to compete in the western Canadian

market.

So we're not now going to a wide open market, but we have been having some brands come in from Alberta in cans, and we would now want our brewery to be able to sell into Alberta and also Manitoba and British Columbia. That's the direction we're going.

Some Hon. Members: — Hear, hear!

INTRODUCTION OF BILLS

Bill No. 44 — An Act to amend The Occupational Health and Safety Act

Mr. Prebble: — Thank you, Mr. Speaker. Mr. Speaker, I move that a Bill to amend The Occupational Health and Safety Act be now introduced and read the first time.

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

ORDERS OF THE DAY

MOTION UNDER RULE 16

Economic Conditions in Rural Saskatchewan

Mr. Koskie: — Mr. Speaker, it gives me a great deal of pleasure to rise and enter the debate. And at the end of my speech I want to move a motion which essentially in these words:

That this Assembly regrets the continued steady decline of Saskatchewan's rural communities as is evident in the alarming rate of rural depopulation, education cut-backs and lay-offs, and business bankruptcies on main street.

Some Hon. Members: — Hear, hear!

Mr. Koskie: — Mr. Speaker, there can be no other word to describe the economic conditions in this province other than to say that the economy of Saskatchewan is in a shambles. Every aspect of the economy is under attack. And I want to say, Mr. Speaker, that the priorities of this government is what is at stake here.

If we take a look, Mr. Speaker, and we go around Saskatchewan and you go to rural communities, one of the major concerns . . . and I was out to a community the other day in the Shaunavon riding. And talking to people, their major concern is so many young people are leaving the province. There is no opportunity for my children to stay in Saskatchewan, said a farmer. My boys were carpenters and skilled, trained. And today, he said, they have had to leave and go to Ontario or British Columbia to seek work because there is no economic activity here in the province of Saskatchewan. And that's a shame.

And recently, the other night, Mr. Speaker, another devastating blow to hundreds of workers across this province. In the town of Hudson Bay, the announcement that some 500 workers are going to be laid off in the timber industry.

Eight years this government had, and eight years its priorities was not addressed to maintaining jobs that were in place or looking for alternatives. The priorities of this government, Mr. Speaker, I say were the wrong priorities. The government economic policies to date have not focused on the local level or community economic development. Instead it has focused its attention on megaprojects and big money give-aways to a few large, out-of-province businesses and investors — the Cargills of the world, Gainers, and other megaprojects.

This also focused on the commitment of millions of Saskatchewan taxpayers' hard-earned dollars to wasteful, failed, unproven enterprises that this government undertook, such as GigaText and Supercart and Joytec and Canapharm. Millions of dollars poured into these types of businesses that had no firm foundation nor no appraisal as to their success. And at the same time, Mr. Speaker, the very heart and soul of the economic community in Saskatchewan, is our small-business community and that was neglected.

What we got from this government were slogans — open for business; Partnership For Progress; Saskatchewan Builds. And what we have seen is the massive depopulation of rural Saskatchewan. We have seen massive cut-backs in education, and we have seen unprecedented bankruptcies on main street in all communities throughout Saskatchewan.

I want to say that this government did introduce a wide assortment of so-called job creation and industrial economic development programs in the last eight years, all of which were initiated at the politically appropriate moment, but abandoned along the way. We have witnessed a cycle of announcements and then terminations. And as a result we have no foundation on which to build a stable and secure economic provincial economy.

I want to say, Mr. Speaker, as a result of the government's own fiscal mismanagement, what we have seen is a massive build-up of debt, over \$4 billion in the operating or Consolidated Fund, \$13 billion in total debt. We have seen the credit rating of this province deteriorate and we have seen the aid that they had previously provided to local business community, and Saskatchewan has been eliminated.

The industrial incentive program is gone; small business interest reduction program is gone; Aid to Trade is gone; market developing fund is gone. I want to say, Mr. Speaker, the government's new economic diversification and investment fund has been a poor substitute. And recently they have announced at this late date that they're going to have community bonds to save the economic ruin that is taking place across this province.

And as you go to talk to individuals and communities and ask them what they think of the government's Community Development Bonds, and they say there's no possibility of getting many people to start investing in communities that are being destroyed under the economic conditions as brought about by this government.

I started out to say that this economy can be described no

other than that it's in a state of shambles. And, Mr. Speaker, if we take a look at some of the devastating statistics of what has been going on here in Saskatchewan — worse than anywhere else in all of Canada — the sad part is that we have a Premier who is the Minister of Agriculture and recently he was down East as a cheer-leader to saving the country. Saving the country, he says, as his economic policies are destroying Saskatchewan. This Premier forgot about Saskatchewan and the Saskatchewan people.

Let's take a look at some of the statistics in respect to what is happening and what is causing the depopulation and disintegration of Saskatchewan society as we knew it. You take farm bankruptcies, Mr. Speaker. Consumer Affairs Canada bankruptcy branch reports that in 1989, there were 152 farm bankruptcies in Saskatchewan. This is a 32 per cent increase over 1988 level. In 1989, Saskatchewan accounted for 45 per cent of all farm bankruptcies in Canada. And for the first quarter of 1990, there were 60 farm bankruptcies in Saskatchewan, up 131 per cent from the first quarter of 1989.

And if you take a look at total bankruptcies that are taking place here in Saskatchewan, again Consumer Affairs Canada, bankruptcy branch, reports that in 1989 there was a total of 1,566 bankruptcies in Saskatchewan — farm, business, and consumer. And in the first quarter of 1990, there were 527, up from 387 in the first quarter of 1989, or an increase of 36 per cent.

We find, Mr. Speaker, in respect to the bankruptcies in Saskatchewan, first of all in 1989, the first quarter, business there was 137; consumer, 224; farm, 26, for a total of 387. And in the first quarter of 1990, we have business, 187; consumer, 280; and farm, 60, for 527 — as I said, a 36 per cent increase.

What else can one say except that this economy is in the shambles. There is no direction from this government. They absolutely refuse to address the problems that are facing rural Saskatchewan today, indeed Saskatchewan people.

(1445)

As I said, Mr. Speaker, they have been occupied with megaprojects — not as any sensible government as tough economic conditions arrive, that they would in fact take a look and see what is the base that keeps our economy going. It's agriculture, and it's small business essentially.

And why wouldn't a government in these economic times say, let us consolidate and let us assist those two key areas of our economy. But not this government. This government launches out onto a megaproject mania and pours millions of dollars of taxpayers' money into the likes of Cargill, Gainers, and other megaprojects.

As I've said, Mr. Speaker, in respect to population loss it has been absolutely devastating. In 1989 the net out-migration from Saskatchewan was 23,705 people — out-migration in 1989 was 23,705 — the second worst year on record in Saskatchewan. As of the end of April 1990, Saskatchewan Bureau of Statistics reports that the out-migration totals 7,654 individual. This represents

one-third of the total net out-migration in 1989. Mr. Speaker, in April of 1990, net out-migration totalled 2,218 people, individuals, as compared to 1,502 in '89 — in other words, an increase of 48 per cent.

Yes, Mr. Speaker, this government has failed the people of Saskatchewan. This government has no economic plan in order to keep our people here in Saskatchewan. This government has no plan to assist small business. This government has no plan to assist, in the long term, farmers. This government is out of touch with the needs of the people of this province. And I say, Mr. Speaker, come the next election, this government will be thrown from office.

Mr. Speaker, there are many measures as to how this government has squandered an opportunity to build here in Saskatchewan.

We can look at other indicators such as housing starts, and we find that housing starts are down considerably. The CMHC (Canada Mortgage and Housing Corporation) reports that in 1989 there were only 1,906 new housing starts in all of Saskatchewan. That is the second lowest level recorded and the lowest in almost 20 years.

The slide continues: as of the end of April 1990, four months, there were 307 new starts in Saskatchewan. This is 33 per cent decrease below the number, 459, in the first four months of 1989.

Mr. Speaker, those are indicators that indicate that this here economy is stalemated, that the government has not reacted to the crisis that exists, that this government is out of touch with the realities of what's going on, that the people of Saskatchewan certainly have been the losers in respect to their economic policies.

Mr. Speaker, you can take a look at jobs and exactly the same thing happens. If you take a look at unemployment, we find that St. John's, St. John, Saskatoon — third highest rate of unemployment in all of Canada, and Regina has the fifth highest rates of unemployment.

Mr. Speaker, my time is nearly to the end. I want at this time, Mr. Speaker, to indicate clearly that the people of Saskatchewan have had enough of the mismanagement, the waste. And therefore, Mr. Speaker, I move, seconded by the member from Humboldt:

That this Assembly regrets the continued steady decline of Saskatchewan's rural communities as is evident in the alarming rate of rural depopulation, education cut-backs and lay-offs, and business bankruptcies on main street.

I so move.

Some Hon. Members: — Hear, hear!

Mr. Upshall: — Thank you, Mr. Speaker. Mr. Speaker, Saskatchewan last year, 1989, lost 23,705 people, net loss — 23,705. There's 469 towns and villages in Saskatchewan, Mr. Speaker. Out of those 469, 303 lost population — 65 per cent of them lost population. You have to ask yourself why. Why in a time, as time passes,

do we continue when the trend is set and nothing is done to stop the continuation of that problem?

And there are two basic reasons, two basic reasons why we are losing population in Saskatchewan. Number one, it's the cut-backs to programs that involve people, programs for people. And secondly . . .

An Hon. Member: — What programs?

Mr. Upshall: — Programs . . . he says, what programs? Programs like the dental staff, programs like nursing staff, programs like the drug plan, programs like keeping teachers in a good working environment, our education system, hungry children. There are a thousand or more reasons . . . or examples rather, of how they cut back programs for people — working poor, unemployed, hungry, the farm community, the labouring community trying to hang on to their jobs from the attacks from this government. But that's one reason.

The other one is, Mr. Speaker, are all the give-aways to the multinational, large corporations. And we've seen them in the past. We've seen the Weyerhaeusers — Weyerhaeuser last year making \$377 million profit and not paying one red cent on principal back to the province of Saskatchewan. Now you must wonder if the agreement . . . that was an agreement made by this Tory government with Weyerhaeuser, a United States-based corporation. If this government was working in a sensible manner to try to recoup any profit from Saskatchewan resources, why would they allow a corporation to make \$377 million in one year and the people of Saskatchewan not benefit one red cent on the principal? That to me is simply ludicrous, Mr. Speaker.

Then there's the sweetheart deals with Peter Pocklington. And there's a long list and I'll just go through some of them, Mr. Speaker. If you look at the list of ventures that this government has come up with and has had absolutely dismal failures from, you'll understand why there is an atmosphere in Saskatchewan where people are leaving. Most people are very, very proud of Saskatchewan and it is very hard for them to leave. But I'll tell you when they think there's nothing left for them, when they see the legacy of this government, many have no other choice.

And look at the bungled schemes — Joytec. I mean, this was going to be a great business in Saskatchewan. And the government put money into Joytec through SEDCO and they were going to have this great booming golf simulator business running in Saskatoon, and it vanished, and money lost.

And then there was the GigaText deal, where we saw well over \$5 million just vanish. And there was Supercart, another great industry of this province — vanished. And Principal Trust, and the Rafferty dam fiasco, and the STC scandal. All these things — WESTBRIDGE Computer — all these endeavours of this government, Mr. Speaker, they have totally bungled and failed at. And the result is that they're taking down the economy of this province with them.

And privatization is one of the biggest ones. Every privatization that this government endeavours to do,

people lose jobs. And when people lose jobs, people leave the province. When people leave the province, the economy goes into a further tail-spin.

And I ask you, Mr. Speaker, why this government when it sees all the economic indicators . . . farm bankruptcies up 32 per cent; total bankruptcies in the province, another 32 per cent increase; losing population; housing starts were down. Oh yes, and I understand the members opposite, they stand in their place and they say, well it's because of the weather and it's because of the European community and the United States. And they blame person after person after person, but they never once stop and say, well maybe we're doing something wrong. They blame the whole world for the fact that they cannot manage this province.

If they simply would look in the mirror and say look, how could we as a government make a turnaround in this province. Well some suggestions would be not to throw away \$5 million in the GigaText scandal, not to give Cargill a guarantee and buy into Cargill to the tune of \$369 million.

I mean, that money could be . . . Just think, if you gave a \$305 million loan guarantee to 305 communities, a million dollars each, just think of the economic activity that would stimulate. No, they're pumping it into Cargill. And I'll tell you, Mr. Speaker, when that deal is done, when all the tale is told on Cargill you will see that this government will have put in many, many millions of dollars more than what they're saying right now. I predict that.

And, Mr. Speaker, that goes right, as I said . . . Programs that hurt people over the last five years, this is just a few of the things that they have done to cripple this economy. They eliminated the property improvement grant in 1985. Then they put on that famous used car tax. Then they established the flat tax at half a per cent. So then in 1986, things were getting a little tighter, so they increased the flat tax to 1 per cent. In 1987, what else do we do? We increase the flat tax to 1 and a half per cent. And then we put the sales tax up to 7 per cent.

All the time pumping money into multinational corporations, having it squandered and having the people of Saskatchewan being drained through heavier taxes. And in 1987 they imposed the 7 cents a litre gas tax; 1988 the flat tax increased to 2 per cent. All the while nothing is changing. It's not our fault the economy is going to hell in a hand basket, but we got to get money somewhere so we go to people . . .

Mr. Chairman: — Order, order. I think, while they are clichés, etc., that may be used in the House, I think hon. members should try to refrain from remarks that might be construed as unparliamentary.

Mr. Upshall: — I apologize, Mr. Speaker. I was using it as a well-known phrase. I will not do that again.

Mr. Speaker, as I was saying, increasing taxes. In 1989 the gas tax increased 10 cents a litre, and then they put on the lottery tax.

The point I'm making here, Mr. Speaker, is, instead of looking at ways to develop this economy by using the resources, the resource industry, they're giving it away. They're privatizing and letting the profit be reaped by those people who are basically not in Saskatchewan. We've seen it with Saskoil, we've seen it with Sask Minerals, and the list goes on and on. And every privatization, like I say, results in fewer jobs.

(1500)

And I just want to take it a little closer to home, Mr. Speaker, in my area — the Carlton Trail Regional College area of Saskatchewan. This is a report put out by the Carlton Trail Regional College, and this is a very recent report — February 1990. And here are some of the notes as indicated in this report. And it says, and I quote:

Considerable rural depopulation has taken place with 2,425 individuals, 15 years of age and over, moving off farms from 1981 to 1986.

People leaving.

It goes on to say, Mr. Speaker, and this is the one that's very sad. This is the one that's sad because this is the government that says they're standing up for rural Saskatchewan and farm people.

Over 40 . . . (and I'm quoting) over 40,000 people, 15 years of age and over, live in low income families.

That's 80 per cent of the total people in this Carlton Trail region; 80 per cent are low income families. And this is the government that says it's going to the wall for farmers. Well I'll tell you, Mr. Speaker, they can say that, but the statistics don't indicate that.

And that's another long whole debate, because they simply have not solved the problems of long-term debt or income stability. They have not even addressed that.

And, Mr. Speaker, I'd just like to make one more quote. This report talks about the anticipated changes in . . .

The Speaker: — Time has elapsed.

Some Hon. Members: — Hear, hear!

Mr. Swan: — Thank you, Mr. Speaker. Mr. Speaker, after my remarks today I will be making an amendment to the motion, and the amendment will read:

That all the words after the word "Assembly" be deleted and the following substituted therefor:

recognizing the dramatic impact on rural communities of international grain price wars, drought, low commodity prices, high interest rates and excessive dependence on a single economic sector, commends the provincial government for its concrete action plan to reduce population loss, enhance rural opportunities, develop the potential of Saskatchewan people, promote economic diversification and strictly manage our scarce

resources as exemplified by the completed and continuing elements of that action plan including: rural natural gas distribution; individual private telephones; the underground power line program; a new world class regional college system; a dramatic program of educational facility renewal and construction; the creation of the distance education network known as SCN (Saskatchewan Communications Network); the creation of the rural service network; the creation of the rural development corporations; the creation of the community economic development program; the creation of the agriculture, diversification and development system; the creation of the \$200 million agriculture diversification fund; the creation of the Saskatchewan Water Corporation; the development of extensive irrigation and water assistance projects; the development and promotion of tourism in small communities; the enhancement of provincial and regional parks vital to rural communities; the expansion of the rural health care system through the creation of the first province-wide community physiotherapy system; the lifting of the former administration's moratorium on the rural health care facilities; the largest health care construction program in Saskatchewan's history; the dramatic increase of professional dental services available in rural communities; the wide array of agricultural support programs; the venture capital program; the small-business loans association program; the small-business property tax assistance program; the recent announcement of community bonds; and many other projects and programs which together provide a strong basis on which to build the future of the province.

Mr. Speaker, it is plain to see from our amendment that this government has done more to ease the hardships in rural communities than any other government before us.

Some Hon. Members: — Hear, hear!

Mr. Swan: — Now I'm not going to deny that Saskatchewan's rural communities are suffering as a result of farm crisis in the province, but if it wasn't for the efforts of this government, if we did not have a plan, well I dare say that the situation facing our rural communities would have been a great deal worse.

Mr. Speaker, this government has a plan. It is a plan for economic development and diversification. It is a plan to protect Saskatchewan families, and it is a plan for growth and prosperity. Indeed, our amendment outlines some of those programs involved in that program — programs which the members opposite have continually opposed and voted against.

Mr. Speaker, I often wonder if the members opposite are truly concerned about Saskatchewan's farming sector and Saskatchewan's rural communities when they consistently vote against our programs and policies, the kind of programs, Mr. Speaker, that can save the family farm. When they consistently oppose projects that we bring forward to help rural communities in these difficult times, when they do that, well I just wonder how sincere

they really are about the people and about the communities in this province.

Mr. Speaker, the NDP are in favour of the land bank. They are in favour of a moratorium on farm debt. But they are not in favour of any programs and policies that promote new investment and growth.

It is hard to ignore the tremendous pressures facing our province and especially our rural communities. International subsidy wars, drought, low commodity prices, high interest rates, and heavy debt loads have all taken their toll on Saskatchewan families, but we have taken and put into place the opportunity for communities to develop and diversify.

We have given them, Mr. Speaker, the opportunity to offset the effects of these pressures, to get away from having all of their eggs in one basket and to build a solid, economic foundation. That, Mr. Speaker, is the premise behind our economic diversification initiatives.

We are now processing our own natural resources: paper, oil, natural gas, bacon. And we are preserving for this province the benefits of those resources. We are creating new industries, generating new revenue and new jobs. And, Mr. Speaker, our strategy has taken quite a bit of success and I believe quite a few compliments from many of the communities in our province.

Since 1982, Saskatchewan has had a 600 per cent increase in manufacturing. And that increase is good news not only for Saskatchewan, but also for our smaller towns and villages.

Mr. Speaker, through diversification we have decreased our dangerous dependence on agriculture. We have created new jobs and indirectly saved the jobs of many others. Our economic plan has and will result in more growth and prosperity. It has and will provide the people of this province with new opportunities and it will stabilize many of our communities that are presently feeling the pinch.

Among the many diversification efforts that we have implemented since 1982, the new community bonds program is one in which I am most proud. This new program, Mr. Speaker, will allow Saskatchewan people with a direct stake in this province to invest in community-based initiatives of their own choice without risk of losing their initial investment. This program puts Saskatchewan's ideas and money to work here at home to create new industries, new jobs, and to stimulate and strengthen local economies.

Mr. Speaker, this and all our programs exemplify what this government is all about. We want to give Saskatchewan people control over Saskatchewan resources. We want to work with them to give them the assistance they need to build their communities and to build this province. We have provided that assistance and we will be continuing to do so. We have diversified, we have helped out our farming sector, and we're still going to bat for them. We have provided Saskatchewan families with a first-class educational and health system, and we have expanded that system so that more people can take

advantage of the many benefits and opportunities.

We have, Mr. Speaker, stood behind rural Saskatchewan during these difficult times. The crisis in agriculture has placed an unbearable economic and emotional strain on rural Saskatchewan, but we have eased that strain and we have lessened the hardships. This government has built on Saskatchewan's tradition of working together. We have put aside our differences to overcome our difficulties and secure a better future for our families.

Mr. Speaker, there are many of the families in Saskatchewan who I believe have been assisted through the programs that I've listed. There are many other programs, too numerous to mention, that I haven't touched upon today. But I believe when the member opposite introduced this motion, he failed to realize how much the government has assisted the rural part of Saskatchewan through very, very difficult financial times. And I believe that as the economy begins to take a turn in the very near future, we're going to see Saskatchewan families benefit.

Mr. Speaker, I would take this opportunity now to move the amendment, seconded by the member for Kelsey-Tisdale.

Some Hon. Members: — Hear, hear!

Hon. Mr. Hardy: — Thank you, Mr. Speaker. It's always a pleasure and an honour to be able to talk and speak about what's going on in rural Saskatchewan, and the role the Government of Saskatchewan has played over the last eight years in developing new industries and new opportunities for our young people out in rural Saskatchewan.

I want to take just a moment or two and go back to where we started in 1984 and how we got to where we are with the development end in rural Saskatchewan; how it was structured and put together to make it available for people out there so they could become part of a development in rural Saskatchewan. Back in 1984, Jake Brown, a professor from the University of Saskatchewan, did a study on rural Saskatchewan, and through that study came a lot of different ideas. And some we used and some we put to good use in developing a basis so you could go out there and do a development in rural Saskatchewan to keep our young people there.

We did the road rationalization, which was all the road systems through all the RMs which was designed so that the service to take . . . roads that were needed to take them to their service centres. And a lot of the roads that were under the old system didn't do that; they were designed for the times. Times have changed a great deal. We drive a lot further. So we did a whole road rationalization including to the highway system.

While we were doing that, we brought in what we called the economic development committee, and there's 55 of them in the province right now, Mr. Speaker. There's been 55 for quite a while in fact. They rotate; they're on for five years and then a new one comes in. And of those 55 economic development committees, we have about 428 development projects has taken place over the last

eight years. They'd be small little retail outlets all the way up to such things as a peola chip plant that's being built at Kelvington.

Then at the same time we put together — because we knew we needed more than just the urban people involved, we needed the whole of the province, all of rural Saskatchewan, which is both small town, village, hamlet, and RMs — we put together what we call the Rural Development Corporation. And since we put that together, which was just three years ago, Mr. Speaker, we have now . . . I'll be signing this weekend at Plenty, I'll be signing the 27th RDC (Rural Development Corporation) for the province of Saskatchewan which will be in fact . . . there be involved in that about 80 rural municipalities, about 100 urban municipalities and over 130,000 people involved. That's taking the population that they represent in, under the RDC program. And an RDC is to look at the area to see industry you could bring to your area for development to make your industry and create jobs and opportunity, enhance the farm opportunities out there.

Just to give you an idea of the first RDC that we signed, was down at Wood Mountain. That was the very first one, Poplar Hill RDC. They have put together a crushing plant, a ready-mix plant. They have looked at bringing in a hide tannery. They brought in snail plant; it grows snails. They are at the process of looking at their whole area for development in such things as bucking up their health care systems and all the ones, so that would fit their needs. So they have done a great deal down there.

(1515)

The second one is really interesting, that we put together. It's the Sage Hill Rural Development Corporation, the Dana radar base. They have built the first fire truck ever built in Saskatchewan, there at the radar base. And they've now been on a national defence contract which we believe they have a good opportunity of getting — we've worked with them — which will build fire trucks for some of the national defence and some of the army. That will be out there for fire trucks, will be built in Saskatchewan at the Dana radar base. We believe we have a good opportunity of getting that.

At the same time they have now brought into their focus and input, which is a generic roundup. They've been working with those people, and it looks like that plant has a real opportunity to go into there. Those people on the second RDC that we've set up have taken and put together and the prospects of putting together over 300 jobs directly for that area.

That, Mr. Speaker, is development in rural Saskatchewan. That's just the second one. And we have done 27 of them. And we have a whole list of things that each one is either in the process of or has in fact completed.

The other things that we did as we put this together, we've asked all the RMs to form an ADD committee or an ADD (agricultural development and diversification) board, and that's to look at what you could do in your RM to tie it in to the other committees. And that has really become a very, very popular way of doing things out there. Since we have brought the ADD board structure into place, along with

the rural economic development grant that we have, we have almost 40 new industries that have been funded or in the start of the process of setting up since January 1.

And I'm just going to read you a few of them, because a lot of people say, well it's all right to say you're doing them, but you really don't have anything going. To give you an idea of it: NorSask Forest Products — that's a mill up in the Meadow Lake area who was almost not operating at all. They have put in a new line. They're making a finish board.

Thiessen Agri Business which is making new equipment, agriculture equipment and manufacturing. Reneé Blanchard, he's a poultry eviscerating plant where they take chickens and they make it into little patties and it's sold into the cities. In fact it sort of initiated out in Vancouver or B.C. Jensen seed cleaning plant up around the Shellbrook area where they in alfalfa seed, cleaning it and bringing it down for human consumption. Kim Gehl, making tables, manufacturing tables, out at Dysart, a furniture manufacturing plant.

We have an outfit just out of here a little ways that's manufacturing and setting up a noodle manufacturing plant that we're funding just out of Moose Jaw. Arc Alloy Welding, manufacturing machinery and trailers. We have the King of the Road Trailers, which is the name of a company and they're manufacturing livestock trailers. We have another company up making water equipment at Demaine. We have Manitou Springs Hotel which is the complex where RMs got involved in, where they're going to be part owners in a resort thing. Select Feed Products which is an oat processing plant.

I could go on much more, Mr. Speaker. And that's just some of the ones since the first of the year — or some them started a little before that, but most of them since the first of the year — to tell you that we are in fact, Mr. Speaker, doing a lot of development and diversification out there in rural Saskatchewan.

It's always interesting to hear somebody talk about, you know, you're not really doing anything out there. You haven't started anything small. I heard the member from Quill Lakes say, only large projects like the Cargill. That's not true, Mr. Speaker. We do many, many small ones. They're not being done by government, but being done by the people in the communities. They've been set up so the financing package is available there, so that the information is available there, and I'll talk about how that is there, and also, Mr. Speaker, the community leadership. And we're putting them together. And what's happening, we're getting the development diversification that is important, I believe very important for the future of rural Saskatchewan.

I want to make just mention about a few other things. We talk about the financing package, we talk about infrastructure, and that's one of the things we did earlier — about four years ago, five years ago. We started putting into place infrastructure that is needed for development diversification in rural Saskatchewan.

There was natural gas in most of the major towns, but the farm areas had no natural gas. Rural natural gas was not

available; we put that into place. All, or nearly all of the villages, hamlets, in this province now have natural gas. That is needed, Mr. Speaker, that is needed very much if you're going to have industry manufacturing processing. Without that, without cheap energy, it just doesn't happen.

The other thing that we've done, Mr. Speaker, we brought in individual line service. That is important with the technology of the day that everybody has that kind of service, because individual line service leads to new technology, leads to opportunities, particularly for our younger farmers, those that are building and doing things on the farm. They need that kind of opportunity to be available to them.

We've also put together, we call CORA (catalogue of opportunities for rural areas) which is just an information package on about 1,400 different industries that may fit into one of those small communities out there in rural Saskatchewan. We've had the Saskatchewan Research Council do it. They've researched all of the western provinces; they've researched into Ontario; they did some in the United States; did some even in Germany and some of the European countries — what might fit in rural Saskatchewan. And they packaged it together with information on how much it would cost to do it, the number of jobs, where you'd find the equipment, where is one located now, the markets that might be available. Basic kinds of things that may give you an idea that you may fit one of them into your communities.

So we've done a lot, Mr. Speaker, in putting together a package that would be available for people out there, people in their communities who want to develop and diversify their communities.

A financial package, you talk about that. There never really was a really good financial package available till about four or five years ago, I believe. And we started putting together a financial package that will give small communities the opportunities to develop and diversify.

We have SEDCO with a participating loan of up to \$300,000 that's interest free for five years and based on a net return.

We have the rural development grant which I just mentioned. What you need is to take a share or you can take it in or give it as a grant to an industry in the area, administered by the RM.

We have the community bond which has just been announced here which I believe can play a major role in the small industries in rural Saskatchewan. I believe that people invest in their community when they see it creates opportunities and jobs for the young people to keep their community alive and vibrant.

We also have the small-business incentive grant, which you know is a 25 per cent rebate for those who want to take a bit of a risk to go into a community. Any time you set up a new industry it is a risk, it always is a risk.

We also have the western economic diversification which has been putting a lot of money out into rural

Saskatchewan, matching or top-loading or interest-free loans.

So there is a package now together, a financing package that can, Mr. Speaker, allow the people in rural Saskatchewan to put together a project that would be beneficial to them and certainly make their community a better place to be and to live.

I want to just run through a few of the numbers, the total numbers of projects that has been happened, like I was . . .

The Speaker: — Time has expired.

Ms. Atkinson: — Mr. Speaker, I'm pleased to be able to enter into this debate and I will be interested in having the ability to respond to the member from Rosetown's amendment to our resolution.

First let me say that the resolution that we had originally introduced is relevant to this debate. Because if you look at what has happened in rural Saskatchewan, we continue to see an alarming rate of rural depopulation. We continue to see educational cut-backs; we continue to see lay-offs; and we continue to see business and farm bankruptcies in rural Saskatchewan. And why would that be, Mr. Minister, Mr. Speaker?

The reason is because this Tory government is market oriented, private sector led. It has an industrial policy and this industrial policy which is dependent upon the private sector only, has clearly failed. And as a result of that we have seen record unemployment in this province. We have seen record business and farm bankruptcies. We've seen record rural depopulation. We've seen record low housing starts. We've seen record job loss. And if you go to any town in this province, or village, you will see empty store fronts and you will see empty houses with for sale signs on them.

Now what does the Premier of our province do at a time of economic crisis? The Premier of our province has been in Ottawa, Ottawa, Ottawa, Ottawa. Has he been standing up for Saskatchewan people? Has he been standing up for all of the people of this province who are facing an economic crisis? Has he had a bottom line in Ottawa? The answer is clearly no — clearly no.

The Premier of our province has been in Ottawa negotiating the Meech Lake deal. Did he have a bottom line for Saskatchewan people? Did he say no to the GST(goods and services tax)? Did he say no to free trade? Did he say no to changes to the Crow rate? Did he say no to the dropping of the two-price wheat system? Did he say no to the dropping of advanced payments? Did he say no to oats off the Canadian Wheat Board? Did he say no to anything?

He has not. He has said yes, Mr. Prime Minister; yes, Mr. Prime Minister. And the people of this province believe that our Premier is in the Prime Minister's hip-pocket. He has no bottom line and he does not stand up for the people of this province when it comes to the problems facing the people of this province.

Now let's talk about the government's resolution that they

introduced, and they list tens and tens of programs — tens and tens. We've heard the minister responsible for rural affairs and the former minister of the Environment speak about all that has been done for rural Saskatchewan.

Well I want to talk about what's happening in rural Saskatchewan from an educational point of view. In 1982-83 when this government came to power, there were 90,926 rural students in this province. And in September or November of 1989 there were 85,913 — a drop of 5,013 students. And I will repeat those numbers. In 1982-83, the first year of their government, 90,926 students in primary and secondary school. In 1989, November 11 of 1989, 85,913 students — a drop of 5,013 students.

Clearly the policies of this government are not working. They are simply not working. And to trot out tens and tens and tens of programs that the government has implemented in rural Saskatchewan is meaningless to the people who have had to leave rural Saskatchewan or for the people who are there and on the verge of leaving rural Saskatchewan. These programs are meaningless.

Now this government, it pretends to be the friend of people living in rural Saskatchewan. In fact they like to brag about the fact that most of their members come from rural Saskatchewan. But I ask those members, I ask those members, where have you been, where have you been when the farm families of this province have been facing horrendous economic and social programs? We have had the Premier, the Minister of Agriculture, down in Ottawa pandering to the interests of eastern Canada, but he has not been representing the interests of this province. And the Minister of Finance laughs. The Minister of Finance laughs.

Well I want to tell you, Mr. Minister, you go anywhere in this province, you go anywhere in rural Saskatchewan, and they will tell you that your Premier and your government does not represent the interests of rural Saskatchewan, but you certainly represent the interests of big eastern business and big eastern governments.

Now where has this government been? When the federal government decided to remove oats off the Canadian Wheat Board, what did this government do? Nothing. When they decided to change the Crow rate, to do in the Crow rate, what did this government do? Nothing. And that has an effect on rural Saskatchewan. When they decided to no longer allow advanced payments without any interest — now farmers have to pay interest on these advance payments — what did this government do? Nothing. And when the Prime Minister of this country moved to introduce legislation which would put 7 per cent on every item that farm families have to purchase, what did this government do? Absolutely nothing.

Now we have been waiting for some five years for a long-term agricultural policy — five years we've been waiting.

An Hon. Member: — Rain. It's rain.

Ms. Atkinson: — This government has been . . . oh, and the minister talks about rain. The minister talks about rain.

We've got rain all over Saskatchewan, Mr. Minister, but what price do we have for a bushel of wheat? What price do we have for a bushel of wheat? What we need is long-term stability on the farm and at the farm gate, and we don't have that. And we don't have that because of your Tory cousins in Ottawa and because of the Saskatchewan Tories in the province of Saskatchewan.

Some Hon. Members: — Hear, hear!

(1530)

Ms. Atkinson: — Now these people continue to talk about drought and this and that and the other thing — grasshoppers and drought and low commodity prices. They continue to talk about these problems that Saskatchewan people have faced and the grain wars. But what has Ottawa done for Saskatchewan people? Absolutely nothing. The Premier of the province of Saskatchewan and the Prime Minister of Canada have been focused on Meech Lake, on a constitutional accord that means absolutely nothing to the people of Saskatchewan.

But what does mean something to them is a long-term agricultural policy, a policy that would mean real money in their pockets, Mr. Speaker. But this government, does it do anything in terms of going to Ottawa and getting anything? Do they have a bottom line? Absolutely not. We have a cheer-leader that's reported in the papers all over eastern Canada and in Saskatchewan, a cheer-leader who cheers to the Prime Minister of Canada. He does whatever the Prime Minister wants.

And I would say to the people of this province, if the Premier of Saskatchewan was interested in the people of Saskatchewan, he would have said if you want my agreement on Meech Lake, then we've got to have more than \$5 a bushel . . . or \$5 an acre; if you want my agreement on Meech Lake, then we've got to have a long-term agricultural policy that puts stability onto the farms. That's what I would have said.

But does this Premier have a bottom line? Absolutely not. He has no such thing as a bottom line. And the people over there are getting a bit upset. Well you should get out into rural Saskatchewan and listen to what they're saying. Our Premier has no bottom line. He will do anything to pander to the big business interests of eastern Canada and to the Prime Minister of Canada who represents those interests in eastern Canada.

Now the member from Rosetown introduces a motion where he talks about the need for . . . or all of these rural health care facilities that have occurred in rural Saskatchewan. And he talks about a moratorium on home care in the province of Saskatchewan under the former NDP government. And I think it's time we put something on the record because if you look at what Bob Murray had to say, what Bob Murray had to say is that you put money into home care which allows people to stay in their homes and stay in rural Saskatchewan. You put money into that and you don't put money into large institutional facilities. That's what Bob Murray had to say. Now just don't put any words into my mouth. That's what the Bob Murray commission had to say. And he was disappointed

that the Government of Saskatchewan put absolutely very little money, additional money into home care in this past budget. That kind of money into home care would assist elderly rural citizens in maintaining themselves in their own homes and in their own communities.

And what is happening with some of these rural nursing homes that are being built, they're not being built in an individual's community, and in order for them to access those facilities, they have to move out of their community and into a larger centre. And what we say is that this Government of Saskatchewan which pretends . . .

The Speaker: — Time has elapsed.

Some Hon. Members: — Hear, hear!

Hon. Mr. Hepworth: — Thank you, Mr. Speaker. I'm pleased to enter into the debate on the motion and the amendment relative to some of the economic circumstances and their implications that we find ourselves facing in the province of Saskatchewan.

And certainly none of us in this Chamber of whatever party or philosophy like to see young or old people leaving the province for whatever reason. Certainly the population decline, albeit that it's still higher today than it was when we assumed office in 1982, we're still over the million person mark. And certainly, Mr. Speaker, I think that speaks to the opportunities we have provided, albeit some of the momentum has been taken out of that climb over this last couple three years because of drought and other things particularly impacting on our agricultural sector.

But the interesting thing, Mr. Speaker, that we've heard today, and we heard three NDP members stand in their places, Mr. Speaker, we heard three . . .

The Speaker: — Order. Now the hon. member for Saskatoon Nutana is acting in a very rude manner, to put it mildly. She's challenging the Chair, and I warn her that if she does that again, she will have to pay the price. The member is speaking and I won't say anything more at this time.

Hon. Mr. Hepworth: — Thank you, Mr. Speaker. And it was interesting to note that when that member from Saskatoon Nutana was on her feet, the member for Quill Lakes or the member for Humboldt, when they got up in this debate, Mr. Speaker, did you hear one proposal put forward to help build the Saskatchewan economy? to help diversify the Saskatchewan economy? Did you hear one ounce of policy from those NDP, Mr. Speaker? Was there one recommendation? No. We heard lots and lots of the old line. We heard about GigaText and we heard about Supercart and we heard about Joytec and we heard about Weyerhaeuser, and we heard about the sweetheart deals, Mr. Speaker, with Peter Pocklington and those kinds of people that the NDP are wanting to attack. But did we hear one new proposal, Mr. Speaker? Did we hear one ounce of economic development or diversification policy strategy from the NDP?

The answer is, Mr. Speaker, no. And the reason is, Mr. Speaker, they don't have a policy. The NDP, Mr. Speaker,

are caught up . . . and I think the member from Saskatoon Nutana exemplifies it the best of any. Because while they were going into their NDP convention last fall, Mr. Speaker, and the leader of the party was trying to move the NDP Party into a more proactive and moderate position, November 16, '89, *Leader-Post* heading, Mr. Speaker: "Romanow hopes delegates adopt moderate philosophies." Well, Mr. Speaker, he's been betrayed and betrayed mightily by the left-wing element, the radical element in that party.

Some Hon. Members: — Hear, hear!

Hon. Mr. Hepworth: — Today we heard the same old NDP lines, Mr. Speaker, that we heard a year ago, 5 years ago, 10 years ago, 20 years ago, that everywhere else in the world they have abandoned, including Sweden — everywhere else in the world is abandoning. But here today the member from Saskatoon got up and used those four-letter words, right in this legislature. She used words like market-oriented, private-sector led, Mr. Speaker.

And then, Mr. Speaker, she got right to the heart of the issues facing rural Saskatchewan. She recapitulated the hardship that Saskatchewan farmers are facing because oats is gone from the wheat pool . . . the wheat board, Mr. Speaker — a mighty, a mighty, mighty issue facing Saskatchewan farmers today. And the Crow rate change that took place some several years ago, Mr. Speaker.

And she talked about big eastern business and big eastern government, Mr. Speaker. Not one shred of agricultural policy, not . . . And she got up saying she wanted to talk about education. Did we hear any education policy from that member?

Mr. Speaker, I was on a podium with her leader at the STF (Saskatchewan Teachers' Federation) forum a year and a half or two ago, Mr. Speaker. And what I heard him say, what I heard their leader say, Mr. Speaker, was they would be coming forward with an educational policy. Has anybody seen or heard the NDP education policy, I ask you? Have you seen it?

Our policy is clear — a new technical college in Prince Albert; a new agriculture college in the University of Saskatchewan; regional college network across this province; distance education so that people wherever they live have access to first- and second-year university, to technical institute courses, to literacy training, things that are important to rural Saskatchewan, Mr. Speaker. We haven't heard one ounce of educational policy come from that member who pretends to be the education critic. And she says from her seat, we won't because they don't have a policy, Mr. Speaker.

And why don't they have a policy, Mr. Speaker? This is key, Mr. Speaker. The reality is the NDP cabal of socialists, Mr. Speaker, cannot cast off the dogma of the past. They cannot grapple with that one word, Mr. Speaker, that one word that is driving everything in this world today, and that word is, Mr. Speaker, change. Global change. The NDP cannot grapple with that concept, Mr. Speaker. They have the blinkers on. They have the mentality of the '60s and the '70s, Mr. Speaker. They cannot cast off that old dogma, Mr. Speaker.

A final point I would like to make when it comes to economic development diversification. If you look at the examples that they pick, that they criticize . . . (inaudible interjection) . . . And the hon. members says, we stand up for Saskatchewan. I'll tell her how our Premier stands up for Saskatchewan in a minute.

But let's look at the examples, let's look at the examples, Mr. Speaker, that they pick when they pick examples of economic diversification that in their minds have gone wrong. They pick Weyerhaeuser and Cargill, Mr. Speaker. They pick Weyerhaeuser and Cargill which are these awful North American multinational vertically integrated companies. They always pick on those examples.

Why, Mr. Speaker, do they not mention the joint ventures with the Co-op, the upgrader. We never hear anything about that joint venture, do we? And the wheat pool is one of the biggest corporations in this province. Or, Mr. Speaker, why don't we hear about the joint venture with the wheat pool at the Biggar malt plant. Now why don't they attack that one, Mr. Speaker? Mr. Speaker, why don't they attack that one?

Mr. Speaker, the reason is that their strategy is not based on any tenets of economic development or diversification. It's based on what can they be against. And, Mr. Speaker, it's been no secret that in the '60s and in the '70s and in the '80s with this gang, and now into the '90s, because they have no new ideas, they're still against Americans, they're still against the multinational agri-food corporations, and that is the sole basis for their policy is what can we be against, Mr. Speaker. It's not what can we be for — not what can we be for. One could argue that they are steeped in hypocrisy, Mr. Speaker.

But now let's look at the agriculture policy and who speaks for who in this province and who stands up for Saskatchewan farmers. The hon. member from Saskatoon Nutana said our Premier has no bottom line, that he doesn't speak for Saskatchewan farmers.

Mr. Speaker, I ask all members of this House, would the western Canadian farmers, would the western Canadian farmers be getting a 200 or a 490, \$450 million payment from Ottawa if it hadn't been for our Premier? The answer is no. Not only did this Premier deliver for Saskatchewan farmers, Mr. Speaker, he delivered for Manitoba farmers and for Alberta farmers, and quite frankly, Mr. Speaker, we ought to be charging a commission. Every time he goes down there he gets money from not only Saskatchewan farmers but for the other provinces as well.

Some Hon. Members: — Hear, hear!

Hon. Mr. Hepworth: — Now you contrast that, Mr. Speaker, with what was happening when the NDP were in power and the interest rates were 22 per cent. The minister of Agriculture then, when members of the Tory caucus who were in opposition at the time asked the member, who at the time was Mr. MacMurchy, are you prepared to help with the high interest rate problem; and do you know what his answer is? And I'm paraphrasing it — well these high interest rates, you know, that's a federal issue

and we're not going to get into it.

And while he fiddled and while the NDP fiddled, I'll tell you, rural Saskatchewan burned and home owners across this province burned, Mr. Speaker. Farms were lost and houses were lost because the NDP chose not to help farmers, Mr. Speaker. When the choice has come, Mr. Speaker, between helping farmers and sticking to their socialist dogma, guess which wins out every time, Mr. Speaker? Every time. Well I tell you, Mr. Speaker, this party . . .

The Speaker: — Time has elapsed.

Mr. Anguish: — Thank you, Mr. Speaker. I'd like to respond just briefly to some of the comments made by the Minister of Finance. And first off, the NDP are against one thing in the province of Saskatchewan and that's the Progressive Conservative government and the destruction they've done to the province of Saskatchewan.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — The second comment I'd make, Mr. Speaker, in regards to remarks from the Minister of Finance is this: it's not us that are looking to the past in Saskatchewan; it's the people of Saskatchewan looking to the past because it looks so good compared to what they see now under this government.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — Mr. Speaker, we put a motion forward this afternoon:

That this Assembly regrets the continued steady decline of Saskatchewan's rural communities as is evident in the alarming rate of rural depopulation, education cut-backs and lay-offs, and business bankruptcies on main street.

Now that is a valid motion we put forward, Mr. Speaker, and they come in and with what hypocrisy they talk about the good job they've done in the province of Saskatchewan.

Nobody out there listening today would believe that this government has done a good job because people in Saskatchewan are suffering while they do support the Weyerhaeusers and the Cargills and the multinationals. But they don't support business in Saskatchewan, they don't support the ordinary individual in Saskatchewan, they don't support education at adequate levels.

They might build elaborate medical buildings. They might build elaborate educational facilities. But then they take away the means for our young people and the sick to attend those facilities, Mr. Speaker. That's what a Progressive Conservative government has done in the province of Saskatchewan, Mr. Speaker.

(1545)

Mr. Speaker, I would hold the fact the bankruptcies in the province of Saskatchewan . . . You look at 1988, Mr.

Speaker, total bankruptcies in the province of Saskatchewan, 1,236 bankruptcies in the province of Saskatchewan in 1988, Mr. Speaker.

In fact, between the period of 1982 and 1989, under years of a Progressive Conservative government, bankruptcies in Saskatchewan have increased by 100 per cent — 100 per cent. Why is that, Mr. Speaker? Because they've taken all the money out of the economy in the province of Saskatchewan and given it to their multinational friends and their patronage bin and their hog trough so that the ordinary individual is struggling to exist in the province of Saskatchewan today, Mr. Speaker.

They sit around and they pretend they're constitution builders while Saskatchewan is withering on Devine, Mr. Speaker. That's what's happening in the province of Saskatchewan.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — They run off to Ottawa and they don't say, this is what Saskatchewan needs: Mr. Mulroney, we need better prices for agriculture products; Mr. Mulroney, we need help in bad economic times; Mr. Mulroney, we need the Farm Credit Corporation to do some restructuring on debt and not let them run away on interest rates. They don't go down and say that.

The Premier of this province goes down and says: yes, sir, Mr. Prime Minister; yes, sir, Mr. Prime Minister; yes, sir, Mr. Prime Minister; never standing up for the people in the province of Saskatchewan. And that's the problem with this government, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — Mr. Speaker, let's look a little more closely at the first quarter of 1990, bankruptcies in the province of Saskatchewan. Farm bankruptcies in the first quarter this year over the first quarter last year, up, record — up by 131 per cent.

Mr. Speaker, how about personal bankruptcies in the first quarter of this year over last year? Personal bankruptcies up by 29 per cent. Mr. Speaker, business bankruptcies in the first quarter this year over the first quarter of last year, up by 36 per cent.

Mr. Speaker, this government should be ashamed to come into this legislature and talk about what they call the good job they've done in the province of Saskatchewan. If that's the good job they've done in Saskatchewan, Mr. Speaker, the electorate in Saskatchewan will throw these people out so hard come next election they'll be decimated to the extent they were last time they were government in Saskatchewan, back in the 1930s, Mr. Speaker. That's what'll happen to this government.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — While rural Saskatchewan hemorrhages — and you can look at facts in the movement of population out of rural Saskatchewan — since they've been in office, half-way through their first term of office,

'82 to 1986, almost 20,000 people left rural Saskatchewan, Mr. Speaker, almost 20,000 people.

And I'd even hate to guess at how many people in their second term of office have left rural Saskatchewan because they don't support the small farmer. They don't support the small-business person. They don't support the average individual in Saskatchewan. The average individual, the average small business, the average farmer are in a time of crisis in the province of Saskatchewan, Mr. Speaker. And this government stands by and does nothing of substance about it. They have empty rhetoric. They still blame governments from a decade ago for their problems of today. They blame the world economy on the Saskatchewan situation. They'll blame pensioners. They'll blame trade unions. They blame inefficient farmers, but never once stopping to take blame for where blame is due, and blame is due on the Progressive Conservative government in the province of Saskatchewan. That's where it's due, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — We know that. The people of Saskatchewan know that. They don't want to call by-elections because they're afraid of that. Three vacant seats in the Saskatchewan legislature, they should all be safe seats for the Progressive Conservative Party. They've taken care of them. But they're not. They won't even call by-elections in the seats that are vacant because they know they're in trouble even in strong Tory constituencies, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — Where is the shame in these people who have decimated the economy of Saskatchewan? They have no shame, Mr. Speaker, in what they've done. Smoke and mirrors and deceit and deception by a government that has gone astray: spending like drunken sailors, Mr. Speaker, increasing taxes at unprecedented rates in the province of Saskatchewan, Mr. Speaker.

Mr. Speaker, they should be shameful of the job that they've done on the people of the province of Saskatchewan. They should be ashamed.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — The New Democratic Party, Mr. Speaker, has travelled far and wide throughout this province in recent years, and we hear what people are saying. We've heard the hardship stories that they've expressed. We've heard many people say, never again in my lifetime would I vote for a Progressive Conservative candidate because of how they've deceived us in the past election, Mr. Speaker.

The promises they've made and none of them kept. You can't find a single election-time promise that was made by the Progressive Conservative members that was kept at this point in time, Mr. Speaker. They said they'd remove the gas tax, and they did. But the gas tax is back on. They said that they would reduce personal income tax, Mr. Speaker, and they've increased it. They said they'd give senior citizens free telephones, Mr. Speaker, and my

grandmother passed away with no free telephone.

They have misled the people of the province of Saskatchewan. They have driven children into hunger. They have driven families into poverty and they have driven some of the brightest and the best right out of the province of Saskatchewan, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — And do they show shame? They show no shame. They still stand up in their arrogance and pump their chests and cry out rhetoric that they hope in desperation that the people of Saskatchewan will believe, because Allan Gregg and Nancy McLean from Toronto say this is what you have to do if you want to go on deceiving the people in the province of Saskatchewan.

But people bitten once in Saskatchewan, Mr. Speaker, are not so easily deceived again. People in Saskatchewan are the most politically aware people of anywhere in Canada, and actually anywhere in North America, Mr. Speaker.

Some Hon. Members: — Hear, hear!

Mr. Anguish: — And when the Saskatchewan electorate turns out in the next election, turning out in volumes of 80 per cent or greater of the eligible electors, they'll show the Progressive Conservative members opposite what they really feel about them. They'll show them that expression by turning them out of office, Mr. Speaker. They will reduce them to minor opposition in Saskatchewan . . .

The Speaker: — Time has elapsed.

Some Hon. Members: — Hear, hear!

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

Mr. Lautermilch: — Speaking to the motion, Mr. Speaker.

The Speaker: — Time has elapsed for debate on the motion.

Hon. Mr. Hodgins: — Mr. Speaker, I would seek leave of the Assembly to move to government orders at this time.

Leave granted.

GOVERNMENT ORDERS

SECOND READINGS

Bill No. 25 — An Act to amend The Provincial Court Act

Hon. Mr. Lane: — This Bill, Mr. Speaker, contains provisions aimed at ensuring judicial independence. Presently provincial court judges' salaries are set out in the regulations, passed pursuant to The Provincial Court Act. Pursuant to this Bill, they will be included in The Provincial Court Act itself. The federal Judges Act has set a precedent in this regard with provisions aimed at guaranteeing the independence of judges.

This Bill will also provide for the establishment of an independent commission to make recommendations on

compensation and benefits for judges. Again, the federal Judges Act, with the purpose of ensuring judicial independence, provides for the appointment of such a commission.

In Saskatchewan the commission will be made up of three people who are not judges who will be appointed by October 1, 1990 and by October 1 in every third year after that. The recommendations of the commission will cover a three-year period.

They will be submitted to the Minister of Justice who will lay the recommendations before the Legislative Assembly within 30 sitting days of their receipt.

The Bill before this House also incorporates a guarantee that unless the contrary is recommended by the judicial council, the residence of judges will not be changed without their consent. Again the purpose of this amendment is to remove any doubt about their independence. I'm confident these amendments will clearly ensure the independence, the continued independence of the judiciary, and I'm pleased to move second reading of An Act to amend The Provincial Court Act.

Mr. Koskie: — Well a few preliminary comments, Mr. Speaker, in respect to the amendments that have been put forward in The Provincial Court Act. I just want to say at the outset, Mr. Speaker, it is not out of the goodness of the heart of the Minister of Justice that he comes forward with these amendments.

History of these amendments will indicate that last fall that the provincial court judges came to the Justice minister making certain requests in respect to guaranteeing the independence of the judiciary. And they indicated that several changes were necessary in order to bring about a greater independence of the provincial court judges. And they set forth a number of concerns that they had and recommendations as to how greater independence of the judiciary could be forthcoming.

And I want to say that out of the discussions, initially the Minister of Justice indicated clearly that he felt that The Provincial Court Act as set out in 1988, the amendments of 1988, provided and guaranteed judicial independence to the extent that it would meet any of the tests under the charter of rights.

And negotiations and the threat of taking the government to court initiated first of all a response by the minister. It is clear that the judges wanted an independent commission. They wanted the independent commission but they wanted it to report directly to the legislature not to the minister first, and to be tabled in the legislature.

They wanted other concessions from the Minister of Justice and it's interesting to note that the Minister of Justice has since come further in appeasement of what the judges have been seeking. Because I note that in the initial response from the minister as far back as November 14 to one of the judges that were concerned with the issue, it indicates in that letter, and I quote in part:

Further to our discussion on November 8, 1989,

we agree to consider an independent third party to examine and determine the national average of provincial court judges. The same independent third party is also to review the merits of establishing an independent commission to review judges' salaries, compensation, and residency only for future years.

So the initial offer by the Minister of Justice did not go to meet the demands or the requests of the provincial court judges. I want to say that, as the minister has indicated here, that what he has done is to appoint a commission which will look at the salary of the judges and the benefits that that commission will be established at a given period of time each year and will report to the minister to be tabled in the legislature.

(1600)

I want to say that I think is . . . (inaudible interjection) . . . yes, every three years. But it starts off in October 1, 1990, and subsequently every three years. I just want to say, Mr. Speaker, that very important that we have judicial independence. I think that the judiciary should not only be independent but it should be perceived to be independent.

And one of the concerns that the judges raised not — I don't believe indicating that there had been direct interference or political interference to be fair — but they indicated that it could be possible under the system of placement of judges, that in the event that a judge gave a decision, which the government of the day or the Attorney General or the Minister of Justice did not like, it is a possibility under the previous provisions that that judge in effect could be sent to Siberia. That was a concern, and don't shake your head, there was a major concern.

An Hon. Member: — Couldn't send it out of the province.

Mr. Koskie: — Now I know that, but I use it in the terminology as in the broadest sense.

All I want to say, Mr. Speaker, is that these amendments do in fact address to a large extent the concerns of the judges. It doesn't go to the full extent that they had requested and there are a number of concerns that we will want to deal with in the Committee of the Whole, but essentially we are in agreement with the provisions that have been put forward in the amendments.

Hon. Mr. Lane: — Thank you, Mr. Speaker. I just wanted to respond to the one point without prolonging the debate so that the record is clear that the provincial court judges did make it abundantly clear during the dispute that the present government had not moved any judge and that it had happened only under a previous administration.

An Hon. Member: — They didn't say that either.

Hon. Mr. Lane: — Yes they did.

An Hon. Member: — They didn't say that.

Hon. Mr. Lane: — Yes they did.

An Hon. Member: — They did not.

Hon. Mr. Lane: — They did and that was your concern that it would be happen again. And so I just do want to make it clear that they were aware, Mr. Speaker, that this government had not moved any judge without the judge's consent and that secondly it had happened under a prior administration.

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

Bill No. 39 — An Act respecting Summary Offences Procedure and Certain consequential amendments resulting from the enactment of this Act

Hon. Mr. Lane: — Mr. Speaker, this new Act which replaces the existing Summary Offences Procedure Act introduces a number of changes to the procedure relating to offences under provincial . . . under legislation. It also provides a more rational approach to, and clarification of, existing procedural provisions.

The new legislation focuses primarily on incorporating provisions to implement a new program that will use the driver's licence application process to collect defaulted fines for offences respecting moving traffic and faulty vehicle equipment. These changes will result in the removal of the cumbersome time and labour intensive process associated with the issuing and enforcing large numbers of warrants for people who ignore their moving traffic or defective vehicle equipment tickets, or who fail or who refuse to pay fines assessed for such violations.

It is anticipated that these changes will result in a reduction of the work-load for our police officers and a saving of approximately 86 person-years in provincial police forces. Police forces will be able to devote existing resources to other matters such as crime prevention.

In addition, the province will recover many fines that are now uncollected because the present process is both cumbersome and simply not very effective. Additional amounts to be collected are estimated to be at least \$950,000 every year. I'm confident, Mr. Speaker, that this system will provide the most efficient, effective, and appropriate enforcement mechanism for collecting outstanding and unpaid fines.

It has proved successful in a number of other provinces including Ontario, Alberta, and Manitoba.

In addition, removing the warrant system for these offences means that individuals will no longer be subject to an arrest in their homes or at their place of work or elsewhere in order to meet the requirement to appear in court, or so that they can serve time in prison for failure to pay a fine for a traffic offence. Thus this new enforcement mechanism also recognizes a concern for the civil liberties of people charged with provincial offences.

Among the most significant provisions of this new Act is a provision that will have Saskatchewan Government Insurance refuse to issue a driver's licence where a person has not paid fines resulting from an offence specified for

purpose. The specified offences will be moving traffic violations and faulty equipment offences, and such offences constitute approximately 92 per cent of all summary offence tickets currently issued.

Individuals served with a moving traffic ticket will have a number of options available to them. They may pay the voluntary penalty indicated in the ticket; register in a fine option program; appear before a justice to plead guilty but request a lower fine than the voluntary payment because of extenuating circumstances; or if they wish to plead not guilty, they obviously may request a trial.

To deal with problems that are created where an individual chooses to ignore a ticket served upon him or her, a deemed conviction procedure is added to the Act with respect to moving traffic offences. Such people will be notified of the conviction and of the amount of the fine assessed. The Act also provides that a person convicted by this process, who has not had an opportunity to respond to the ticket, may apply to a justice of the peace to have the matter reconsidered. An additional feature associated with this deemed conviction procedure is that the fine amount for offences with this new process are limited to a maximum of \$400.

For unusual situations, a last resort incarceration provision is maintained as an enforcement mechanism. This would apply where the licence non-renewal process is unsuccessful, the person does not participate in the fine option program and refuses to pay the fine even though numerous extensions for time of payment may have been requested and granted.

Likewise, when describing offences for the purposes of this new system, we will ensure that incarceration will continue to be available as a sentencing and enforcement option for offences relating to driving while a person is disqualified from driving or while a driver's licence has been suspended or refused by SGI.

Finally, a late payment charge will be assessed on overdue fines for these offences. This administrative fee will offset the cost of enforcing the payment of unpaid fines.

The existing summary offence procedure, which people may be authorized to pay a voluntary penalty but register in a fine option program or otherwise appear in court, is being continued. This process will continue to apply to offences other than moving traffic and faulty vehicle equipment offences. Such examples are offences under The Alcohol Control Act, The Wildlife Act, parking offences under municipal by-law.

Likewise, existing enforcement mechanisms will be retained so that if a person charged with a non-moving traffic offence failed to pay the fine or participate in the fine option program, that person is subject to jail.

The other new provisions to improve the summary offence procedure are, generally, giving people, charged by way of summary offence tickets for all offences, the option of registering in the fine option program to work off the amount of the voluntary penalty without first having to appear in court.

Providing that where people pay their voluntary penalty by a cheque that is dishonoured, the conviction continues and after notice to these people that their cheque has been dishonoured, the fine can be enforced by the means provided in the Act and permitting civil enforcement of fines. This will ensure that means of enforcing fines assessed against corporations is authorized by the Act.

Consequential amendments that accompany these changes in the summary offences procedure are being made to The Highway Traffic Act, The Vehicle Administration Act, and municipal statutes. Minor reference changes are also made to several Acts.

Consultation respecting this legislation has occurred with those involved in the process of administering the system from the commencement of the process where a ticket is issued, until enforced. In addition, the major municipalities have been consulted. All parties consulted welcome the proposed changes as positive measures in dealing with certain provincial offences.

Mr. Speaker, the government has a responsibility to be fair and to ensure that laws are duly enforced for the benefit of law-abiding people, but also to respect the rights of the individual. We have kept in mind the need to balance the interest and enforcement of the law with the interests of the individual. The proposed process is the best option available to ensure careful allocation of scarce resources with these principles in mind.

People charged pursuant to the new procedure will be given several notices advising them of the procedure and how they may respond. The ticket will contain such information as will the notice sent to everyone who has been deemed convicted. And subsequent notice will be sent prior to the person's driver's licence renewal period.

Anyone and everyone who wishes to dispute a charge on the merits will be given their day in court and the opportunity for a fair and full hearing. Thus these changes will not deny a right of trial to anyone and do incorporate full procedural protections for those charged with these offences.

This system will not have an impact on the vast majority of people of our province who pay the voluntary penalty or appear in court when charged with a moving traffic violation. Only the minority of the people who fail or refuse to pay and fail or refuse to appear in court and are a resulting drain on the entire justice system will be affected.

I believe that law-abiding people will welcome a system that enforces fine payment by those who have attempted to evade payment in the past.

The objectives of the legislation are increased effectiveness, greater efficiency, protection of the rights of those charged with offences, and improved service to the public. The new traffic fine collection program and the other changes included in this legislation will achieve those objectives.

Mr. Speaker, I'm very pleased to move second reading of an Act respecting Summary Offences Procedure and Certain consequential amendments resulting from the enactment of this Act.

Mr. Koskie: — Thank you, Mr. Speaker. Mr. Speaker, I want the opportunity to review the remarks of the minister. We had no explanatory notes. There's a fairly . . .

An Hon. Member: — It's a new Act.

Mr. Koskie: — Yes, it's a new Act, but I thought you might have compared it with the previous sections. And I appreciate that it is a new Act. There is some significant changes that have been brought forward. I want an opportunity to look at the minister's comments and to have an analysis of the Act, and therefore, at this time I would beg leave to adjourn debate.

Debate adjourned.

(1615)

COMMITTEE OF THE WHOLE

Bill No. 5 — An Act respecting Child and Spousal Maintenance and Consequential Amendments resulting therefrom

Hon. Mr. Lane: — Thank you, Mr. Chairman. It's with pleasure that I introduce to the Assembly, Doug Moen, co-ordinator of legislative services and Susan Amrud, the Crown solicitor of legislative services.

Clause 1

Mr. Koskie: — Mr. Chairman and Mr. Minister, in respect to The Family Maintenance Act, I want to indicate that we support the provisions that you have provided within there. We want to indicate that, in reviewing it with various law firms and those that are handling a number of cases in this area, that they do find a number of positive aspects of the Bill. I note, for instance, the order freezing assets prior to obtaining an order. The mediation is a sound innovation and respected.

There is only a couple of areas that were raised for your consideration. And first of all is in respect, Mr. Minister, of the definition of agreement. If you take a look at the Act in section 2, if I may refer you to section (a):

“agreement” means an agreement with respect to a matter that is dealt with in this Act that is:

- (i) made in writing; and
- (ii) signed by the parties.

And then I believe that further on, if I might, Mr. Chairman, in following it through for the minister, I believe it also refers in filing the agreement under section 9.

I ask the minister whether he considered really, in the definition of agreement, putting in a proviso similar to The Matrimonial Properties Act whereby the agreement had to be approved by independent counsel on each side.

That was because sometimes you could have an agreement which is perhaps not the best interest and would be proceeded with, and doesn't have that particular protection.

That was one of the concerns that was raised. And I was wondering whether or not you would consider that possibility of amending the definition of agreement at this time.

Hon. Mr. Lane: — The matter was considered. One of the concerns brought forward by those that we consulted was that a lot of people that will be helped with this may not have the financial resources for the added step, and that more formality may discourage the agreements than will help. So it was considered, but on balance we thought that the more informal, the easier it would be for people to access the Act. So that's the reason for it.

Mr. Koskie: — Yes. I guess the concern that was raised and that I raise is that having the safeguard that the agreement which is going to be incorporated really fairly reflects in the best interests of both parties. So that is the initial concern. And I understand what you're saying is trying to keep it as simple as possible. But I also know in The Matrimonial Property Act, I believe that provision is there. And I suppose the same reasoning could have been made there, because not necessarily are people particularly well off or sometimes no better off than they are under The Family Maintenance Act.

So I guess it's a balance. And my recommendation to you would be to include a provision similar to The Matrimonial Property Act which would assure that the interests of the parties in that signed agreement are fairly reflected.

Hon. Mr. Lane: — I'm not disagreeing with the point raised by the hon. member, but I am arguing that we want people to take advantage of the provisions of this Act, and we want to reduce the formalities. Certainly you may have a situation where if one of the parties is dissatisfied with the agreement that they sign, they obviously won't file it. And they have the option then of going the traditional routes to get a fair agreement.

So it's not that it's necessary that they have to sign this if they're dissatisfied with it . . . or file it. They don't. But assuming they're satisfied, in our view it is in the best interest to encourage people to use the procedures here as opposed to discourage them. So I'm not disagreeing with the point the hon. member made. It was a choice we had to make that we wanted to encourage and keep the formalities for minimum and with the protection that as I've already stated.

Mr. Koskie: — Well yes, I accept that explanation. However I would urge at least a consideration of that. I note in your . . . you're correct in section 9 where it says they may file it and not required to, and as a consequence I suppose they could opt not to use the agreement and take the procedure before the court for a determination.

There is, if I might just, Mr. Chairman, and then we can proceed through, just raise a couple of other items. And that is, Mr. Minister, in respect to clause 5(1)(d) where you

... in section 5 it deals with the amount of maintenance, and there is some concern as to why (d) would be put in. In other words, when you're determining the amount of maintenance to be paid, the courts shall take into account the needs and the means and economic circumstances of the party. And one of the things that you ... as (d) indicates, it says "in the case of maintenance for a child, the cost of the respondent of exercising access to that child."

I would have thought that the first ... if you're going to set a maintenance order, that what you would be doing is determining how much is required to maintain that child; not how much it would cost for one parent to access cost of the respondent of exercising access to the child. And there was some concern raised for that and I was wondering what the rationale is there.

Hon. Mr. Lane: — Well one of the problems is the courts have been inconsistent in taking into account the costs sometimes of access. We obviously want the access to be given and to in fact happen. Sometimes that cost can be extreme, can be a fairly heavy amount for an individual, and could discourage access.

So the courts can take that into account in determining the amount of maintenance because obviously we want to encourage access. The Canadian Bar Association has recommended that this be done this way, that the courts can take that into account and shall take it into account. What weight it puts onto it of course is a matter of judgement. But it was recommended, one, by the Canadian bar; secondly, it meets the principle of encouraging access to the child.

Mr. Koskie: — But to some extent it runs counter to the amount of maintenance perhaps, or conceivably could, because if you take this into account and take the extreme example of where there's a separation and one is living in Toronto when one is living in Regina, and you're going to start taking into account the cost, you're determining what maintenance you should give to the child; in the case of maintenance for the child, the cost to the respondent exercising access to that child. I don't know how that fits into really determining how much money is needed for the maintenance of the child.

And would, if the court were to decide to take that in, could it not in fact bring access but a decreased amount in maintenance.

Hon. Mr. Lane: — It's simply one of the factors that the court can take into account. How it weights that factor, the court could very easily say that, look the amount of the maintenance here we are simply taking into account, given the financial circumstances and whatever else, that this is the amount needed for maintenance. That's the most that can be carried.

It's one of the factors. The courts have been inconsistent. The courts have in some cases ruled that it should be taken into account and others. It's only a factor. The weight will be in the judgement of the court. So the court may give very little weight to that criterion, but it certainly is one that the recommendations were at least be one of a criterion and that the courts be able to use their

judgement as to what weight they're going to give to it.

Mr. Koskie: — I refer you just to one other concern if I may, or a couple more, and that is in section 7, the powers of the court, and section 7(1)(b) it indicates: "that a lump sum be paid or held in trust on any conditions the court considers appropriate." Is there any merit there in adding to that or by the agreement in writing by the parties?

Hon. Mr. Lane: — But they can do it by agreement anyway. If they have an agreement, they can file that agreement and have it in force. So they can do it by agreement anyway.

Mr. Koskie: — I know, but it indicates here in section 7, if I read it correctly, it says:

On an application pursuant to this Act, the court may make an interim or final order on any terms and conditions that the court considers appropriate including one or more of the following provisions: (and)

(b) that a lump sum be paid or held in trust on any conditions the court considers appropriate;

So there you have exclusively the court deciding. All I'm asking, is it possible to have by the agreement in writing by the parties? In other words, rather than just the discretion of the court.

Hon. Mr. Lane: — Again, we're having a little difficulty in that if they agree to file their agreement, they can have in there the provisions, okay, and if they don't have an agreement, they're getting a court order. It's certainly one of the things that a court obviously would take into account.

We're not understanding the difficulty, I gather. If they didn't agree with the agreement of course, going through the court, the court would again make its order as it deems appropriate on any of the conditions. So if they're filing the agreement, then that's covered off, otherwise the court has the discretion that a lump sum be paid or held in trust in any of the conditions that it deems appropriate.

So if we're not answering the question, I apologize and perhaps could explain it again.

Mr. Koskie: — Not a major problem with it.

Section 8 is the last one that I just want to ask, and that is in respect to section 8(1)(a) where variation of an order, and it says:

(a) may: discharge, vary or suspend any term of the order, prospectively or retroactively."

And a number of lawyers wondered why retroactively in there. Because where the circumstances change, are you going to go back or are you going to as of the time of the change? Because it seems to imply that not only once the circumstances change and are brought to the attention of the court that they can vary it, but also in suddenly being brought to the attention of the court, that they can go back

somehow, retroactively. And that was the concern.

Hon. Mr. Lane: — Well it's being done now. And a circumstance can happen where supposing there's a maintenance order and say the mother has custody of a son; the son goes and lives with the father with the consent of the mother. Okay? And then they come back to vary it later. They could go back and change the order back to the time that say the son went with the father. Not a common circumstance but not an uncommon one where it could be reviewed after a child went with another parent.

And so as I say as well, that the courts do it. But that would not be an uncommon situation where it would be necessary.

(1630)

Mr. Koskie: — Mr. Chairman, those are the essential concerns that I wanted to raise to the attention of the minister. Overall, as I indicated, the provisions of this Bill we are in concurrence with and will be supporting it.

Clause 1 agreed to.

Clauses 2 to 35 inclusive agreed to.

The committee agreed to report the Bill.

Bill No. 6 — An Act to amend The Dependants' Relief Act

Mr. Koskie: — Thank you, Mr. Chairman. Mr. Minister, in clause 2(1)(c) is amended by adding . . . Well it's subclause (c) that I want to refer you to. It says:

(iv) a person of the opposite sex with whom a testator or an intestate cohabited as husband or wife:

(A) continuously for a period of not less than three years; or
(B) in a relationship of some permanence, if they are the parents of a child.

I'm wondering in respect to (B) whether . . . It says, "in a relationship of some permanence, if they are the parents of a child." I suppose that would be left in the determination of the court as to whether or not they had lived together prior to the birth of the child, and certain criteria would be set forward. I'm wondering whether it leaves some indefiniteness as to what is a relationship, but I suppose it would be left in the discretion of the court.

Hon. Mr. Lane: — Yes, it does. It's obviously in the judgement of the court. They'll take into account all the factors which we would expect in determining permanence, but it has to be in their discretion. The criterion to get away from the less than three years is the parents of the child. But it still is in the discretion of the court.

Mr. Koskie: — Fine. I also note subsection 9(2) is repealed and 9(2) previously indicated that no allowance ordered to be made to the spouse of a testator shall, in the opinion

of the court, be less than that the spouse would have received if the testator had died intestate leaving a spouse and children. That is being deleted.

All I raise here is certainly in commencing an action, previously with that subsection 9(2) in, those who were seeking relief in court were certain at least to obtain a minimum. I guess now what you have done is to in a way taken out the certainty, but perhaps I guess the counter argument to that is that maybe in some instances, that set amount should not have been allowed in some circumstances. And I guess there's a counterbalance to it.

But I raise that for your comments as to your reasoning or the reason for deleting that certainty that was there before.

Hon. Mr. Lane: — Well it did in some circumstances cause unfairness where the courts, with the limited amount available, wanted to allocate it to another dependant and couldn't do it — perhaps a handicapped child, for example. So the Law Reform Commission has recommended that the court have the discretion and those arbitrary figures be removed.

Clause 1 agreed to.

Clauses 2 to 5 inclusive agreed to.

The committee agreed to report the Bill.

Bill No. 3 — An Act respecting Custody of, Access to and Guardianship of Property of Children, Child Status and Parentage and Related Matters

Clause 1

Mr. Prebble: — Yes, Mr. Chairman. Mr. Minister, during second reading on this debate, I raised a number of concerns with you with respect to the Bill. I know that you undertook at that time to review my comments and I invite you now to make any response that you wish to. So I invite some comments from you before we enter into a debate on this.

Hon. Mr. Lane: — Well I could give a rather lengthy reply. I'm not sure that's what you want . . . that some will be picked up on clause by clause.

One of the questions you raised was the matter of accessibility to mediation services at a reasonable cost. In our view, the consequential amendment to The Department of Justice Act will help ensure accessibility to mediation at reasonable costs in all parts of the province.

Mediators currently on contract to the department for mediation under the farm security Act, for example, do more mediation than any other mediators in the province. They are already involved peripherally in family mediation because of the fact that farm families who are in danger of losing their land are also experiencing marital problems as a result of the obvious stress they're under.

We propose that these mediators will be taking extra training in family law. We will make it available to these

mediators. This we believe is the best way to make sure that mediation is widely distributed across the province at the least cost. So within reason, I believe we will be responding with The Department of Justice Act plus the additional training in family law to the mediators, that under the circumstances we responded in the question of mediation services at reasonable cost.

You ask as well that the Act be reassessed and amended to comply with the United Nations Convention on the Rights of the Child. In fact the Act was drafted with that very convention in mind. The Act as well has been reviewed by the department's human rights solicitor and was found to be in full compliance with the convention. Those were the key, in my view, overall thrusts that you worked from, and if you want to debate those or if they're adequately answered then we can get into the specifics.

Mr. Prebble: — I just want to be clear about your proposal with respect to mediation services. It's our position, Mr. Minister, that we should try as much as possible to provide mechanisms available to parties in a custody dispute to resolve that as much as possible outside the court, an informal resolution rather than a formal one that requires significant amounts of legal fees.

Mr. Minister, we had put forward a proposal that basically mediation officers be available to people in all the major court centres of the province. And I was not fully clear from your remarks about whether it's your intention to move towards that kind of a model, and I wonder if you could clarify that for me.

Hon. Mr. Lane: — Well we looked at many options, and what we realized is that the people under the farm security Act . . . and those mediators across the province do more and have received more experience obviously over the last few years than virtually anybody else. There has been some private law firms that have tried the mediation, and I gather with some mixed results out there. So when we came back and looked at how to get this out to the greatest number of people with the ones that will need the least amount of training to be able to deal with these problems, it was the mediation people, the services that we already had.

So our proposal is to train them further in family law. They're already working in many cases in family mediation, so here we have a storehouse of experience already. And I'm sure, and I'm not arguing with the hon. member that there probably aren't other solutions, but given the vast experiences out there and the numbers involved, that this is probably the best way to get mediation services out to as many people as quickly as possible.

Mr. Prebble: — I guess the bottom line, Mr. Minister, is will mediation services be available upon request at reasonable cost throughout Saskatchewan? And that's what we're looking for assurance of, and frankly we would like to see an amendment to this legislation that would in effect provide assurance of that. And what I'm asking you is whether you're prepared to amend the Bill to in effect ensure that mediation services will be available to parties upon request at reasonable cost.

(1645)

Hon. Mr. Lane: — Well let me come at it this way: that I think the way we're proceeding is . . . will accomplish that objective. If it doesn't, then obviously we have to come back and this House will have to make the changes or it'll be budgetary, I'm not sure which.

But starting this process, we're comfortable that we will get the greatest number with the greatest experience to the widest area of the problem, accessible to more people than anything else we could have done. So we're starting with that. I'm not sitting here, saying that it will be the ultimate solution. We think it will be the best, but I don't rule out the need perhaps to come forward in the future. There may be other solutions, and I don't discount those. We're obviously making a judgement call here as to what we think is best.

So to put it in as a guarantee may be a difficulty. We think we're meeting the objectives. And I certainly would like this to be accepted, and I don't rule out the possibility that we may be back in the future. It may end up that we've got particular areas. There may be, over time, different needs in the North. I mean, we understand that those things could happen.

But I really believe that this is worthy of an effort because if it works — as we believe it will — we will get, as I say, mediation services available to the greatest number in the shortest period of time.

Mr. Prebble: — Well, Mr. Minister, your mechanism may well work in rural Saskatchewan. I'm more worried about what the results will be in terms of northern Saskatchewan. You mentioned the North. And I frankly don't think that using farm mediators is going to work in northern Saskatchewan, where I suspect there are none.

So I'd like to be clear about how this proposal is going to work in some of the cities that don't currently have a lot of access to mediation services. I think of places like Moose Jaw and Prince Albert and how this model is going to work in northern Saskatchewan.

Hon. Mr. Lane: — Yes, these people, one, don't just work in rural areas now. And secondly, one of the difficulties we have — and I would ask for your assistance — we do have to get away from believing that it's just farm mediation that they're interested in. With the training program, it will be wider than that. They don't, as I say, all live in the rural areas.

Secondly, under the system that's been developed, they also have . . . not really circuits, but they have travel based on need, so that these people are able to be, one, proactive, so . . . There will be a period of time making people aware of this, as we've had to learn just on the private practitioners trying to set this up. I mean mediation is not a service that everybody sees the advantage to right away. So I'm not expecting this to be a cure-all, but I think it will accelerate awareness.

And again, I give you the assurance these people, one, are not all located in the rural; and then secondly, they do have the practice of being able to be mobile. So I freely

acknowledge it will take some time for the public to adjust to it even if these people are available.

Mr. Prebble: — Well just to close on this point, Mr. Minister, what we would like to see is an amendment to the legislation brought in by you that would in effect ensure that these services will be available.

There is a difference between establishing as an objective to gradually get these services into place — and by the way, that objective isn't really adequately laid out in the legislation, at least in our view. We would really like to see an amendment to the Bill that in effect guarantees access to mediation services to people around the province and that an objective clearly stating that is established in the legislation itself. And right now I don't see it there.

Hon. Mr. Lane: — Well I mean understand that the legislation is enabling legislation to set this up. We're comfortable that it does it.

But again I am not saying that it will necessarily happen. Our objective is to do that. I think the wise thing is, because we're starting out on a process, the public is really starting out on a process, that why don't we let it work, and if it's not adequately met again, we will be back to try and make it work.

Mr. Prebble: — Mr. Minister, I want to ask you another question, and that relates to the statement that you made with respect to having reviewed this legislation to ensure that it meets the conditions laid out in the United Nations convention on the rights of the child. I'll have a number of questions with respect to that.

The first one I want to ask you about is with respect to the need for a children's advocate in this province. I am very disappointed that you have again brought forward legislation that doesn't take account of the potential that a children's advocate could play in this province.

I've raised this on previous occasions in debate on The Family Services Act, but with respect to this piece of legislation, it's our judgement that a children's advocate could play a very useful role in providing children with a voice during court hearings related to a custody order.

And my question to you is: would you be prepared to bring forward an amendment to this Bill that would make provision for a children's advocate? And the services of a children's advocate I think would play a number of roles. One of them would be to give voice to the concerns of children so that their voices are heard before the courts in custody matters.

But another important role, Mr. Minister, would be with respect to the management of property because at this point in time, when someone is established as a guardian under this piece of legislation, the guardian of course has authority to manage property on behalf of a child under the age of 18 years. And there is really at this point no requirement in law for an independent third party to ensure that the property is being adequately managed.

And it seems to me, Mr. Minister, that one of the very

useful roles that a children's advocate could play is in effect they could receive on an annual basis, a report from the property guardian on the state of finances that the guardian is managing — the state of property; the value of the property; check to ensure that it's being wisely managed, Mr. Minister; and in effect protect the interests of the minor who is not, under this legislation, even entitled to any information about how the property is being managed until they're 18 years of age.

Mr. Minister, my question to you is, would you be prepared to stay the Bill for today and bring in an amendment that would in effect set up a children's advocate and allow the children's advocate to undertake the task that I've just described.

Hon. Mr. Lane: — Well we have to make a distinction with respect to the hon. member, of a right to be heard and then deciding what's in the child's best interest. I mean they're two different aspects. And then let me separate the property argument because I believe it is separate from the point about representing the child's interests. Right now we do have a representative of a child's interests in terms of property, being the Public Trustee. The Public Trustee is responsible for the property of the child under the age of 18. The Public Trustee can or the court can order that there be private guarantors of the property, if I can use that, or trustees of the property. But that's subject to court review whenever that happens.

It is the practice as well of the Public Trustee, if the child is a responsible child under 18 — we're not talking about a five-year-old or a six-year-old coming in off the street — that they will sit down and explain the situation and the status of the property to a child that can understand it, at any time.

But if it's the properties under their management, obviously they are the trustee for that child's property and have the legal responsibilities of a trust relationship and that of a trustee, as does one appointed by the court, who may not be the Public Trustee. And those tend to be . . . but I can't think of a circumstance where the estate is of a fairly large amount that it requires more technical professional people to manage it — maybe a business, maybe something of that nature.

So again, that's subject to the override of the court in those circumstances, and the individual trustee again is a trustee of the child's property. If there's a dissipation of that, that leads to certain legal recompense by the child.

So I would ask the hon. member to separate the property, because of all the people we talked to, and we talked to a lot of groups, that was not a concern raised, that the way the Public Trustee operates now has been accepted as satisfactory.

Come back then to the question of a child advocate, you know, giving the child the right to be heard. And we do come to some technical matters of the question of counsel in hearings. So if again I can separate that component from the procedural one, from the overall question of an advocate.

Obviously it's the law in our province that it is for the

judge to make the order as to custody. And the sole consideration will be the best interests of the child. B.C. has a family advocate. Alberta uses an *amicus curiae*. Neither are required to represent the wishes of the child, okay? — not the wishes of the child. And no province has established an office to represent the wishes of the child. The convention doesn't require the establishment of such an office.

In our view, all of the parties before the court will make the representations to the court and provide evidence to the court from which the judge can determine the best interests of the child.

We're not convinced that there's a need to add another person to assess what's in the child's best interests when we have the court to do it and the judicial process. The court always has the right during this to name counsel if it feels that it should, for the child, and paid for not by the child but as the court may order. So that flexibility is there to make sure that the child's interests are protected as opposed to the argument representing the child's wishes, because that takes us down a very dangerous and perhaps an unwise direction.

So if we stick with the argument as to the interests of the child, I believe that the processes, the changes to the legislation that we put in, make sure that that fundamental objective is being met.

Mr. Prebble: — Well, Mr. Minister, I'm not prepared to accept that latter explanation. I don't dispute the fact that the court has the right to appoint counsel for a child where it thinks that that is advisable. And you'll notice that I distinguish between the notion . . . I think one of the advantages of having a children's advocate, Mr. Minister, is that the advocate can sit down with the child, assess the circumstances, and determine when in fact the child's wishes are a reflection of the child's best interests, Mr. Minister, and then when it is in the best interests of the child, ensure that the child's voice is heard before the courts.

At this point in time, there's no guarantee that that'll happen. It's true that the court has the flexibility to appoint legal counsel for the child. Again there's no assurance that that will happen, Mr. Minister. In my judgement, Mr. Minister, a child, if that child is 13 years of age or more, should have a right to legal counsel before the courts.

And so I'm very interested in your reply on that. I don't think, Mr. Minister, that you have presented adequate arguments against the children's advocate. And as you pointed out yourself, you know, we've seen in Alberta and in British Columbia, and I think in Ontario, the establishment of such services. I don't understand why we can't have them here in the province of Saskatchewan.

(1700)

Hon. Mr. Lane: — I call the hon. member's attention, sections 8 and 9 of the legislation. Section 8(a)(vii), the court shall take into account — it's mandatory:

the wishes of the child, to the extent the court considers appropriate . . .

So, the court can't ignore that. The same thing applies to a variation or a rescission application, variation or rescission of the order of access. Take into account, in clause 9(1)(a)(iv):

the wishes of the child, to the extent (that) the court considers appropriate . . .

So we have put in the Act the requirement that the court must take this into account where it deems it to be appropriate. Again we go through the procedural provisions of the legislation, whereby the, you know, the court can appoint counsel. The court has an inherent jurisdiction as a protector of the child, always has had. And so it has the flexibility to — if it has any doubt — to make sure. And it's been used in Saskatchewan.

It's not uncommon for the court to make an order that there be counsel for the children or the child. And the fact that the court . . . The legislation requires that the judge take this into account — not an option, it's mandatory — where the judge deems it to be appropriate.

I just believe that the protections are more than adequate and that the convention doesn't require an advocate and that the procedures we've set out and the law that it operates here is more than adequate protection.

Mr. Chairman: — Being 5 p.m. the committee will recess until 7 p.m.

The Assembly recessed until 7 p.m.