

EVENING SITTING

ADJOURNED DEBATES

MOTIONS

**Authorization of the Standing Committee on
Constitutional Affairs**

The Assembly resumed the adjourned debate on the proposed motion of the Hon. Mr. Romanow, as amended.

Mr. Martens: — Thank you, Mr. Speaker. I want to point out to the Assembly, as I deal with the remarks that I'm going to make, three important items that I believe that the Opposition has presented to the government in a very clear, precise way in order to have them understand what our position is and what I believe the position of the people of Saskatchewan is. And that, Mr. Speaker, deals with three things.

First of all, we want to point out to this Assembly and to the people of Saskatchewan that we're convinced that the Premier of the province of Saskatchewan does not feel that a referendum is necessary in the discussion that we've had up to this point. He is going to have to clearly identify whether in fact that is a part of his agenda and whether he will commit to this Assembly whether he will do it.

And he has the right, Mr. Speaker, to close the debate on this. And I hope that when he does, that he will clearly enunciate that he will have a referendum for the people of Saskatchewan as they suggested to him on October 21 by over an 80 per cent vote.

And that, Mr. Speaker, is what this Assembly . . . what the opposition presented to the people of this Assembly for them to discuss, and we presented amendments dealing with that referendum item. And that, Mr. Speaker, is what we think should be included as a part of the discussion and I hope the Premier says that he will have the people choose what they want to have.

With that, Mr. Speaker, there is a responsibility that the Premier is also going to have and that the committee is going to have, and that they're going to have to have terms of reference that clearly describe what their roles will be.

And also, Mr. Speaker, they're going to have to clearly describe what the proposals that the province is going to present to the federal government are, what the other provinces are going to propose in relation to that. And that, Mr. Speaker, is very important for the people of the province to understand. And that, Mr. Speaker, will be the responsibility, I believe, of the government members of this committee to enunciate that to the people of Saskatchewan in a very clear way, and not have a political agenda appear as what we have seen described by the Premier earlier in the earlier motion.

And I want to point out at least eight different items that appeared there that I think could have implications as it

relates to politics being played in this issue in the province of Saskatchewan — not the political content of Canada, but in the politics of Saskatchewan. And, Mr. Speaker, I want to point out to all the members of the Assembly that there are a number of them.

I believe that the province of Saskatchewan would be well served with a Triple E Senate. And the Premier made an observation about that. That's what I call a national program. And we can have the politics in the province be very firm on that, and we can represent it from this side of the House and he can from that side, and the people will have a choice.

Mr. Speaker, here are some of those things that are, what I believe, Canadian political ramifications. And he talks about the provincial jurisdiction in treaties, trade treaties with the United States, for example, and with Mexico. I think those are issues that he wants to put on the table through this committee to enhance the opportunity of the federal NDP (New Democratic Party) Party in relation to the province of Saskatchewan. That is what I believe he is doing and that's why I think it's wrong for him to do that.

Mr. Speaker, the referendum in the province of Saskatchewan has to be a referendum that is clear, it has to be precise, and it has to have the information provided to it by the government of the province of Saskatchewan. And we will, as an opposition and membership on that committee, make sure that that opportunity is presented to the people as much as is allowed to us by the government and the information they provide.

The second thing that we raised as a part of this discussion was the committee has the opportunity, as we have voted . . . And we didn't vote for this but the government gave the legislature the responsibility of the committee saying whether there was going to be a referendum or not. And that, Mr. Speaker, is a choice that the government made. They're going to choose, rather than allow the people to have the referendum, they're going to say that this committee shall decide. And this committee, Mr. Speaker, is made up of, as we have been told by the House Leader, is going to have six government members, three from this side of the official opposition, and one from the independent member. That, Mr. Speaker, is supposed to be the context of this committee. And it's obvious to us that the context will deliver for the Premier his mandate, personal mandate, in relation to the content of what the conclusions of this committee are going to be. That's the second item, Mr. Speaker, that I think is what we want to point out to this Assembly and to the people of Saskatchewan.

And the third item, I believe, is this. This Assembly was given the opportunity to talk about Meech Lake. This Assembly, on a resolution passed in this House by members of this House, and by the majority of the NDP opposition, said . . . And they had the opportunity to speak for and against the motion. Mr. Speaker, I recall the individuals who didn't vote for this Meech Lake accord motion. I recall some of them. And that, Mr. Speaker, was an opportunity for people in this Assembly to say to the province of Saskatchewan that as elected people we have a choice.

But we had a debate, Mr. Speaker. We had a debate in this Assembly that clearly described what our position was at the time and what the NDP position was at the time and that, Mr. Speaker, is the third item that has been taken away by the leader of the government, the Premier of this province.

He has said that he doesn't want to have a referendum; he has said that if the referendum is to be taken, it is to be taken and the decision made by the committee; and third he will not allow that this Assembly have an opportunity to debate those items in a clear parliamentary format. And I think that that's absolutely, totally wrong. And when we deal with this in committee, Mr. Speaker, and Mr. Premier, it will be our responsibility to make sure that the people of the province of Saskatchewan not only understand the terms of reference, the content of the proposals by the federal government, the content of the proposals made by the other provinces, and the content of the proposals made by you, sir, as a part of the overall strategy in dealing with the constitutional reform of the province and the country of Canada.

Mr. Speaker, we have tried to have the people of the province have a voice in democratic reform. We have tried as an opposition to present to the government alternatives that would clearly help and assist the people of the province to be able to be a part of the decision making. And, Mr. Speaker, on every occasion we have been told, no you won't get this; no, you won't get that. And really, Mr. Speaker, it's a slap in the face of the people of Saskatchewan. Eighty per cent, Mr. Premier, said — 80 per cent — said that they wanted to have a very vital, important role in deciding and determining what it was that Saskatchewan was going to do. And you, sir, if you don't agree with that, then you have a very serious problem.

And that, Mr. Speaker, is the choice that you're going to be making. And as the decision completes and as the focus of attention comes to the vote in Quebec, the federal election, that serious implication will be made by the terms of the reference you give to this committee.

The kinds of things that we want to have and the people want to have are the kinds of things that we need to represent for this province to the constitutional debate. And that, Mr. Speaker, is as important for me as a parent in this Assembly and as a future grandparent. The possibility of this country breaking up is extremely serious. And that, Mr. Speaker, is something that we don't want to have. And it makes us believe that we need to have the people speak for what they want to have. And that, Mr. Speaker is very important to us.

(1915)

We have, on this side of the House, raised these matters repeatedly, Mr. Speaker, in these three points. And I want to say to the public of Saskatchewan that we will raise these three points over and over and over again as we participate in this debate on the constitution.

And, Mr. Speaker, I want to close by saying that the opportunity presented to the people of Quebec, by the

Government of Quebec, that they have an opportunity to vote for the second time on their involvement in Canada, should give us a reasoned sense of security in determining that the people of the province of Saskatchewan have just as fundamental a right to do that as the people of Quebec do. And that, Mr. Speaker, is the opportunity we want to raise and we will be raising so that the people of the province of Saskatchewan can have that opportunity to deliver a vote on the basis of whether they want to have the things that you describe for them in the constitution. We will work to see that that happens. Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Thank you very much, Mr. Speaker. I'm not quite sure how to begin the closing remarks, having listened to two days of what can only be described at the very best as rather contradictory position taking by the opposition members, and at worst a certain sinking below the standards that this Legislative Assembly expects on an issue which is as important as national unity.

The remarks of the member who just took his seat I think exemplify the point that I make. Confusion is the most charitable way that I can describe his remarks.

Let me begin by the third point that he made — the third point, that somehow the establishment of a standing committee on the constitution for this legislature was a denial of the full legislature's right to debate the constitutional amendments proposed. He cited the Meech Lake constitutional amendments that were proposed as an opportunity for the legislature to debate those amendments.

I don't know whether the member speaks from an enormous wealth of ignorance or malevolence, or both, when he fails to observe the plain fact that you cannot have — I repeat, Mr. Member — you cannot have a constitutional amendment in this country without the amendment coming before the Legislative Assembly of the province of Saskatchewan for debate for passage, rejection, or amendment. It is impossible.

Now surely, as an elected person . . .

An Hon. Member: — I understand that.

Hon. Mr. Romanow: — Well you say you understand that. You do not understand that because you accuse us in establishing the standing committee on the constitution as a way to obviate what you did on Meech Lake. That's exactly what you said a moment ago. And I say, Mr. Speaker, that that is either deliberate attempt to mislead, an element of malevolence, or it is, Mr. Speaker, if not that kind of a situation . . .

An Hon. Member: — Mr. Speaker. A point of order, Mr. Speaker.

The Speaker: — What's your point of order?

Mr. Neudorf: — Mr. Speaker, I think it's a well-established tradition that no member will call into

disrepute any other member by saying, deliberately misleading. And the Premier just made that accusation to the member of Morse. And I would ask you, Mr. Speaker, to call that member to order.

The Speaker: — On the point of order that the member from Rosthern makes, I think his point of order is well taken. It is a well-established fact and Beauchesne makes that very clear on page 109, that we may not use the words “deliberately misleading.” And so I ask the Premier to withdraw those words.

Hon. Mr. Romanow: — I’ll withdraw the words. I did not make the accusation as much as I made an alternative position. But none the less I accuse the member of misleading the House. He has misled the House, or he displays ignorance on the way the constitutional amendment is made. And he either knows that — in which case the misleading is unacceptable, and is purely political — or he does not know that, in which case I commend him strongly to take a first-year, primer course on what it is in order to allow the full constitutional debate to take place. So please, whatever you say in opposition to this standing committee on the constitution, do not say to us that we are establishing this committee as a way to get around the debate in the House. You, sir, as every member in this House, will have full opportunity to debate whatever constitutional resolution may be negotiated, and you know that. And if you don’t know that, you ought to have known that.

This debate is contradictory, Mr. Speaker, for other reasons as well. The amendment that they proposed, if you would believe, would have had a public report not be publicly filed, after having argued for two days that all of this was a ruse to keep the public away from the consideration of the issue. Even the Liberal leader spotted that particular ruse and voted with the government side in rejecting what the Conservatives intended to do. How can it be said by a responsible opposition party, advocating public involvement, that they’re putting an amendment to the resolution which would have a public report no longer publicly filed? That, Mr. Speaker, I think again is either an indication of misleading or, in the alternative, shows a wealth and a depth of ignorance which simply is unacceptable for any Legislative Assembly. And I say that regardless of your political ideology. You’re the ones who profess that Canada should not be political. Well for goodness’ sakes, please understand the fundamentals before you launch your debate as to whether or not the essentials of the proposed agreement is going the right way or the wrong way.

And there’s a last thing with respect to the confusion which is important. Their whole proposition . . .

The Speaker: — Order, order. My memory, I think, serves me well that when members spoke earlier today there was very little interruption by the Premier at that time. And I would ask the members to let the Premier make his presentation now. All right?

Hon. Mr. Romanow: — Thank you, Mr. Speaker. And I was going to point out the last contradiction, which I think is a fundamental one. Can you imagine for two days, even in the summary by the member for Morse, the

would-be next leader of the Conservative Party . . . He says that they want a referendum. And what did they do when the amendment, the subamendment which we proposed was advanced to this House, which provided the option of that amendment taking place? And I want to say a word about the other misrepresentation which has been put forward by the Conservatives. They voted against it.

Ironies of all ironies, confusions of all confusions. For a political party talking about the need for a referendum, they stand up in their places and, to a person, vote against the option of a public referendum. Mr. Speaker, I say that is total confusion and total unacceptability.

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — There is another aspect of this debate which I think is absolutely unacceptable as well for any responsible political party. I’ve got a copy of the amendment moved by the member from Kinistino and seconded by the member from Saskatoon Idylwyld on our side, which speaks to this very last point. The amendment says that at the appropriate time the committee be asked to consider — note the words — “to consider and recommend to the legislature.”

An Hon. Member: — A committee of 10 and 6 of your henchmen.

Hon. Mr. Romanow: — Now the member says, of our henchmen. That is the attitude displayed by the member from Rosthern. You, sir, are applying the standards of your party to the standards of the government side and you make a fatal mistake. There is no such situation on this side.

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — But it was your colleague, the member from Morse, and your colleague, the other would-be leader from Thunder Creek, who said that this committee would have the power to decide and to close the debate. And they know full well that the wording says “to consider and recommend to the legislature,” and it would be the power of the legislature to decide whether or not there is a referendum. Those are the plain black and white of the words on this paper, to consider and to recommend, and yet to this very last moment in this very last aspect of this debate they mislead the public and the House by saying the committee’s got the absolute authority. I say shame on them for this kind of a fraudulent position taken to the legislature and the people of the province of Saskatchewan. That’s not acceptable. Shame on you.

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Then the members opposite get up and they say, what is your constitutional position? I don’t know whether it was the member from . . . member in the back row. Where’s he from? Souris-Cannington, the member from Souris-Cannington. It might have been him or the member from Maple Creek. He gets up and he says, you know, oh well, I’d like . . . No, I think it might have been the member from Morse. Well I’d like to know

where they stand on the Triple E. I'd like to know where they do this. No it was the member from Maple Creek. I'd like to know where they stand on this and stand on that and stand on this and stand on that.

Why didn't he take a look at the submission that the government made to the Dobbie/Castonguay/Dobbie report? Why didn't he take the study of that submission? He would have known where we stood. Why didn't he take an example of the speech which I delivered to the national credit unions? He would have known where we stood.

No, but it's as if somehow this was taken in a vacuum. It's as if they didn't read it. It's as if they either do not want to read it, or if they want to read it, they don't want to accept the words that are stated there.

And moreover, the standing committee is designed exactly to do that. The standing committee is designed exactly for you members of the opposition and for the back-benchers on the government side to come forward and say, I want to know precisely what this means.

But they speak against the standing committee. They argue that as if somehow our position was "secret," which is an absolute untruth. They know what we have said and we've said it repeatedly over and over again.

But no, Mr. Speaker, they say, we want to know what the position is. The member from Morse, by the way, got up just a few moments ago, talking about positions. He says he likes Triple E. That's what he likes. I want to know whether the member from Thunder Creek likes Triple E just as much as the member from Morse does. Or does the member from Rosthern like it just as much?

He says, where does the government stand? I ask the members of the official opposition, where do you stand on the constitutional position? Why don't you stop hiding and come out with a concrete position as to where you stand on these various issues? You've got a responsibility to this issue, but you hide.

He says, you know the international trade provision. It's an NDP plot, he says, an NDP plot to allow the federal NDP somehow to come in through the Saskatchewan NDP to control international trade. But he tells us . . . he does not tell us the one very obvious fact that if it's an NDP plot I've got two of the wildest NDPers on my side in Premier Getty and Premier Filmon and the other western premiers. Why doesn't he tell us that? Why doesn't he tell us that?

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — He doesn't tell us that because he either doesn't know this or he knows it but he's not telling it because he's trying to score the political points involved in this debate.

I say to the member opposite, if you take a look at the positions and study the western premiers' conference positions, study the joint positions on equalization — study them and I mean study them — then you will know that the positions that we advocate do not depend on

political ideology, they depend on advancing a western Canadian objective. Not all of the issues may be accepted by all of us as a western Canadian objective, but I say to you, member from Rosthern, stand up for western Canada and Saskatchewan. Don't keep ducking in support of Mr. Mulroney, the Prime Minister in central Canada. He can defend himself. Stand up for this province. Stand up for the people in this province.

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — No, Mr. Speaker, they won't do that. They won't do that because they continue — and that's why this debate's been going on for two days — they continue this posture of theirs of telling a little bit of the story, not all of it, withdrawing it a bit, telling us maybe in a peekaboo style, they're for the Triple E, maybe they're not for the Triple E. But they simply will fail and refuse to understand the basic facts and then they chide us for playing politics with this operation. I say, Mr. Speaker, that's not a very credible position to take.

Somebody said during the course of the debate, you know ownership by the people. He said, you know we need ownership of the people. Well of course the constitution believes to ownership of the people. What ownership did the desk-mate of the Leader of the Opposition and the member who is talking non-stop from his seat right now, what ownership did they give to the people of Saskatchewan when they concocted Meech Lake one week — morning, noon, night, and day — behind closed doors? What option did you give of ownership to people then? What?

Some Hon. Members: Hear, hear!

(1930)

Hon. Mr. Romanow: — Nothing, absolutely nothing. Who was rolling the dice then and where were you? You were right in there rolling the dice with all those boys back there in Meech Lake. You say this: you say, say as I say; don't do as I do. And they ask us to adopt this as a credible position. I simply say to the hon. members opposite, we expect a whole lot more of you. And no wonder there are only 10 of you. The people of Saskatchewan represent a whole lot more of you than that kind of a position on a two-day debate on a standing committee, which was and should be and still will be a contributing committee to the constitutional debate both in the province of Saskatchewan and nationally. You can't get away with those kinds of comments and do that under the pretence of being somehow involved in the integrity of Canada. You know that full well.

Mr. Speaker, I say this debate is full of contradiction and confusion and it is, in the case of the opposition, the official opposition, a sad situation indeed.

I want to make one other point about the referendum. I have said totally over again . . .

An Hon. Member: — Herman, he can't talk from his seat steady.

Hon. Mr. Romanow: — My colleague, the House Leader,

is urging the member from Rosthern, the Conservative member from Rosthern, to stop talking from his seat. I don't mind that at all because frankly I think it's worth even hearing his views from that seated position than it is from a stand-up position, although I must confess that it might hurt his thinking capacity if he is seated down. Perhaps if he'd stand up we'd have a little more logic and reason to what you had to say.

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — A little more logic and reason than what you had to say. But the referendum situation — we take the position, Mr. Speaker, that the referendum is not to be rejected . . .

The Speaker: — Order, order. I've tried in vain to get the member from Rosthern to stop intervening. It just doesn't seem that he was willing to abide by the rules. I don't want to ask him again and I ask him to please refrain from interrupting while the Premier is speaking.

Some Hon. Members: Hear, hear!

Hon. Mr. Romanow: — Thank you, Mr. Speaker. Mr. Speaker, I'm about to make a statement on the referendum, and I repeat again the government's position. And this amendment reflects it as a compromise to the opposition. That's what we intended it, or at least we accepted it.

And the amendment we made, it wasn't the perfect solution that you wanted but it was an attempt to compromise. And it reflects the position the committee can recommend the option of a referendum that this body will decide in public with all the television cameras and the journalists that are there.

And what I said in the debate yesterday I repeat again: we're not ruling out the notion of a referendum. But I say that to say this now by way of a hammer-lock or strait-jacketed position is wrong. The negotiations are at a very critical stage. We don't know if they're going to fall apart. If they fall apart, the content or whether or not a referendum should be conducted is a very important issue for national unity which needs to be considered. It shouldn't be written into the subamendment. It should be debated at the time the negotiations and the various positions are articulated.

Is that such an unreasonable position, Mr. Speaker? I don't think that's an unreasonable position at all. And I repeat again: the committee does not determine; the committee recommends and it is we who determine it.

Now somebody in the course of this debate, in the course of talking in support of the referendum would have us believe that, you know, what we need to have is a referendum question which is nice and neat and simple about Canada. Well I would love to have such a question. But this is not a nice and neat, simple country. It's a nice country but is not a simple, neat country that can be summed up in a nice and simple, neat question.

Quebec is different than all the other provinces. Newfoundland is different than all the other provinces. I

like to think that Saskatchewan is different than the other provinces. British Columbia is different than all the other provinces. We come from different regions.

The trick of keeping this country together is balancing national interest and regional diversity. The Conservatives in Alberta call it unity in diversity.

And these are not very easily answered questions. You can't square that circle in a nice, neat, simple question about Canada — at least a question that can be translated into a constitutional resolution. Let me give you an example. The province of Ontario is fighting for a social covenant. Now there are some who say they're for it and there are some who are against it but I want to give you an example of how difficult it is to put into a nice, neat, simple question.

Is the social covenant going to be enforced by a court of law? Yes or no? If it's going to be enforced by a court of law, does it mean that the court of law can impose its social judgements on a duly elected Legislative Assembly — yes or no? If there's a social covenant, does it override the Charter of Rights and Freedoms? Where do you stand on that — yes or no? If a social covenant is going to be implemented, will it take away from the division of powers under section 92, the powers of the provinces — yes or no? Where do you stand on those things?

Now all of these have tremendous impacts on the various aspects of the delicate balance which is federalism, between the provincial powers and the federal power. This is the nature of Confederation. It's this healthy tension or confrontation from time to time — I described it as co-operative federalism the other day — which ultimately decides some of the answers to these matters. And if members opposite think that they can simply reduce this into a nice, neat, simple question about Canada, a question that can have impact and implication and to be carried out, then I say they are totally mistaken.

This is not to be said I conclude that there's no option for a referendum. Of course there's room for an option for a referendum. It would be wonderful to have the people of Canada, at the end of the day, vote and support and endorse what the governments and what the legislative assemblies agree to. I think that would be an act of unity; that would be an act of building us together. But can you imagine a referendum where the country is divided on emotional lines of language or culture or regional differences or some of the other provisions, whether it's social covenant or provisions of equalization? Can you imagine whether or not that is an act of unity or an act of division, for 30 days at a cost of \$100 million nationally and goodness knows how much of a cost provincially? Does that enhance the unity and the integrity to the process or does it hurt it?

These are questions which the committee, the standing committee of which we are debating, needs to look at and should look at properly, intelligently, in concert with our public, with full consultation with our public, full dialogue — and that's exactly what we're intending to do.

So I say to the members opposite, you can't so summarily dismiss or so airily categorize with a flippant comment

the notion that you can summarize this beautiful, complex creation called Canada into a “nice, neat, simple question.” It hasn’t been a nice, neat, simple question since 1867 or earlier and it probably won’t be for 20 years after that. That’s one of the strengths, one of the challenges.

And all I’m saying is: for goodness’ sakes, members, whether you’re Conservative or Liberal or New Democrat or the public, let’s make sure that we act responsibly. Let’s make sure that we act reasonably, pragmatically. Let’s not rush into these kinds of circumstances as Meech Lake was — a rush into a situation which, as we know now, has put this province and this country in the dilemma that we’re in. That’s all I’m saying to you. So if you say they’re mutually exclusive, they’re not. We hold that option open to you.

And finally, Mr. Speaker, is the question that I simply want to close on because I think in a way it indicates how the debate in my judgement has taken a disappointing turn, and that is the comments that the member made from Souris-Cannington. When the member from Souris-Cannington, as a first-time member, I say this to him, succumbed to somebody who poison-penned the comments that you make about betrayal of Canada in 1982.

You can reject everything that I say to you. You can say I’m patronizing, I’m arrogant, anything you want. I’ve been in this Chamber off and on for 25 years. And I tell you, if you allow your back-room people to give you words accusing Canadians, even though they make error, of betraying Canada, and you do that with languages referring to that guy and that leader and that arrogant person, I tell you, sir, your political life in this legislature is not going to be long. And it shouldn’t be long.

Because I tell you this, sir, in 1981-82 I readily admit that the end result was imperfect. I said it at the time. I’ve written a book about it, or co-authored a book about it. I’ve said it many times since. I repeat it here today. If it was betrayal, then I’m in good company of betrayers. Peter Lougheed was there. Bill Davis was there. John Buchanan was there. Angus MacLean was there. Sterling Lyon was there. Pierre Trudeau was there.

Oh, sir, if you could have the experience in the course of your public life to have been associated with such a gang of betrayers. Honest men and women who worked for three years and more to fight separatism, which you by implication are endorsing, because you say we should not have accepted the deal at the time. And you have the audacity — forget about me — to accuse that kind of personage, that category of personages, as a concept of betrayal. That I say to you, sir, is unbecoming a member of the Legislative Assembly in any legislature in Canada. It is unbecoming of any politician in Canada. I say to you, I urge to you, if you want to make a contribution, use your own thoughts. Because I do believe that you are civil. I do believe that you are thoughtful, and that you are a decent guy. And that kind of a comment simply is not to be applicable.

So I say to you, Mr. Speaker, and to the members opposite, this is a sad situation, a sad situation when the

debate is lowered to that kind of a level, a sad situation when the debate is lowered to confusion and contradiction — sad and confusing.

Now let me close. Mr. Speaker, we are making a positive step toward national unity in this resolution. And we’ve had some hard words in this debate over the last two days. I admit that. I don’t think that this should impair us in struggling for what we think is more important than either my political views or yours, impair us in building this great country which is the finest place in the world in which to live. I don’t think it will.

I urge all of the members opposite, a standing committee on ongoing interprovincial matters is the thing that we need. We should have had it a couple of years ago or maybe even more than that. I urge the hon. members to put aside, as we will endeavour to do, the political differences that exist. And let’s take a look from a Saskatchewan and a western Canadian perspective what it is that we can do to strengthen this great country of ours called Canada.

We’ll have our differences but we don’t need to question the motivations of men and women in those differences as we have on the occasions of this debate from time to time.

Mr. Speaker, I say to the people of this legislature and to the people of the province of Saskatchewan, this is not the answer, the committee alone. The end of the day the answer is going to be the resolve of Canadians in Sturgis or Lloydminster or Estevan or Saskatoon or Regina, the resolve to keep this great country together. That’s going to be the answer at the end of the day.

And the politicians will reflect that. All of us will reflect that because I think we’re committed to this country every bit as strongly as everybody else is. The end of the day it’s going to be the resolve of keeping this great Canadian experiment together as I talked about the other day.

May I close on one final quotation. This may not be an accurate quotation but there’s a noted Canadian historian by the name of Father Jacques Monet. And Monet from the University of Ottawa tried to describe Canada in this way. He said, you know Canada is not an act of common sense or an act of economics. Monet said, at the end of the day Canada is a question of the heart. That’s what Monet said. And as I quoted Lower the other day, it’s a miracle which has to be reworked every generation. That’s what this country is — complex, fragile, beautiful, powerful, free, full of opportunity, but it’s a miracle and it’s an act of the heart.

And I summons and I urge all members to summons that spirit as we approach this task of building Canada together. We can do it and we will do it. And I urge unanimous support of the House for this resolution.

Thank you, Mr. Speaker.

Some Hon. Members: Hear, hear!

The division bells rang from 7:44 p.m. until 8 p.m.

Motion as amended agreed to on the following recorded division.

Yeas — 42

Romanow	Sonntag
Van Mulligen	Cline
Wiens	Scott
Simard	McPherson
Tchorzewski	Wormsbecker
Lingenfelter	Crofford
Shillington	Knezacek
Koskie	Harper
Anguish	Keeping
Solomon	Kluz
MacKinnon	Carlson
Penner	Jess
Bradley	Langford
Koenker	Neudorf
Lautermilch	Swenson
Calvert	Boyd
Hamilton	Martens
Johnson	Britton
Trew	Toth
Draper	D'Autremont
Serby	Haverstock

Nays — Nil

SECOND READINGS

Bill No. 11 — An Act to amend The Marriage Act

Hon. Ms. Simard: — Thank you very much, Mr. Speaker. I'm pleased to rise today to move second reading of The Marriage Amendment Act, 1992. These amendments provide that marriages will no longer be solemnized under the authority of the publication of banns. This change will mean that all couples who plan to marry must purchase a marriage licence. It will also mean that churches will be free to publish banns in accordance with religious traditions rather than having to comply with the provisions in the Act. The churches that have been consulted are pleased, Mr. Speaker, to see this change being made.

A second change being proposed today is to authorize the minister responsible for the Act to appoint marriage commissioners rather than requiring that these appointments be made by the Lieutenant Governor in Council. This amendment will facilitate the appointment of commissioners.

A few other housekeeping amendments are also included in this Bill, Mr. Speaker.

Mr. Speaker, I move second reading of An Act to amend The Marriage Act.

Mr. Toth: — Mr. Speaker, I've taken a brief glance at the Bill that's been presented by the hon. minister. And I guess if you could say there is a regret in this Bill, it's the fact that it is going to be somewhat costly. But maybe most people in this province are not aware of the fact that they could have had a marriage transpire just by using

banns rather than taking out or buying a marriage certificate.

I think when we look at the Bill, we don't have a lot of problems with the Bill. And certainly we will be addressing more questions as we get into second reading and certainly into Committee of the Whole. So I beg leave to adjourn debate.

Debate adjourned.

Bill No. 12 — An Act to amend The Enforcement of Maintenance Orders Act

Hon. Ms. Simard: — Mr. Speaker, I am pleased to rise today to move second reading of The Enforcement of Maintenance Orders Amendment Act, 1992. The enforcement of maintenance orders program has been very successful in ensuring that child and spousal support payments are being made by respondents who have the ability to pay.

Since the program was introduced in 1986, the default rate for maintenance payments has gone from an estimated 80 per cent to 32 per cent. In 1991 the maintenance enforcement office collected \$12 million for spouses and children in Saskatchewan. There are currently 12,300 orders registered in the office with an average of 40 new orders being registered every week.

Mr. Speaker, the amendments proposed today will allow for increased efficiency in the office and increased powers of enforcement for the director. Together with the additional staff to be hired in the maintenance enforcement office over the next few months, the amendments will ensure the continued success of the operation of the office.

Difficulties have been encountered in enforcing maintenance orders through the use of writs of execution. This legislation amends the procedure to ensure that the writs of execution will remain in force for as long as the maintenance payments remain enforceable.

The policy of the legislation that no property is exempt from execution for enforcement of maintenance orders is also confirmed.

The director of the maintenance enforcement program is given additional powers to enforce arrears of maintenance. The director will be able to fix a portion of the arrears to be enforced by continuing garnishment on a periodic basis.

The arrears garnishment procedure is streamlined to be consistent with the continuing garnishment procedure. The documents will no longer need to be issued by the court and the payments will be made directly to the maintenance enforcement office which will be able to pay the money out to the claimant after the 10-day waiting period has expired. This change will help to see that the money collected is received by the complainant as quickly as possible.

In addition, a major loophole in the garnishment procedure is being closed. No longer will a respondent be

able to avoid garnishment of a bank account by placing his or her money in a joint bank account. These amendments will allow for the garnishment of joint bank accounts.

The director of the program is also given increased powers to obtain information about the respondent's financial situation. The director will be able to demand information about the respondent's income, assets, liability, and financial status from anyone who has information about these matters.

Mr. Speaker, the changes proposed in this Bill reflect the commitment that this government has to protecting the rights of spouses and children and combating poverty among women and children in Saskatchewan.

Mr. Speaker, I move second reading of An Act to amend The Enforcement of Maintenance Orders Act.

Mr. Toth: — Thank you, Mr. Speaker. Again I would just like to bring to the attention of the Assembly that I think we've already indicated to the government and to people in the province of Saskatchewan that we're really in favour of this Act, the enforcement of maintenance. We quite well agree with the observation and the areas that the Act is intending to address and the ongoing problems that have been associated with people walking away from their responsibility as parents. And we will continue to monitor and certainly follow through with possibly some questions regarding repayment of arrears and payments of enforcement.

We would also want to just keep in mind and maybe ask a few questions regarding the increased powers to investigate. And I'd also like to commend the minister for the fact that they have taken out the loophole of joint bank accounts so that indeed as enforcement is expanded and enhanced, we can address the needs and the problems associated with enforcement of maintenance orders.

So therefore, Mr. Speaker, we are generally in agreement with the Bill and in fact we would even allow the government, if they so chose, we would give them leave to take the Bill to Committee of the Whole, if they so choose tonight. So I adjourn debate.

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

Bill No. 13 — An Act to amend The Adoption Act

Hon. Ms. MacKinnon: — Mr. Speaker, I'm pleased to rise today to move second reading of The Adoption Amendment Act, 1992. The changes are required to expand and clarify existing provisions of The Adoption Act. Some of the amendments are housekeeping in nature. There are changes designed to better protect the rights of birth parents and adoptees and to better protect the confidentiality of adoption records.

The first amendment will ensure that birth parents considering an independent or agency adoption will have ready access to professional counselling before signing consent to adoption. This amendment recognizes the importance of the decision being made by the birth

parents and allows them to fully explore their options before signing consent to the adoption. The birth parent will have an opportunity to fully explore all alternatives with a counsellor.

Mr. Speaker, there will also be counselling respecting the technical aspects of revoking consent to adoption and the effects of an adoption order on parental rights. Counselling will be available in departmental offices throughout the province, Mr. Speaker, at no cost to the birth parent. It will be provided by professional staff who are equipped to provide alternatives, counselling, and independent advice with respect to the technical aspects of adoption consents.

The second amendment relates to section 14 of the Act, Mr. Speaker, and will provide greater protection for adoptees by ensuring that in the case of independent adoptions a report is prepared for the court by a qualified professional with respect to the suitability of the applicants to adopt a child.

Although the current legislation requires certain information be provided to the court, there is no requirement as to the training or qualifications of the person preparing the report. By setting a standard for the professional qualifications of the person completing the adoption report, we believe that the interests of the adoptee in independent adoptions will be better protected.

Also, a provision is added that will permit applicants in independent adoptions the option of processing the adoption through the department rather than having to retain legal counsel. This is particularly important for persons residing in more remote areas and also for those applicants who don't have the additional financial resources to pay for an independent home study or to retain private counsel.

(2015)

The third amendment, Mr. Speaker, clarifies provisions regarding the confidentiality of adoption information and assures that confidential information is protected by The Adoption Act.

The fourth amendment is a new provision which gives greater protection against the possibility that, as a result of civil litigation, staff will be compelled to provide information from adoption records. This amendment is not intended to restrict the right of staff to testify in court, but is more intended to prevent harassment of our workers.

The fifth amendment is strictly housekeeping and provides for deletion of clauses that are already covered in The Adoption Act and regulations.

The sixth and final amendment clarifies restrictions on advertising related to adoption. The original legislation was intended to forbid advertising for adoption, except in the case of the director who from time to time may require the use of the media to recruit prospective applicants. The amendment clarifies this intention by prohibiting all advertising except by the director and ensures that

advertising by individuals to solicit or procure children for the purpose of adoption is not permissible.

I am satisfied the amendments as introduced will provide birth parents with better opportunity for counselling and greater awareness of options available to them in planning for their children. The amendments also strengthen security for the safe keeping and release of adoption information.

Mr. Speaker, I move second reading of An Act to amend The Adoption Act.

Some Hon. Members: Hear, hear!

Mr. Neudorf: — Thank you, Mr. Speaker. And as far as The Adoption Amendment Act is concerned, Mr. Speaker, I've taken the time to look it over quite carefully and I've had a brief consultation with the minister, for which I am thankful. I wasn't quite sure of some of the implications involved and after listening to Madam Minister speaking I have a few more concerns than I had originally.

And so we'll be taking a very close look at that and, quite frankly, we're also in the consultation process right now with some agencies that are going to be affected by these amendments, Madam Minister. And at this stage yet, having received the Bill yesterday, we haven't had an opportunity to get a response from them. So until such time as their concerns and so on have been voiced to me, I will not be in a very good position to respond directly to some of these proposed amendments. And so with that in mind, I'm going to move adjournment of debate for this time.

Debate adjourned

Bill No. 14 — An Act to amend The Child and Family Services Act

Hon. Ms. MacKinnon: — Thank you, Mr. Speaker, I am pleased to rise today to move second reading of this Child and Family Services Amendment Act, 1992. The amendments are required to clarify existing provisions of The Child and Family Services Act.

The first amendment to The Child and Family Services Act is housekeeping in nature and will ensure provisions respecting voluntary committals of children to the minister's care match similar provisions in The Adoption Act. Guardians of children where the birth parents are no longer alive will now be able to voluntarily place the children in the care of the minister for adoption. This amendment is required to clarify the intent of the legislation and is not a change in the department's previous practice.

The second amendment clarifies the rules regarding confidentiality and release of client information. Because of the nature of child protection services, the staff of the Department of Social Services regularly have information about children in families that is of a highly sensitive nature. I'm pleased to say that staff of my department value and respect their clients and their right to privacy and are highly committed to maintaining the

confidentiality of client information. This amendment will ensure the rules respecting client confidentiality are very clear.

In some very limited instances, however, Mr. Speaker, there will be situations where the benefit of the release of client information will outweigh any invasion of privacy that may result. For example, a known abuser of children might apply to court to adopt a child. In those cases, it is our responsibility to protect the child and we must be able to release information to the court for its consideration. I am satisfied the amendment as introduced will strike the correct balance between respecting the client's right to privacy and the need to protect children.

Mr. Speaker, I move second reading of An Act to amend The Child and Family Services Act.

Mr. Neudorf: — Mr. Speaker, in response to the comments made by Madam Minister, I too have the same concern. But I'm not concerned so much about the balance struck between protection of the child and the right to privacy. My concern is the safety and the protection of the child as paramount. And I'm not quite sure, looking at some of these amendments, whether the best interests of the clients are going to be served at all times.

Another concern that I have is the apparent — and I say apparent because I want to have a greater, in-depth look at it — the apparent sweeping powers that this does give to the minister. And until I have had the time to consult and the time to study it carefully, I would now beg leave to adjourn debate.

Debate adjourned.

Bill No. 15 — An Act to amend The Wills Act

Hon. Ms. Simard: — Thank you, Mr. Speaker. I am pleased to rise today to move second reading of The Wills Amendment Act, 1992. This amendment is consequential to an amendment that was made to The Intestate Succession Act in 1990. At that time the preferential share for surviving spouses under The Intestate Succession Act was increased. Section 32 of The Wills Act, which refers to the preferential share, will now be updated to refer to the increased amount. The amendment is retroactive to 1990 but not so as to upset any estates that may have been distributed in the interim.

Mr. Speaker, I move second reading of An Act to amend The Wills Act.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, I've just taken a quick and brief look at Bill No. 15 and certainly I don't immediately see any major problems with it. But I'm not that familiar with the Act or familiar enough with the Act to make any major comments on it and I would like to look into it in a little more depth. And so I at this time move to adjourn debate.

Debate adjourned.

Bill No. 16 — An Act to amend The Jury Act, 1981

Hon. Ms. Simard: — Mr. Speaker, I am pleased to rise today to move second reading of The Jury Amendment Act, 1992. The Jury Act, 1981 is being amended in two ways. The requirement to serve a jury summons by registered or certified mail is removed. This amendment will permit the sheriff's office to serve jury summons by the most efficient type of mail service offered. The amendment will reduce a legal burden for prospective jurors. Persons who are summoned for jury duty and fail to attend will be required to explain rather than establish that they did not receive the jury notice, or received the notice after the trial date. This onus is consistent with the presumption of innocence found in section 11(d) of the Canadian Charter of Rights and Freedoms.

I move second reading of An Act to amend The Jury Act, 1981.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, just taking a quick look at the Bill as it's been presented and in response to the minister, a couple concerns that I see immediately and I'd like to look in a little closer.

First of all, the fact that you would strike out "by registered or certified mail" and just go by common form of mail or everyday mail would strike me as being maybe a little somewhat cost-effective, but one questions and wonders what avenue a prospective juror would have in really being able to relay to the court whether or not they received or didn't receive the mail. Registered or certified gives that person . . . you have to sign for the letter or sign for the note. And so I think it makes it more appropriate and easier for a person to acknowledge their having received the mail.

And also, Mr. Speaker, the other argument and the other fact out there remains that sometimes the mail may not be as swift and as handy. And there's another point that is raised here. It says, "A document served by mail is deemed to have been received . . ." I guess the onus is then there again put on a prospective juror. What if it doesn't arrive in the mail?

And I guess these are some of these questions that we will be looking at and getting more detail on so that we can indeed acknowledge and pass the Bill. So at this time I move to adjourn debate.

Debate adjourned.

Bill No. 17 — An Act to amend The Commissioners for Oaths Act

Hon. Ms. Simard: — Mr. Speaker, I'm pleased to rise today to move second reading of the The Commissioners for Oaths Amendment Act, 1992. The present legislation provides for both annual appointments and five-year appointments of Commissioner for Oaths. The proposed amendment removes the annual appointments so that all future appointments will be for five years.

There is a significant amount of administrative paperwork associated with the appointment of a Commissioner for Oaths. This change removes a large proportion of this paperwork and results in cost savings.

Mr. Speaker, I move second reading of An Act to amend The Commissioners for Oaths Act.

Mr. Toth: — Thank you, Mr. Speaker. Just a couple of short comments in response to the minister. It would appear to me that certainly the change from annual to five-year term would be appropriate and probably very considerate rather than going through the formality yearly of just reappointing Commissioners for Oaths. And so we will examine this Bill somewhat closer and address any concerns that we may have, certainly in consultation with the minister at a later date, so I move to adjourn debate.

Debate adjourned.

Bill No. 18 — An Act to promote Regulatory Reform in Saskatchewan by repealing Certain Obsolete Statutes

Hon. Ms. Simard: — Mr. Speaker, I'm pleased again to rise to move second reading of The Regulatory Reform Act, 1992. As the long title of this Act indicates, the purpose of regulatory reform legislation is to repeal Acts that are no longer used. The Acts to be repealed by this legislation are as follows. The Agricultural Products Market Development Fund Act set up a market development fund to assist persons to explore, develop, and expand markets for agricultural products. No new activity has been undertaken by the funds since March 31, 1988. All outstanding activities have been completed.

The Community Capital Fund Program Act and The Provincial Capital Fund Program Act provided for the construction of capital works in urban municipalities and hamlets between 1980 and 1986. Funding for these matters is no longer provided pursuant to these Acts.

The Economic Development Foundation of Saskatchewan Act was passed in 1981 with the intention of establishing a foundation to support native and northern economic development. No activity was ever conducted under the legislation.

The Senior Citizens' Heritage Rebates Act has not been used since 1986. It was replaced in that year by the The Senior Citizens' Heritage Program Act. The Succession Duty Act and The Succession Duty Act, 1972 imposed succession duties during the period 1918 to 1947, and 1972 to 1976 respectively. They have been kept in force for the purpose of collecting outstanding succession duties. They can now be repealed.

Mr. Speaker, I move second reading of An Act to promote Regulatory Reform in Saskatchewan by repealing Certain Obsolete Statutes.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, it would appear that this Bill is certainly looking at rescinding a number of Bills that have become redundant on the order paper. However, I would like to take a little closer look at the Bill before we move further. And so I move to adjourn debate.

Debate adjourned.

(2030)

ADJOURNED DEBATES

Bill No. 6

SECOND READINGS

Bill No. 8

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lingenfelter that **Bill No. 8 — An Act to amend The Municipal Revenue Sharing Act** be now read a second time.

Mr. Boyd: — Thank you, Mr. Speaker. We have a number of questions and concerns about this Bill, Mr. Speaker. Some examples of those questions are: what are the total dollars to be allocated to the urban municipalities? What are the total dollars to be allocated to the rural municipalities? How does the revenue sharing formula work? And why are some of the RMs (rural municipality) being cut back 24 per cent, another one 44 per cent, and one by 80 per cent, Mr. Speaker, when the minister says the average is 7.4 per cent?

This Bill simply represents another down-load by this government, a government who said they wouldn't do that, as well as a government that's been very critical of what they called federal government unloading. They are reducing the services and increasing the costs to all of the municipalities. Mr. Speaker, we have a number of questions about this Bill, as I said, and we'll be asking them further in the Committee of the Whole.

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

Bill No. 5

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lingenfelter that **Bill No. 5 — An Act to amend The Wascana Centre Act** be now read a second time.

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, what this Bill does is reduces the funding to the Wascana Centre Authority. This is being presented by a government, Mr. Speaker, who is made up of people who while in opposition argued that the Devine . . . the former administration was not funding this park enough. All the Regina MLAs ((Member of the Legislative Assembly), while in opposition, said not enough was being spent in this area. Yet, Mr. Speaker, each and every one of them will, Mr. Speaker, and I predict each and every one of them will vote in favour of this Bill which does exactly that, reduces the level of funding to the Wascana Authority.

So we find that very interesting that while in opposition they were very, very opposed to any cut-backs to the Wascana Authority, or even freezes for that matter. And yet now in government they are very, very adamant that they'll do exactly that thing. That's why we will again have a number of questions, Mr. Speaker, once we move into the Committee of the Whole.

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

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lingenfelter that **Bill No. 6 — An Act to amend The Meewasin Valley Authority Act** be now read a second time.

Mr. Boyd: — Thank you, Mr. Speaker. This Bill covers a number of areas ranging from funding to easements, Mr. Speaker. The levels of funding are a cut-back of 5 per cent, a measure that again while in opposition, all of the MLAs in opposition, the former opposition MLAs argued that there should be no cut-backs or even freezes to this area. In fact, the Premier, Mr. Speaker, always argued against cut-backs in this area. He consistently said that while in opposition more money should be set out for the Meewasin Valley Authority.

Also, one has to wonder, Mr. Speaker, if there was any consultation with the Meewasin Valley Authority regarding these funding cut-backs. We will again be asking a number of questions once we reach the Committee of the Whole.

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

Bill No. 4

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Lingenfelter that **Bill No. 4 — An Act to amend The Wakamow Valley Authority Act** be now read a second time.

Mr. Swenson: — Thank you, Mr. Speaker. The Wakamow Valley Authority has been Moose Jaw's answer to cleaning up the Moose Jaw River valley over the last 10 years, and I'd like to commend the government for the modest increase that has come forward in their budget. It certainly has been well known amongst the local MLAs from the area, and I think that's from both sides of the House, that Wakamow has been getting the short end of the stick ever since its inception as an authority and that it needed to be recognized.

That recognition was important because, Mr. Speaker, of the amount of volunteer effort that has gone in by citizens from not only the city of Moose Jaw but the two rural RMs that contribute to the authority. It's a level of volunteerism that we don't see in a lot of the other urban parks in Saskatchewan and I'm glad that the government has seen fit to recognize the hundreds of men and women in our community and area that contribute to Wakamow.

The other thing I would say to the government members on this Bill is one of the secrets of Wakamow's success is that they were able to use other government programs, particularly the New Careers Corporation, the work for welfare type of programs that in Wakamow's instance, because of the excellent management they have, have seen, I believe of the 16 employees that I know went through the program with Wakamow, 15 of them went on to other employment.

In that way our community has been able to access other government programs on a modest budget and yet do

tremendous work in that area. And I would say to the Minister of Social Services, and other ministers who are contemplating and have made changes in this very significant area, that Wakamow, and areas like Wakamow, can make a tremendous contribution to their community if they are allowed to access some of the tools.

They don't need large chunks of cash from the provincial taxpayer, but if there's an existing program out there that makes sense, then allow them to access those people and those programs. This modest increase is going to help Wakamow, but for goodness' sakes, don't cut back on some of the other areas that they have been able to use so effectively, and by doing so have been able to take citizens in our society who maybe weren't contributing as much as we would have liked, and have made contributing members out of them. That's been the secret of Wakamow, and I congratulate the government once again for making this modest increase.

Mr. Calvert: — Thank you very much, Mr. Speaker. I want to join with the member from Thunder Creek in commending the Government of Saskatchewan in the Bill that's now before the House which will restore what we have called for consistently over the past four years and over the past 10 years, and that is a restoration of fair funding, Mr. Speaker.

The member from Thunder Creek hit it very accurately tonight in his remarks a few moments ago when he indicated that under his government Wakamow received the short end of the stick, Mr. Speaker. He pointed that out in his remarks a few moments ago. He noted that under his government the Wakamow Valley Authority indeed had received the short end of the stick, and he's right.

I feel some satisfaction tonight, Mr. Speaker, in seeing this Bill come before the legislature where we resolve that short end of the stick, where we resolve some fairness in the funding that goes to the urban parks in Saskatchewan, recognizing that Wakamow over the years has received less than its fair share of that funding.

Mr. Speaker, I also want to join with the member from Thunder Creek in recognizing that Wakamow Valley Authority has depended a great deal and has accomplished a great deal through the valuable, valuable contribution of volunteers over the years. Indeed, at former levels of funding it is only through the hard, hard work and contribution of volunteers that the Wakamow Valley has been able to accomplish the major transformation of the Moose Jaw River valley in the short 10 years.

Mr. Speaker, I am here to commend the government for this Bill. And I hope that all members in the House will support it. And just to conclude, Mr. Speaker, I would want to extend an invitation to every member of the legislature through the course of this summer to drive the 45 miles, the 40 and 45 miles it takes you to come to Moose Jaw, spend an afternoon or a day or two days in the beautiful Wakamow Valley, and see indeed what has transpired and transformed in the Moose Jaw River valley under the authority of the Wakamow board. Thank you, Mr. Speaker.

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

Bill No. 9

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Penner that **Bill No. 9 — An Act to amend The Mineral Taxation Act, 1983** be now read a second time.

Mr. Britton: — Thank you, Mr. Speaker. We have some concerns with this Bill, and we need some time to consult with the industry to discuss this Bill with them and find out what their concerns are and have them point out to us their problems so we can take it to the minister. But we feel these points can be raised in committee, Mr. Speaker, and so we are prepared to allow this Bill to go to committee at this time.

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

Bill No. 10

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Mr. Penner that **Bill No. 10 — An Act to amend The Crown Minerals Act and to make consequential amendments to certain other Acts resulting from the enactment of this Act** be now read a second time.

Mr. Britton: — Mr. Speaker, again as I said, we do have some concerns in regard to Bill No. 10. We are now in the process of consulting with the industry and we would like to make a few comments now. And, Mr. Speaker, what we find in these Bills, a little more than what meets the eye. And we're in the process right now of consulting with the industry officials regarding the Bills, so I will make some comments today and then I will ask the House to adjourn debate so that we can complete our consultations.

Mr. Speaker, I must tell the Assembly that I am informed that almost the only consultation that was done in regard to these Bills is the consultation that I'm now engaged in. Now, Mr. Speaker, the interested people that I've spoken to told me that they were told some of what was going to happen but that in essence it was not an act of consultation. It was actually a dictation from on high, Mr. Speaker.

And in conversation just before the bells rang today, Mr. Speaker, the Saskatchewan Mining Association told me that not only had they never been presented a draft of the Bill to comment on but that some of the provisions in the Bill came as a complete surprise to them. And it was a complete surprise, Mr. Speaker.

Now I don't want to put too fine a point on it, Mr. Speaker, but the minister and the whole government needs to learn the difference between consulting with people and simply flat out telling them how things are going to be. This is what's coming through to me through the mining industry, Mr. Speaker.

(2045)

And in regard to the principle of the Bill, Mr. Speaker, there are a number of what we consider serious defects. And I am disturbed at the attack on the small operator and the lone prospector. I suspect, Mr. Speaker, that the minister is not fully aware of the consequences of his own Bill, precisely because he did not consult with the people.

I want to make a couple of points to illustrate some of the harmful effects. The preliminary advice that I have is that the increase in the annual fee for holding a claim will put many individual prospectors out of business. What has happened historically, Mr. Speaker, is that some people get into prospecting almost as a hobby and it's very small-time stuff.

They do it on speculation that they can find a mineral-bearing area and they stake a claim and later attract some of the big players into the game and they can sell out their claim. And this has resulted in many cases where previously unknown deposits of our resource wealth have been discovered and developed.

This process of individual speculation has resulted in jobs and revenue for the government, Mr. Speaker. And while I know government members find the word speculation to be offensive, Mr. Speaker, the facts are facts. Small players using this technique explore for resources in areas that the big players don't think are worth their time. Small players, Mr. Speaker, who contribute through their speculative activities and who now may not be able to afford to engage in this business. These are some of the points that we'll have to explore a little deeper.

And, Mr. Speaker, also the Assembly has to question the minister whether or not — considering how little additional revenue will be generated by this measure — whether or not it is just a spiteful act against people doing things that the present government don't approve of. And I honestly think, Mr. Speaker, that most of the provisions of the Bill are a symbolic move to quiet down the radicals who keep on saying, go after the mining companies. Go after those companies and make them pay. Make them into a cash cow. That's what I think most of this Bill is about, Mr. Speaker, and we have to develop this a little further.

But the attack on the little guy who does a bit of speculative prospecting, that doesn't accomplish anything constructive at all, Mr. Speaker. When you attack that little entrepreneur, you don't accomplish anything, you just take another player out of the action.

And I'm also very concerned that the provision in the Bill that gives the minister, himself, such sweeping and absolute powers. The principle of allowing a single person the power to simply deem whatever he wants by itself goes against the democratic principles. They seem to have a fixation in the word deem. They want to deem this and that, and they want to deem something that has happened that really hasn't happened, Mr. Speaker.

But to allow that power to a minister in regard to taxes is even more upsetting. And to look at that word again, Mr. Speaker, the minister can deem things not proven. This

government seems to have a great love for that word and it goes to the very heart of the principle of the Bill. This is the same ugly principle that the Minister of Agriculture has threatened our farm families with so that they will understand what the mining industry is worried about.

And the government should figure this one out, Mr. Speaker. The more you do these things to the families of Saskatchewan, the more they will understand the impact on others including the mining industry. Soon you will not be able to simply get away with telling the people you're only beating up the big mining companies, and the big oil companies, and lead the people down that offensive path of wanting to blame it on others. Because once you deem a family's rights away, they will understand how it works. And they will understand it is not just a matter of going after the mining and energy industries, Mr. Speaker.

So this is a bad principle that lets the minister deem whatever he wants. Provision says that any company in the mineral industry will be subject to the personal opinion of the Minister of Energy. Mr. Speaker, that is a lot of power. At his own whim, he can say that anything the company is doing somehow interferes with the government's ability to take money from that company. And if he makes up his mind that that's what he wants to do, then this Bill will give the minister the power to simply send the company a bill. Just like the Minister of Agriculture can just up and take away farm families' rights — that's the same principle at work in this Bill.

There are several other problems, Mr. Speaker, with the principle of this Bill, including its negative incentive for companies on the marginal size definitions — marginal size definitions. But as I said earlier, this industry has just now been given the opportunity to comment on the Bill. I think it is a basic right for them to have their comments known by the members before we vote on second reading.

Mr. Speaker, it's on that basis I now . . . I now take my seat, Mr. Speaker.

The Speaker: — Order. I did not get the last comments of the member from Wilkie. So would he repeat them please.

Mr. Britton: — On the basis, Mr. Speaker, of the . . . that we want to have some more debate on this Bill, I now take my seat.

The Speaker: — Is the member from . . . I recognize the member from Saskatoon Greystone. I assume the debate continues.

Ms. Haverstock: — Mr. Speaker, I am most concerned about this Bill, and it's my sincere hope that through a thoughtful exchange of ideas with the members in this House that we can devise innovative new policies and avoid what I consider to be the blinders of partisan politics.

I must express some reservations about this Bill. While I commend the government for showing concern for the environment by attempting to create a process for

environmental assessment within this Act, I fear that the means that they are choosing, Mr. Speaker, may bring with it far too many unintended side-effects.

The environment is of great concern to me as it is with every member of this legislature. We can, however, protect the environment while also protecting individuals and businesses from the arbitrary actions of government. And I repeat my plea that we work together to help make the system of government politician-proof.

I'm afraid, Mr. Speaker, that the Bill that the government wants passed will only add to the potential for political interference. This Bill provides many assurances for the government, Mr. Speaker, but leaves the businesses that provides jobs and pay taxes at the whim of distant politicians and officials. Leaving the people at the whim of politicians, and not laying out the rules clearly and fairly, is no way to encourage people to invest in this province.

As the Minister of Finance and the rest of the members opposite so frequently remind all of us, Saskatchewan is in a serious state of financial despair. You would think however, Mr. Speaker, that knowing that we are in trouble they would make every effort to foster a climate where businesses want to come to Saskatchewan. And I'm afraid that this Bill is merely a step backwards in our efforts to attract investment and will not ultimately address what we really want to be doing by a Bill such as this.

The Minister of Energy and Mines, Mr. Speaker, wants the approval of this House for a Bill that is lacking in proper process. This Bill aims to extinguish common-law rights to resource developers that come up short in an environmental assessment. This Bill also prevents the same people from gaining an appeal. Unfortunately, it also allows the minister to set resource royalties outside of the rules when it is, and I quote: "in his opinion to do so".

Mr. Speaker, where is the process and where is the fairness in a Bill that does this? The proposals before us today will allow the government to arbitrarily revoke the claims held by resource companies if such a resource company fails to gain a favourable decision through an environmental impact study. Now let's examine this because the government does not stop here. It wants to go on to extinguish the rights of the resource companies to seek redress for losses that occur when such a company loses a mineral claim under this Act. Once the government has cancelled the claim, Mr. Speaker, that has failed to meet an environmental standard, it might then turn around and simply sell that same claim or disposition to another company. To show that they still have some concern about how investors might react to having their common-laws rights extinguished, the government, and this is in quotations, "may offer compensation", end of quote, through regulations. Now what sort of confidence can an investor hold in this government when any legal protection they might have is left at the whim of a government minister who can change regulations at the stroke of a pen. What message does this send to the Crown Lands and the Pipers and the rest of the 700 other companies that say that they want to move to Saskatchewan?

The members opposite, I believe could make a better decision. Why cancel a claim *fait accompli* when conditions change that demonstrate that the original reason for cancelling are no longer valid. A company that loses an environmental assessment one year on a proposed development may come up with a better, a more environmentally sound proposal the next year. Companies may invest up to \$50 million exploring a claim, Mr. Speaker, and creating plans to develop the mineral resources that they discover. When their claim is cancelled all hope for such a development is lost.

Environmental assessments should encourage our corporate community to act in a more responsible manner but if they have no chance to change, no chance to correct past mistakes and to become more innovative in developing resources in a sustainable way, these assessments will not have a positive impact. I say, remove the cancellation measures and give these companies a chance to change.

Mr. Speaker, I, along with many people of Saskatchewan who benefit from the \$349 million that natural resources place in the coffers of our provincial government, worry. I worry about how the introduction of measures to combat artificial royalty reductions will affect this important sector of our economy.

I commend the government for its concern about preventing companies from dishonestly cutting prices to avoid paying royalties. While this may be an abuse that should be curbed, we can't curb it at the price of leaving the majority of resource companies that would never contemplate such a practice at the whim of the Minister of Energy.

According to Clause 14 of this Bill, Mr. Speaker, the Minister of Energy and Mines will be able to change royalty rates for certain claims if in his opinion such an abuse is being perpetrated by certain companies. I ask, Mr. Speaker, where is the process in this, when one person can arbitrarily decide when the rules are being broken? Where is the openness in this when one person can arbitrarily affect the well-being of many companies and their workers without even having to follow some guidelines when making these decisions?

I urge the minister to reconsider this Bill and correct these shortcomings and I urge the members opposite to forsake what I consider a path of arbitrary decision-making and return to one of co-operation, consultation and communication that you once claimed to champion.

Mr. Speaker, the people of our province deserve jobs. They also deserve the \$316 million in government revenues generated from abundant resources. Placing resource companies in a position where they don't know the rules, placing them in a position where they don't have a chance to be innovative, placing them in a position where they are at the whim of a government minister's opinion, will not produce jobs and it will not produce the revenue that Saskatchewan so desperately needs.

Mr. Speaker, I ask the members of this House to consider

these ideas with an open mind, to put politics aside, and to give Saskatchewan the best resource policies possible. I have more to say on this Bill, and therefore, Mr. Speaker, I beg leave to adjourn debate.

Debate adjourned.

The Assembly adjourned at 9:02 p.m.