

The Assembly met at 2 p.m.

ROUTINE PROCEEDINGS

PRESENTING PETITIONS

Mr. Muirhead: — Thank you, Mr. Speaker.

To the Hon. Legislative Assembly of Saskatchewan in legislature assembled:

The petition of the undersigned citizens of the province of Saskatchewan humbly sheweth:

that back pain and other highly prevalent neuro-musculo-skeletal disorders are extremely costly to the Canadian economy;

that scientific evidence clearly illustrates that chiropractic treatment is the most cost-effective and efficient therapy for such disorders;

that in the face of an ever-increasing pressure to adopt expensive new forms of high technology treatment, chiropractic care has proven to be a low technology, low cost, conservative, and safe form of treatment, consistent with the true “wellness” model of health care;

that the government publicly asserts it remains committed to the basic principles of medicare, namely universality, comprehensiveness, accessibility, portability, and public administration;

that the government is acting to destroy these principles as they apply to chiropractic patients;

and that the government’s proposed restrictions on this therapy will clearly cost more both in dollars and in patient disability;

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate full coverage and universal access to chiropractic treatment and that your Honourable Assembly withhold consent from any government proposal to discriminate against chiropractic patients by charging them fees not assessed for any other medical treatment.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, I have about, I believe about 10; and the first one here looks like all Regina address, Mr. Speaker. I won’t enlarge on them; they’re all Regina. The next one is from different towns throughout Saskatchewan, from Estevan, Regina, Qu’Appelle, Regina, mostly Estevan and Regina, Mr. Speaker. The next one is . . . they look to be entirely Saskatoon. Oh, there’s some from Dalmeny, and the rest Saskatoon, Martensville, Mr. Speaker.

The next one is from Fillmore. Regina addresses — there’s

not a city on here but it looks like Regina addresses. Yes, that looks like pretty well all Regina addresses, Mr. Speaker.

The next one is for . . . well it looks like it jumps around the province. There’s Cut Knife, Lloyd . . .

The Speaker: — Order, order. I’ve reminded members several times now of the ruling made by the former Speaker. I want to draw members’ attention to those rulings, one on April 15, 1991. And I will quote once more:

. . . I (will) bring to the hon. member’s attention that she may read the prayer of the petition but not the entire petition because that is encouraging and engaging in debate.

Secondly, speculation on where people may live or not live is not a valid part of a presentation. Again, to state only the essence of the petition, which means the prayer, and then present it. I just draw members’ attention to that.

Mr. Muirhead: — All right, Mr. Speaker. If that’s the way we’re going to do it, that’s fine. I just can’t read the addresses, so we’ll just say the rest are all from Churchill Downs. So I’ll hand these over.

And I have another petition, Mr. Speaker. I have another petition. And these are just from various places in Regina, but the prayer will be read by my colleague. It’s a different petition. We have to double up on it if you want . . . Thank you, Mr. Speaker.

Mr. Neudorf: — Thank you, Mr. Speaker. I too have some petitions to lay on the Table for the Assembly’s consideration, chiropractic care:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate full coverage and universal access to chiropractic treatment and that your Honourable Assembly withhold consent from any government proposal to discriminate against chiropractic patients by charging them fees not assessed for any other medical treatment.

Mr. Speaker, and I have a couple of hundred names here virtually from across the province. And I add this to the growing list now that accumulates to 11,000 petitioners on the chiropractic treatment alone.

While I’m on my feet, Mr. Speaker, I also have a further petition here that says:

That in the 1991 general election, the voters of the province voted 62.62% to prevent the Government of Saskatchewan from paying for abortion procedures;

and that this margin far exceeds the support of any political party represented in the Legislature;

and that the government is placing greater and greater costs on Saskatchewan people for an already financially stressed health care system;

and that it would be to the benefit of our democracy for governments to listen to the duly expressed will of the voters as well as to the benefit of our health care system to more judiciously husband our health care dollars.

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

And as in duty bound, your petitioners will ever pray.

Mr. Speaker, we have 6,000 names to add to the 30,000 that have already been put before this Assembly.

Mr. Swenson: — Thank you, Mr. Speaker. I also have two different sets of petitions and will be very brief in their delivery. I'll only read the last paragraph on the chiropractors:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate full coverage and universal access to chiropractic treatment and that your Honourable Assembly withhold consent from any government proposal to discriminate against chiropractic patients by charging them fees not assessed for any other medical treatment.

And today, Mr. Speaker, I have people from Regina, Belle Plaine, Regina, Oxbow, Alida, Glen Ewen, Regina, Saskatoon, people all over the province of Saskatchewan, on chiropractic patients.

And I also, Mr. Speaker, and I won't read the whole preamble, but simply say:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

And today I have people from Regina, Dilke, Lestock, Watson, Penzance, Briercrest, Estevan, Regina, Lipton, lots of Regina today on this particular petition, Mr. Speaker.

Mr. Devine: — Thank you, Mr. Speaker. I too have two sets of petitions. The first is with respect to chiropractic care. I will just read the last sentence:

Wherefore your petitioners (may) humbly pray that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate full coverage and universal access to chiropractic treatment and that your Honourable Assembly withhold consent from any government proposal to discriminate against chiropractic patients by charging them fees not assessed for any other medical treatment.

These petitions join the thousands that have been presented so far. These are from North Battleford, from Rabbit Lake, from Maidstone, some are from Lashburn, Lloydminster, Neilburg, more from Lloydminster, Maidstone again, and Lloyd, several pages from Saskatoon, also from Wartime, from Prince Albert, from North Battleford, from Clavet, Martensville, some more from Saskatoon, and Sonningdale, Turtleford. And some more from North Battleford and from Lloydminster. I will leave these.

The second petition, Mr. Speaker, is with respect to the petition in the last October's election:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

And I have several hundred names here and this joins the over 30,000 names on petitions that have come into the legislature. These are from Regina. They're also from Estevan and from Yorkton and Moose Jaw, Mr. Speaker.

Mr. Boyd: — Thank you, Mr. Speaker. I have petitions to present as well. The first one is with respect to the chiropractic treatment in the province, Mr. Speaker. These ones are primarily from Regina, Moose Jaw, Regina Beach, mostly from the Regina and area, Mr. Speaker.

And the second petition that I have to present is with respect to the abortion funding in the province of Saskatchewan.

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

Mr. Speaker, these petitions come from . . . each and every one of these are from Regina city.

Mr. Martens: — Thank you, Mr. Speaker. I too have two sets of petitions, one on chiropractic care. They come from Sheho, Yorkton, Saltcoats, Springside, Theodore, Regina, Marshall, Lloydminster, Maidstone, St. Walburg, Saskatoon, Unity, and North Battleford.

I also have the petition here dealing with abortion and I have people from Regina, Strasbourg, Moose Jaw, Qu'Appelle, P.A. (Prince Albert), Liberty, and Moose Jaw. And I want to lay them on the Table at this time.

Mr. Britton: — Thank you, Mr. Speaker. I too have two groups of petitions I'd like to lay on the Table today, Mr. Speaker. They are in respect of the chiropractic treatment and also the abortion question.

Mr. Speaker, the prayer has been read I believe, and the preamble, so I won't go into that. But I'd like to point out that these petitions come from the north-west. They take in North Battleford — a lot of North Battleford, Meota, Vawn, Wilkie, Sonningdale, Turtleford, again Meota — they take in a whole area up in that north-west side of the province, Mr. Speaker.

And also on behalf of the abortion question I have several hundred names here. And they are also representative of

all over the province.

Mr. Speaker, I will just read the prayer:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

As in duty bound, your petitioners ever pray.

Thank you, Mr. Speaker.

Mr. Toth: — Mr. Speaker, I too have a couple petitions to present to the Assembly this afternoon. Firstly a petition, a number of pages of petitions signed regarding chiropractic treatment, with signatures from Saskatoon, Cudworth, Colonsay, Moose Jaw, Dalmeny, Martensville. I so present them to the Assembly.

And as well, a group of petitions signed by individuals from Regina, Indian Head, Regina Beach, and a number of other areas in the southern part of the province regarding abortions. And I'll read the prayer:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to stop the funding of abortions in Saskatchewan.

I so present them.

Mr. Goohsen: — Thank you, Mr. Speaker, I have as well, petitions today, about 300 names concerning the chiropractic thing. I'll read the prayer:

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate full coverage and universal access to chiropractic treatment and that your Honourable Assembly withhold consent from the government proposal to discriminate against chiropractic patients in charging them fees not assessed for any other medical treatment.

And they're from all over the province, Mr. Speaker, just about every corner of the province.

Mr. D'Autremont: — Thank you, Mr. Speaker. I too have petitions dealing with chiropractic care in this province. These petitions come from all four corners of the province, from Hudson Bay, Unity, Tompkins, to Lake Alma, Mr. Speaker. Since my colleagues have read the prayer, I will not read it again.

I have another petition, Mr. Speaker, to present. This is a new petition.

To the Honourable Legislative Assembly of Saskatchewan in Legislature Assembled:

The petition of the undersigned citizens of the province of Saskatchewan humbly sheweth:

That Saskatchewan Producers are undergoing extremely trying financial times due to drought, grain prices and international trade wars and that

they are being pressed further financially by the NDP government's decision to eliminate the Farm Fuel Rebate program and its coloured fuel policy; and, that to implement the government's coloured fuel policy will cost Co-ops and small independent fuel service stations thousands of dollars, leading to loss of jobs and businesses in rural Saskatchewan.

Wherefore your petitioners humbly pray that your Honourable Assembly may be pleased to cause the government to reverse its decision to eliminate the Farm Fuel Rebate program and that they cancel the coloured fuel program.

And as in duty bound, your petitioners will ever pray.

This petition comes from south-east Saskatchewan, Mr. Speaker.

INTRODUCTION OF GUESTS

Hon. Mr. Tchorzewski: — Thank you. Mr. Speaker, to you and through you to the Assembly, I would like to introduce some people who are in the Speaker's gallery, who are very special to me, and welcome them to the Legislative Assembly. They are Linda and David Kielbiski from Brantford, Ontario. David is my nephew. They have not been to Saskatchewan — at least David hasn't — for many, many years. And I don't think the rest of his family has ever been here although I may be wrong on that. They also have their sons Jamie and Terry with them here. And they're accompanied by my daughter Sharla — she hates for me to have to say that in the House, I know, but I did it anyway — and by also Brenda Bokshowan from Saskatoon.

I want to ask the members of the Assembly to wish them well and an enjoyable visit in this Assembly and in Saskatchewan, and join me in extending a greeting to them here today.

Hon. Members: Hear, hear!

Hon. Ms. MacKinnon: — Thank you, Mr. Speaker. Mr. Speaker, I'd like to introduce to you, and through you to other members of the Assembly, members of the Saskatchewan Seniors' Association who were at the Legislative Building this morning for a meeting with me. They are seated in your gallery. It's my pleasure to introduce Mrs. Helen McMillan, the first vice-president, who's from Biggar; Ms. Vicki Maximniuk, who's the treasurer and is from Milden; Miss Pat Edwards, who's the secretary and is from Biggar.

I would ask you to join me in welcoming them.

Hon. Members: Hear, hear!

ORAL QUESTIONS

Taxation Powers for Health Boards

Mr. Goohsen: — Thank you, Mr. Speaker. My question is to the Minister of Rural Development, Mr. Speaker. Mr.

Minister, your colleague, the Minister of Health, has released a paper that suggests the possibility of adding a new level of government to levy property taxes in the province of Saskatchewan. This concerns the new health boards, Mr. Minister. My question is simply this: have you had consultations with the SARM (Saskatchewan Association of Rural Municipalities) on this dangerous proposal? Have you discussed the matter with the ministers of Health? And will you tell the Assembly the official position of the Department of Rural Development regarding this new tax burden on rural municipalities?

Hon. Ms. MacKinnon: — Thank you very much, Mr. Speaker. With respect to the wellness initiative, the Minister of Health has had extensive consultations with SARM and with Mr. Kirwan. Mr. Kirwan says he's optimistic about the changes and looks forward to working with the government in implementing them.

I think one thing that should be made clear is the taxing powers in this province reside only with municipalities. Any district health boards that are created, as the situation now exists, will not have taxing powers. So there is no capacity in the system for any off-loading.

Some Hon. Members: Hear, hear!

Mr. Goohsen: — Thank you, Mr. Speaker. My question again to the minister in charge of Rural Development. Mr. Minister, I'm sure that you would want to take note of the fact that Mr. Kirwan has been quoted in the public media as . . . a simple headline: Don't fund health plan through property taxes, SARM. Is that your idea of consultation, to ignore what the people are saying and say what you want them to hear?

Hon. Ms. MacKinnon: — Mr. Speaker, I'd like to repeat again that with respect to the wellness model we have had consultations with SARM, with Mr. Kirwan. He is willing to work with us. I think what has to be understood is that as the situation now exists, the only taxing powers in rural Saskatchewan exist with locally constituted governments and municipalities. Health boards will not have taxing powers. So there is simply no capacity for off-loading as the situation now exists.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Thank you, Mr. Speaker. My question is to the Minister of Community Services. Madam Minister, the people of our cities already face an enormous property tax burden. The Minister of Health is now proposing to add to that burden by creating a new level of government that will have the power to tax property.

Madam Minister, have you consulted with SUMA (Saskatchewan Urban Municipalities Association) on this proposal? Have you discussed this issue with the Minister of Health? And what is the official position of the Department of Community Services on the proposal to levy a new level of property taxes on home owners?

Hon. Ms. MacKinnon: — Thank you very much, Mr. Speaker. In fact, rather than creating another level of government in this province, what we are doing is reducing bureaucracies.

Look at the situation in Saskatoon and Regina where there were several different boards in place, often working at cross purposes. What we have done in my home town in Saskatoon is put one board in place to better co-ordinate the services that exist, to make the system more effective.

Some Hon. Members: Hear, hear!

Mr. Boyd: — Madam Minister, no indeed, what the Minister of Health is proposing is another level of taxation on Saskatchewan.

And I'm wondering if you people and the Minister of Community Services have consulted with SUMA on new property taxes to fund health care.

Hon. Ms. MacKinnon: — Mr. Speaker, my first point is we are not creating a new level of government. We are reducing bureaucracies and red tape.

My second point is that we have already made a commitment to groups like SARM that we will put together a working group of people from Health, Finance, and community organizations to look at revenue potential of the future. So that before any changes occur, there will be broadly based consultation.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Mr. Speaker, to the Minister of Education. Madam Minister, you've heard the questions from my two colleagues concerning the new wellness plan. Have you consulted with the SSTA (Saskatchewan School Trustees Association) on the proposed new property taxes which will be levelled to help pay for hospital care around this province?

Hon. Ms. MacKinnon: — Mr. Speaker, if I could repeat what I said before. There is simply, as the system now exists, no capacity for increased taxes resulting from the district boards. Any changes that occur in the long-term vision of the government will not be done by us. It will be done on the basis of recommendations from the working group which will consult widely with those local communities out there.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Madam Minister, I hate to dispute your facts but the hospitals already have the power to tax. They have the power to already increase taxation on property around this province.

When you go out and talk in the public, the property owners are already unhappy about paying property taxes to support schools. They feel that is an unfair burden on property because it does not reflect income. Now have you discussed this situation with the Saskatchewan School Trustees Association?

Hon. Ms. MacKinnon: — Mr. Speaker, if I could correct what the member opposite is saying. Right now out there we have a hodgepodge. Municipalities are putting tax dollars into hospitals, into public health facilities, into ambulance facilities. Okay?

What we are saying is we want to put together a working group to look at the situation, to see if it is fair, if it does make sense. And that working group is going to work with local communities to recommend to us what is fair and what is reasonable.

Some Hon. Members: Hear, hear!

Mr. Martens: — Question to the Minister of Education. SUMA has a concern probably on this one. SARM has a concern probably on this one. SSTA has a problem in this one.

What are you going to do, Madam Minister, with a third school board? Are you going to add that on top of all of this, in light of the kinds of things you're doing with health care and with education and municipal tax? You're unloading all of this on the property tax, and now you're going to unload a third one. Are you going to continue to unload the third school board on the province of Saskatchewan?

Some Hon. Members: Hear, hear!

Hon. Ms. MacKinnon: — Thank you, Mr. Speaker. If I could say once again, we are not talking about new levels of government and no tax increases.

But you know what? You know what strikes me? What we are talking about is fundamental change, long-overdue, fundamental change, and it's natural to fear fundamental change. But you know, I don't think Saskatchewan people fear fundamental change. They welcome it, especially when they know what it means. And it means a better health care system in the end.

Some Hon. Members: Hear, hear!

Telephone Rate Increases

Mr. D'Autremont: — Mr. Speaker, to the minister for SaskTel. Madam Minister, I previously asked you questions regarding SaskTel's rate increases on telephone installations and your answers were unsatisfactory in this House and they were unsatisfactory to the people of Saskatchewan.

As you well know, in towns that it's costing hundreds or even thousands of dollars to hook up new installations. Being that your government has backed down on other bad budgetary decisions like gravel roads, FeedGAP (feed grain adjustment program), and the Saskatchewan Pension Plan, will you reconsider this bad decision which affects both rural and urban Saskatchewan alike?

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Speaker, as the members opposite are aware from letters that I have written to constituents and users of telephone service in Saskatchewan, that we did make a move earlier in the year to greater cost recovery from telephone installations.

We have asked the administration at SaskTel to review those increases and they are currently doing that.

The Speaker: — Order, order. Could I call the Leader of the Opposition to order please.

An Hon. Member: — For what?

The Speaker: — The member from Moosomin wants to know for what. He's been interrupting every minister that's been trying to answer a question. That's why I'm interrupting him now. I'm asking the Leader of the Opposition to please stop interrupting.

Mr. D'Autremont: — Thank you, Mr. Speaker. Madam Minister, even your federal colleagues recognize the hardship being imposed on Saskatchewan residents by these tax increases. I would like to quote Ray Funk, the NDP MP for Prince Albert-Churchill River: Saskatchewan consumers are paying up to \$5,000 to have telephones installed. This in the P.A. (Prince Albert) *Herald* of June 16. Five thousand dollars, Madam Minister.

How do you justify the continuation of these taxes in light of the reversals on other budgetary decisions?

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Chairman, I would just like to point out that provisioning charges or installation charges for telephones are not taxation.

The example referred to was an extreme, an extreme example in a very remote location and the charge estimated to be levied was a very small fraction of the actual cost of installation.

But as I said earlier, we have asked the administration to review the change in the provisioning charges. We expect to come forward with a modified proposal . . .

The Speaker: — Order. Does the Leader of the Opposition have a question he would like to ask?

An Hon. Member: — We're leading up to it.

The Speaker: — Well, it's taking him a long time to lead up to it and if he's got a question, I wish he'd get up and ask it.

Mr. D'Autremont: — Well, Madam Minister, you may not call it taxes, but when money is taken out of the people's pockets and ends up in the hands of the government, to me that's taxation.

Madam Minister, I've received a letter from an individual at Madge Lake who's neighbour connected up his telephone for \$77 in February. When he inquired about the same procedure in March, the cost was to be \$629.

Madam Minister, will you please change that policy now?

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Speaker, I can only repeat that we will be coming . . . SaskTel will be coming forward very shortly with a modification of the schedule for installation charges.

The fee for service that's charged for installation of telephones in rural or urban areas is a very, very small fraction of the real cost. It's highly subsidized and we must move forward to try to reach more compensatory rates. We'll do it on a more gradual scale.

I think that one of the reasons for this is the actions towards deregulation that the federal counterparts of the members opposite are foisting upon us. That is the reason for these increases. I think that the members opposite could join us, join us in prevailing upon the federal government to abandon their plans for deregulation in the telephone industry. That would benefit all the telephone consumers in Saskatchewan.

Some Hon. Members: Hear, hear!

Mr. D'Autremont: — Mr. Chairman, to the same minister. Is she recommending to the people of Saskatchewan that they then hold off on getting their telephones connected? Or will she be providing them with a rebate for those that have already had to pay these exorbitant fees?

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Chairman, to go back in history some time, it was always, always the practice for SaskTel to charge the . . . to engage contractors and to charge the entire cost of installation to the consumer.

In the 1980s when it became desirable because of new equipment for SaskTel to go to automated switching, to try to make . . . to give access to the rural residents of this province to high-quality telecommunication service so that they could have answering machines and fax machines, the individual line service was instituted, which gave a highly subsidized rate of \$192.

Some Hon. Members: Hear, hear!

Rural Access to Cable TV Systems

Mr. Goohsen: — Thank you, Mr. Speaker. My question is to the minister responsible for SaskTel, with regards to cable TV, Madam Minister. Some small towns have been given permission, Madam Minister, to retransmit TV signals in their communities. This is granted through CRTC (Canadian Radio-television and Telecommunications Commission). One in particular now would like to operate this service as a locally owned co-op, rather than as an individual.

Now WI Cable from Edmonton provides a cable service in that community at the present time and has agreed to the transfer. However the CRTC is now refusing on the grounds that SaskTel is objecting. Why would this be, Madam Minister?

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Speaker, I'm not aware of this particular case. But I would point out the CRTC is a federal regulatory body. There has not been a public hearing held in respect of this particular case that the

member opposite raises. So whether or not SaskTel has raised an objection, they wouldn't have had an opportunity to do that formally because CRTC has not ordered a hearing.

But I would say with respect to cable communications in rural Saskatchewan, that the recent investment of SaskTel in regional cable systems is a signal to rural Saskatchewan that SaskTel is interested in access by rural people to modern telecommunications.

Some Hon. Members: Hear, hear!

Mr. Goohsen: — Thank you, Mr. Speaker. Madam Minister, I detect a vagueness in your answer, and I want to assure you that while SaskTel may not have gone on any kind of a public record, I am on public record here today to notify you about this problem. And we would like you to do something about it.

I'll ask you straight-out: will you write to the CRTC and inform them that SaskTel has no interest in stopping a small community from running a co-op as opposed to a privately-owned transmission station? That's simply what they've asked to do and I see no reason why SaskTel should be interfering. If they are perceived to be interfering, would you straighten that matter out by writing a letter and correcting that situation?

Some Hon. Members: Hear, hear!

Hon. Mrs. Teichrob: — Mr. Speaker, if the member opposite is prepared to provide me with the details of this particular case, and in particular the name of the town and the area, we might be able to be more precise in addressing it. But I would point out that these operations are strictly under the control of CRTC which is a federal body appointed . . . membership appointed by the federal government, and Saskatchewan or SaskTel, which is not regulated as yet by CRTC, have absolutely no jurisdiction in this area.

Some Hon. Members: Hear, hear!

Mr. Goohsen: — Thank you, Mr. Speaker. Supplementary to the same minister: Madam Minister, I think you will realize that even though there isn't a formal position by SaskTel, the reality of life is that they would be recognized as a major player and any inference from them that they might be . . .

The Speaker: — Order, order. I'd like to ask the member from Prince Albert — wherever — Northcote, Prince Albert Northcote . . . I'd like to — it's been so long since he has interrupted, I forgot the seat that he was from.

Some Hon. Members: Hear, hear!

Mr. Goohsen: — Probably if he showed up more often, you'd have more trouble with him.

My question, Madam Minister, if I could get back to it, is whether or not first of all SaskTel is going to get involved in the cable TV business. That would be, I think, one of the questions that people would ask naturally from your answers here today.

And we also would suggest to you, as I was getting around to it, that if people perceive that SaskTel is getting into the business, they might not necessarily have to just come out and say that they want . . . or they might even make that suggestion impromptu, or in some way not official. And that would stop the process of individual towns being able to continue with their rebroadcasting.

So I think it's time, with all this confusion, that you do straighten this matter out, and I ask that you do that. And I will give you the name of the town after this question period is over. So could you answer that. Is the TV business going to be the next priority of SaskTel?

Hon. Mrs. Teichrob: — Mr. Speaker, I'm sorry that there's confusion on the other side of the House, because there's no confusion on this side.

And we've made it very clear and we were very proud to announce approximately a month ago the acquisition of 29.9 per cent of Regional Cable Systems by SaskTel to ensure and to expand upon opportunities for rural Saskatchewan to have access to cable television through that system; and to have access to other means of communications including their fibre optics, which is a commitment to rural Saskatchewan, to access in rural Saskatchewan to modern telecommunications.

Some Hon. Members: Hear, hear!

Rural Gasification Program

Mr. Muirhead: — Mr. Speaker, my question is to the minister for SaskEnergy responsible for natural gas.

As the minister knows, when governments changed like they did in 1982 and 1991, there's sometimes a change of programs. And as we all know, that this government put the skids right to rural Saskatchewan when they ceased to fund people with a proper program for the natural gas program. So I'd like to ask the minister: will you inform us at what date did you cease to honour the commitments under the other program — at budget time or at election time last fall or whenever, Mr. Minister.

Hon. Mr. Lingenfelter: — Mr. Speaker, I want to indicate to the member that what we did as one of the first items on our agenda was to put the skids to the privatization of SaskEnergy, that you people had on the works.

Some Hon. Members: Hear, hear!

Hon. Mr. Lingenfelter: — Mr. Speaker, I want to say to the member opposite that the rural gas program, which the members opposite had put in place, was obviously very, very expensive for the taxpayers and consumers of gas in Saskatchewan. It was costing as much as \$12,000 per connection to the taxpayers in the rest of the province.

And it was decided with the \$14 billion debt that had been burdened on the people of Saskatchewan, that program simply couldn't be connected. The program that is in place now for rural Saskatchewan gives a subsidy of \$1,000 per connection by other taxpayers in the province for each connection that is made. That's universal

throughout the province. And I think most farm families appreciate very much the subsidy that goes into the connection of gas from other taxpayers across the province.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Mr. Speaker, as usual the minister did not answer the question. We knew, everybody in Saskatchewan knew, that you put the skids to every good program in this province. Broke contracts. You done it.

But my question was, Mr. Minister . . . and I'd like to just for a second explain an example. We have constituents . . . I have two constituents — I'll use that example, Mr. Minister — where they had an application in and accepted, had an application in and was accepted for rural gas prior to the election. After the election they withdrew his application and he was no longer able to get any funding from the old program.

My question was, Mr. Minister: when did you cease to honour those applications? That's my question. When did you cease to honour . . . or have you yet?

Hon. Mr. Lingenfelter: — Mr. Speaker, I say again that the ten-year program, when it came to an end last fall, was not renewed. The simple fact was it was a ten-year program. It came to an end.

And because of the huge deficit — the huge deficit that you know a great deal about, having been a minister in that government and made some of the very, very bad decisions that led to the \$14 billion debt — was the reason why the program couldn't be renewed and carried on. It was the massive debt, both in the SaskEnergy Crown corporation and in the rest of government.

Had you not left the burden of debt on the people of the province many programs could have been continued on. But because of the waste and mismanagement of yourself as a member of the Treasury Board and of the member from Estevan, the great deal of waste and mismanagement, obviously people have to pay for it, and one of the programs that couldn't be continued was the rural gas program.

Some Hon. Members: Hear, hear!

Mr. Muirhead: — Mr. Speaker, to the Minister: we know that program was in place and you know it, by about 1983 on. And my question is not about your new policy. I'm not questioning your new policy. I'm asking you: if an individual has an application approved and in place prior to the election, are you honouring those applications under the old program or are you still . . . are you going to rip them off and let them pay your big price? I want to know what day you ceased to honour the applications.

Hon. Mr. Lingenfelter: — Well the member opposite, when he laughs at the end of the question, I guess shows how serious he is. The fact that this question . . . this question has been raised by the public for the last nine months, has been raised by the members of our caucus for the last nine months, and has been explained, shows how serious you are about it, when you wait nine months

before you bring it to the Assembly.

You're a joke. And the question that you're asking, my friend, has been put to us many, many times by people who are much more serious about the issue. The issue is that the program ended when it ran out, by your design, after 10 years. It ended. It wasn't renewed.

Now I want to tell the member clearly that the plan that is in place allows for a \$1,000 subsidy — a \$1,000 subsidy for every connection that is made. Your plan ran out that gave huge subsidies. The new plan gives \$1,000 for any connection that takes place anywhere in the province.

Some Hon. Members: Hear, hear!

(1445)

ORDERS OF THE DAY

COMMITTEE OF THE WHOLE

Bill No. 40 — An Act to amend The Highway Traffic Act

The Chair: — Will the minister please introduce his officials.

Hon. Mr. Wiens: — Mr. Chairman, I'm pleased to introduce on my right, Bill McLaren, the acting assistant deputy minister of the Department of Highways and Transportation and chairman of the Highway Traffic Board; and behind Bill, Dave Abbey, the manager of the legislation and safety branch and the legislative officer for the Department of Highways and Transportation.

Clause 1

Mr. Goohsen: — Thank you, Mr. Chairman. Mr. Minister, I have been looking through Bill 40 and I will ask you and your officials to try to clarify for us exactly where your intentions are leading in this Bill.

We'll go right back to the start here, I guess. It says first of all, this is an Act cited as The Highway Traffic Amendment Act. And that I guess is clear enough to us.

We go down to section 3 here. Subsection 2(1) is amended by adding the following clause. Before I go into the clause-by-clause description, Mr. Minister, maybe you'd like to just get up and give us an explanation of it, and you might be able to cut off a lot of my questions that way.

Hon. Mr. Wiens: — Mr. Chairman, there are really four changes contemplated here in this housekeeping amendment. In section 77 it deals with the wearing of seat-belts, one, to clarify that seat-belts are to be worn over the shoulder and not in any other fashion, the shoulder straps. And the other is that there can be exemptions relative to the wearing of seat-belts for small children.

The second feature is that in section 79 that if one registers a vehicle by wheelbase, then there is a weight limit beyond which one cannot go. If one wants to load a vehicle beyond the weight limit of 5,000 kilograms, then the vehicle ought to be registered by weight.

The third feature is the one that's received probably the most public attention; it has to do with the . . . well, the third feature is the housekeeping one in the section 81.8 and we'll deal with that. It's simply a cross-referencing error in the Act.

Section 93 is the change with respect to restoring the ability to charge the owner of a vehicle if an offence is committed and a driver is not identified.

This has arisen . . . it has been a piece of legislation for a long time that, in fact, one can charge the owner of a vehicle. That was struck down several years ago because one could end up in jail as a result of a traffic offence even though you may not have been driving the vehicle and committing the offence. So this change removes the ability for an owner to go to jail as a result of an offence and provides that the owner of the vehicle can be charged.

This accomplishes a couple of things for people who've had concerns. One is it reduces the necessity for high-speed chases when one can identify the vehicle. It also conveniences the enforcement of the law for school bus drivers who often cannot identify the drivers of vehicles offending the requirement to stop when a bus is loading or unloading.

So we have had, as the members opposite may be aware . . . there was some concern expressed in the press that the car rental agencies were concerned. We met with that agency, with the representative organization of the car rental agencies, and they are happy and satisfied with the provisions of the Bill.

And the fourth item is in section 97 and it simply provides that portable scales can be used in enforcing the law, that they are legal. And it was believed to be important that that be established.

Mr. Goohsen: — Mr. Minister, I'll deal with the last portion first here because I think the point has to be made here that portable scales have been found as not a legal, binding method of enforcing a law by judges.

And apparently in my understanding, judges made that determination, that you couldn't prosecute someone on the basis of information you arrived at from a portable scale because they weren't dependable. Why would those scales suddenly become dependable now that you make a law saying that they are legal to use in a court of law? Why would the judges' determination there, Mr. Minister, suddenly be wrong? If they weren't reliable before, why will they now be reliable?

Hon. Mr. Wiens: — Mr. Chairman, the case where in fact the results from a portable scale were not used, the reason was that there was no authority in the Act to use the results from a portable scale, even though within The Highways and Transportation Act there is provision for the use of portable scales. So The Highway Traffic Act is now being amended to make provision for the use of portable scales. It was only as a result of the fact that there was no provision for the use of portable scales in the Act that that court case was lost.

Mr. Goohsen: — Is there any testing system that's going to prove that these portable scales are accurate?

Hon. Mr. Wiens: — Mr. Chairman, we don't have the detail of the testing of the portable scales here, but there are procedures for determining their accuracy and those are presentable in court. If a person who is charged with an offence challenges the reading on a portable scale, then the evidence with respect to the scale being used would have to be presented in court, and the decision would be made there relative to the currency of the confirmation of the scale reading.

Mr. Goohsen: — Well, Mr. Minister, I think that's small comfort to somebody that gets picked up, has a truck weighed on a portable scale that he would possibly know wasn't accurate because he may have had his truck weighed somewhere else. If there is no process where he can demand on the spot that that truck be weighed on a different, legal scale, what possible chance would he ever have to win a case in court?

He should have that opportunity to say: I don't agree with your portable scale; I will voluntarily allow my vehicle to be weighed on a legally balanced scale in the closest town or at the closest weigh station where the scales are not portable.

I take note, Mr. Minister, of the fact that most portable scales that I've seen have printed on them a simple statement — not legal for trade. Why would your portable scales be any better than anybody else's?

And are you going to provide that appeal process for individuals who believe that they are being falsely accused by a portable scale that might have been dropped or somehow wrecked as a result of . . . if they happen to be digital read-outs, maybe they come into contact with a magnetic field in a vehicle, generator, or something like that might be producing electrical outputs or whatever happens, and may have wrecked the ability of these machines to work accurately. So what provision is there for people to say: I don't believe this scale is right; I want to have another opinion?

Hon. Mr. Wiens: — Mr. Chairman, the provision for testing with portable scales is based on the confirmed accuracy of scales. If a person is charged and goes to court and challenges the accuracy of the scale, it is up to the Crown to demonstrate that the scale is accurate, not up to the person charged to demonstrate that it is not. So that the person is protected in that regard. The practice within the department, however, is to offer people the choice that you asked for. While it's not stated in the Act, the practice in fact is that if a person is not happy with the scale reading from a portable scale, that they have the choice in practice of going to a stationary scale to have a reading confirmed.

(1500)

Mr. Goohsen: — Well, Mr. Minister, the law wasn't there before allowing portable scales to be legal evidence and therefore if a charge was to be made, they automatically had to take the vehicle in and have it weighed on a legally-balanced scale. Now you're making a law that

provides that you don't have to take a vehicle to a legal scale. You can do it with this portable scale that everybody has recognized for years are not accurate.

These highway scales are nothing new. They've been out there for many, many years. Back as far as I can remember, people have had portable scales underneath their vehicles to spot check for weights. When a spot check has been done in the past, automatically if it was a quite a ways over, they took that vehicle then and weighed it in a town or at a weigh scale on a highway where the scales were legally balanced and properly checked on a timely basis.

You are now changing the law. You are now changing the requirement to protect people against your law, from being falsely used or mistakenly used perhaps even. It might be nobody's fault whatsoever. The thing might just get bumped or banged out of whack, and somebody could end up paying a huge fine without any recourse.

And I'm saying to you, why not put an amendment in that people have the option to choose to have their vehicle, if they are significantly over the weight restriction, they have the option at the site to choose to go to a weigh scale that is properly balanced on a highway or go to a grain elevator or some place where scales are known to be government-inspected and government-checked.

The Chair: — Before the minister answers, I wonder if we could have the co-operation of other members of the House. It's difficult at times to hear the person putting the question when other members are carrying on their conversations.

Hon. Mr. Wiens: — Yes, Mr. Chairman, the issue is complicated mildly by the fact that what the member opposite is asking for is already provided for in The Highways and Transportation Act where the person may be charged for exceeding legal weight limits on the highway. In The Highway Traffic Act that we're here discussing, it is only the introduction of evidence relative to a person carrying more weight than that for which the vehicle is registered.

So the provision here provides for the introduction of the certificate from a portable weigh scale into court for the purpose of that narrow application. The person being stopped on a highway has the right to, under The Highways and Transportation Act, in fact access a stationary scale, as the member opposite suggests.

Mr. Goohsen: — Well, Mr. Minister, supposing that some official with his portable scale stops a truck-load of wheat and weighs it, finds him to be overweight, and charges him with being under-registered on his licence, which is now The Highway Traffic Act that you are just amending, and puts the pinch on him and says, that's good enough for me today; I don't want to fine you for any more.

So he doesn't invoke The Highways and Transportation Act, which is overloading of the vehicle for the highway, and doesn't take him in to get him weighed. He's simply going to charge him with the one charge which is the fact that he's not properly licensed.

But the individual says to himself, I don't think this is right; I'll take this load to town and get it weighed in the elevator on a government-inspected scale. And he finds that there was an error. How is he going to save now paying this weight restriction on his licence fine? What evidence is he going to use to convince the court that there's been an error made?

If the official . . . (inaudible interjection) . . . Okay, I'll put it out to you in simple language. One of your members seems to not be able to understand what we're doing. He thinks we should follow a trail of wheat to the elevator. And that might be appropriate for some folks in this Assembly to find their way that way. Maybe they could feel along on the ground with their fingers and track it down that way.

But the reality here is, Mr. Minister, that there's a good chance that the law could in fact be abused, not through intent but through neglect of the scales or accident of the scales being out of whack. There is a great potential I see in this particular Bill allowing for things to happen that are not fair to the general public.

And I would think that it would have been quite simple if you already have in The Highways and Transportation Act . . . for those kinds of fines that pertain to the destruction of the road itself from overweight, if it's in that Act that you have the ability to ask to go to another scale for a double-check, it similarly should be as easy to write into The Highway Traffic Act the same right.

Why would you not provide an amendment to this Highway Traffic Act that would allow people the choice of saying, I don't agree with your portable scale; can we have it verified at a legal scale in town or at a highway station? Why would that be such a great hardship for the department?

The official would then go along. He would be the same one that read the portable scale. He would also watch the manager of the other scale perform the duties and verify one way or the other whether he was right or wrong.

It would be a simple matter then to take that weigh, say from a grain elevator . . . again the elevator agent could sign a slip saying that he was the one that was the weigh master. Or the person that runs the weigh scale on the highway who is in charge of that scale would simply sign the slip as the weigh master there, saying that this is the weight on such and such a day of such and such a vehicle with registration numbers and licence numbers. There could be no confusion whatsoever. And it would absolutely be guaranteed that a person would have that opportunity to have these portable scales checked that most often won't be defective, but in all fairness, can be defective and often might be.

And so I'm suggesting, Mr. Minister, that you explain to us why it would be such a great tragedy to include that in this Bill.

Hon. Mr. Wiens: — Mr. Chairman, the departmental officials inform me that it's . . . that other than it not being seen to be required, would neither be a change in practice nor such an inconvenience. The suggestion is

that the present highways and traffic Act does provide for that option. That the person being charged does not have to do anything more than challenge the certificate as introduced in court. If the enforcing officer cannot demonstrate the accuracy to the satisfaction of the court, of the portable scale, the person would not be found guilty according to the charges. And the . . . say the instructions, according to the department, that goes to the officers, is in fact if a person wants to access the scale, they would be given that right.

If it would be acceptable to the members opposite, if accepting that that is the practice, I would ask the department to review that for the next legislative session to make sure that's clear and there is no points being missed there.

But it's my understanding that the persons charged are not disadvantaged, because if in fact the officer cannot demonstrate the accuracy of the scale, according to the weights given, then the charges cannot be carried forward. That in practice, people who are charged are in fact given the right to access the scale.

And we would review what amendments would be necessary in a different part of the Act in order to put into The Highway Traffic Act the provisions which are presently in The Highways and Transportation Act. That, as you request, it's simply not apparently a simple amendment, and in practice that is what's being done at the moment.

Mr. Goohsen: — Thank you, Mr. Minister. I appreciate that approach. And I think in all fairness that might be as far as you could go with correcting the problem. So I'll just take another minute though to outline the problem a little bit more detailed for your officials so that they will in fact know that this is not something that . . . not seen to be required, might be required and should be required.

My point being this, that under the highway transportation Act, in order to be fined you would have to be overloaded on the first square-inch width of tire. I guess they have a metric term for that now, but I think we understand what we're talking about. You in fact would have to be over your weight limit by that measurement in order to be found guilty of an offence under that Act. Whereas you might be legally weighted for that Act and still be overweighted according to your registration on the vehicle, and you might be charged with that requirement, to have your licence show a higher weight and, correspondingly, a higher charge on your licence. I guess that's how it works.

But then you see the reality that if you're charged for your registration not being up to par, the highway transportation Act might not come into play. Therefore the provisions in that Act that protect you and give you the right to a second-opinion scale would not apply in all cases to The Highway Traffic Act where you're simply having your registration challenged.

And so it needs to be written into both Acts, as far as I can see, in order to cover all the bases for all individuals that might in fact feel that they need protection from the law itself. And so there are times at which the two Acts don't

both work at the same time. And that being the case, then both Acts have to protect individuals. I hope I've made that clear enough so that your officials can understand what our concern is, is why people should have that right to a second check.

It quite simply is a fact of life that portable scales do get bumped out, and I haven't seen one yet that is infallible. And if there is such a scale, I'd really like to see it.

And the statement that you make that you could take that scale and have it checked by challenging it in court, doesn't work too well for me either because I'm pretty sure you wouldn't have just one set of scales in the province. I think you most likely would have several scales. You might even have several hundreds of scales. And unless they were numbered and the individual actually took down the numbers off the scales to be able to legally identify them and have somebody verify that he legally identified those particular scales as the one that did the weighing, then how would you ever find out which scales this person, through the court system, wanted to have checked or verified?

So that runs into that problem. So that all those kinds of problems I see as being alleviated by writing in there the provision in both Acts that you have the right to go to a second opinion right at the time of the infraction or the alleged infraction . . .

If you'd like to comment a bit further on that aspect of it, then I'd like to carry on to another part of the Bill

(1515)

Hon. Mr. Wiens: — Yes, I appreciate the comments of the member opposite in that regard. I think in the mean time, as we're reviewing this in the department, I think the interests of the public are safeguarded by the fact that the questions the member asks hopefully are questions that a judge hearing a case would expect the Crown to demonstrate or the officer to demonstrate before he accepted in fact that a weight was accurate.

He would have to be convinced that a particular scale was in the . . . was being used by a particular officer and that it had gone through appropriate checking and had not been . . . and was in fact reliable at the time. That's the expectation that I have, going through the official's description of the way that's prosecuted. But we will carry that discussion forward in the department. I appreciate it being raised.

Mr. Goohsen: — Thank you, Mr. Minister. Again, I'm glad that you're going to take a look at this problem because there are other considerations that could come out of this. For example, you could end up having a judge put in a position of having to debate actually a Bill in law within his court the way you've stated it. And I don't know that they have that jurisdiction or if they'd want to put themselves out on that kind of a limb, to be able to do that.

So I think it would be much better if the Bill were written so that judges wouldn't be put into that kind of a sort of a boxed-in situation where they would be trying to determine whose scales did the weighing or who did the

weighing or which numbered scales were used and all these variables.

The other consideration of course that comes to mind is that these scales might be out of order one day and they might have periodic checks, and maybe they're readjusted and by time an individual is fined or receives a ticket out on the road and the time that he ends up in court to plead his case, those scales by normal, routine maintenance might have been readjusted or fixed. And so then you lose the effect of having a guarantee.

Okay, the other possibility to relieve some of this problem would be that, immediately for the moment I would suggest that you might instruct your officers who would be using this particular law to put the numbers of the scales on the scales and have those placed on any document, fine order, or whatever you would call it, that would be used to summons a person to court. And that might alleviate some of the problem at the moment. And that could be, I think, a directive without an amendment. And that might be of some help to you.

I want to back up through the Bill. You said yourself a few minutes ago that there were concerns about the way that the charges will be laid against owners of vehicles in this Bill. And I think we expressed some concern about that and, as you've mentioned, the media has shown some interest in the possibility of things happening here that in the past have been questioned as to whether or not they're fair to individuals. Who should have the responsibility for a vehicle? And I expect that there have probably been debates in this House many times in years gone by about who should accept the responsibility for whose actions, or someone else's actions I guess, as we're going to say in this situation.

The problem is, and I'm sure you're aware of this, Mr. Minister, that this Bill allows the police simply to take down a licence number and write a ticket for an offence to the owner. If that in fact happens, it places an awful lot of responsibility on people that forces them to take actions that will be very unusual and very unnecessary in a lot of cases. But it's going to be a lot of expense and a lot of trouble.

For example, one of your children takes a vehicle out of your yard and you are pretty sure that that's where the vehicle went, but you couldn't absolutely guarantee it. In order to protect yourself from prosecution or from any repercussions through this particular amendment to the law, you would immediately have to get on the phone and report that vehicle stolen.

I suggest you might have 50,000 vehicles a day in Saskatchewan that are being used by high school children that the fathers are going to have to now phone in and report them stolen in order to protect themselves against prosecution if one of these school children happens to have a buddy that decides to take it for a spin around the block and rhubarbs it into a telephone pole or passes a school bus while it's in a loading zone. Now there's something . . . an infraction that nobody should ever allow to happen, but we happen to know that it's one that occurs far too frequently.

So what I'm saying, Mr. Minister, is that this law places an unreasonable amount of pressure on the owner of a vehicle, and in past it has been seen as reasonable not to do that. Vehicles have been around for a long, long time. Discussions of this nature have been around for a long, long time.

All of a sudden we've determined that the owner of the vehicle should be charged with whatever happened, simply to alleviate the officials who happen to be the police force, either RCMP (Royal Canadian Mounted Police) or city police force in the city, wherever they might happen to be, to relieve them of the responsibility of definitely identifying who committed an infraction. In other words, for expediency of speed and ease of operation of their jobs, we are going to waive the rights of individuals in this country through this Bill.

Now it may not be as horrendous as some situations where the rights under law are removed. I don't expect that anybody will ever be sent to the gallows as a result of this particular Bill. But certainly the financial responsibility that could result from law suits could bankrupt many, many people in many, many circumstances.

And I think I could point out a hundred examples of different accidents that could occur where individuals might be found responsible because they happen to have owned the vehicle that was involved in that particular crash and didn't report it stolen in time, and they would be in a lot of trouble.

So explain to me, Mr. Minister, how these kinds of concerns can now be alleviated where they couldn't be in the past 50 years of motor vehicle driving in Saskatchewan.

Hon. Mr. Wiens: — Mr. Chairman, the Act as it's been amended is in exactly the same format as it has been for the last 30-plus years. The provision that's being now added . . . because the Act as it had stood for 30 years was struck down under the provision of the Charter of Rights and Freedoms, that a person could go to jail for such an offence. And so the Act has now simply been amended to clarify that you cannot go to jail.

In every other respect the Act is in exactly the same format that it has been in the past 30 years, and in the similar format to that in other provinces in the country in order that reasonable enforcement can take place.

Mr. Goohsen: — Well, Mr. Minister, when we first started this discussion, you started off by giving us a brief outline of what was in the Bill. And when you did that you said, this is just a housekeeping Bill. And I expected half the folks that were watching TV all around in the TV land around us probably went and shut their sets off and said, well if we're going to talk about housekeeping, why bother listening.

But now we're into this debate for about 30 minutes or so, and we've already discovered that the last part of the Bill has definite potential to discriminate against some folks.

And you yourself have said that you're going to look at

that possibility and make some recommendations to change that at the next sitting, or whenever we come back to this Assembly. So it's no longer housekeeping.

We find as we go into this thing little by little and a bit more, that it becomes a bit more complicated and there may be a little bit more written into these words than meets the eye on the surface.

In other words, it's no longer a question of housekeeping, it now becomes the construction of absolute laws that are required the public to become aware of so that they know how to live their lives in our society.

These are not housekeeping matters when you have to change the way that you typically have used your vehicles, especially in Saskatchewan where we are so dependent on motor vehicles for our transportation, and almost anyone who goes anywhere has to have some kind of a motor-driven vehicle.

You brought up the question of the constitutional question. Who is responsible for individuals' actions — the individual, the property owner, or who? And these are the kind of questions that are raised here.

Now you say that you're changing the Act so that people don't have to go to jail. And that's probably good. I'm not so sure that in a hundred per cent of the cases that that would even apply either. But there are certainly a lot of other ramifications to this amendment that suggest to me that it wouldn't quite be the same as it was before.

Now I don't have a copy of the old Bill, but it just doesn't augur true to the kind of suggestions that have been made to me by people that have I've discussed this Bill with, both on the telephone from concerned constituents throughout the province as well as our own folks within our own caucus and our research people.

So I'm suggesting to you that there may be more to this than what your answer reflected. And I want you to tell me, I guess to start with on this constitutional question, who do you think is responsible for the actions of individuals?

Hon. Mr. Wiens: — Excuse me. I didn't catch exactly the full last sentence, if you could repeat it. I was discussing another part of the Bill here.

Mr. Goohsen: — The actions of individuals is the constitutional question. Who is responsible for the actions of an individual? — the owner of the vehicle in this case, because we're talking about motor vehicles? Who's responsible for the action of the individual that commits the crime? The owner of the vehicle? In part of this we refer to the possibility of three parties being involved. That would be a second party that would perhaps have taken the vehicle originally and then sublet it to another third party.

Who is really responsible in your opinion for what ultimately happens in the end? It is a constitutional question.

Hon. Mr. Wiens: — While the officials are looking for

legal quotes if they have them with them, I would like to issue an alert to the province to turn their television sets back on so I can clarify what seemed to be misunderstood a minute ago.

I don't believe and hopefully did not say that this Act was housekeeping. I was listing the four significant points and went by the fifth one, which was a housekeeping amendment which is section 81.8, and because it had been housekeeping I glanced over it. And I said the third point is item section 93, and then I counted down the page.

I said no, the third item is a housekeeping amendment, section 81.8, a provision that corrects a cross-referencing error. And then I went to the fourth item which is section 93, which we are now discussing. I believe that's how I described it, but I wanted to make sure that that was clear, that I had not tried to suggest that the amendments to this Act were housekeeping.

With respect to the concerns about the appropriateness, the members in the previous government introduced the same piece of legislation. It died on the order paper. The provisions of the legislation introduced by the members opposite in the previous session were identical, and so I presume that in fact there ought to be some comfort with it since it must have been carried through the caucus of the members opposite when they were in government.

The other, I think, demonstration that the Act in fact has not provided any concerns, is that the . . . is for the 31 years that the Act has been in place, that there have not been any great miscarriages of justice under it, that in fact it does provide that the owner of a vehicle is responsible for the operation of that vehicle, and that if someone else is driving the vehicle, all the owner has to do is identify who in fact was driving it. But the owner remains responsible for the driving of their vehicle. So it is provided in the Act that the driver and the owner are liable.

(1530)

Mr. Martens: — Mr. Minister, how long has it been that the RCMP or police could charge an individual without getting him to sign the document that the police give them on the charge and provide that as evidence in a court, when now it doesn't have to be — as I read this Bill — it doesn't have to be signed because all they have to do is submit it and then send them the bill? How long has it been since that has been in place?

Hon. Mr. Wiens: — Mr. Chairman, I maybe need clarification on the process here. Maybe the member opposite hasn't had a speeding ticket for a while. I don't believe it's a requirement that the person receiving the ticket sign it now. And I don't think . . . it's not my understanding that it has been recently.

Mr. Martens: — Okay then what constituted the right of an individual, the owner of the vehicle, if someone else was driving it. Could you do it before, just pick the licence number off, send him the bill later? How long has that been in existence?

Hon. Mr. Wiens: — Mr. Chairman, it has been for 30-plus years, the circumstance that if you have committed an offence, and you are observed by an enforcement officer committing an offence, that they would then serve you with a summons and request your appearance in court. Or if there was a provision for voluntary payment, that would be an option that you would have at that time.

Mr. Martens: — That's right. If they saw me driving a vehicle in a dangerous driving or a hit and run or whatever . . . If they saw me then they would send me the bill. Now as I understand this, you're going to send the owner of the car the bill. Is that new? Then why have not the police forces been able to do that up to this point? Or why haven't they practised doing that?

Hon. Mr. Wiens: — That is not new. I think the owner of the vehicle would be served with the summons. If the owner were to identify someone else as the driver, then that process would carry forward to make sure that the charge was appropriately laid. And this is . . . Until 1987, when it was struck down under the Charter of Rights and Freedoms on the grounds that you could end up in jail, this was carried on, and will, after these amendments, again be carried on as it is carried on in other provinces.

Mr. Martens: — Well I don't believe that there should be a law that says that if I'm sitting in my rocking-chair in my home watching television, and someone is using my vehicle and has a hit and run, or a dangerous driving, that I should be charged. And I don't understand how you have gotten away with not having this brought before the charter before '87. Taking the fact that you put them in jail is not going to remedy the problem as it relates to the charter. And that was what the judge brought down, but that's not the only part of that that's going to cause a problem in relation to the charter. You have to have that individual have the freedom to be heard in a court of law. And he wasn't at the scene of the incident occurring.

So you have to describe to me a little bit more fully what you anticipate and how this is going to work.

Hon. Mr. Wiens: — Mr. Chairman, if the member opposite believes that this kind of legislation should not be in place, then he's had a change in heart in the last year because last year he introduced legislation making the same clarification in the law in the House. Or his government did.

The process that would be followed would be that the summons would be served on the owner of the vehicle, as it has been for the last 30-plus years. And if the owner identified someone else as the driver, then the other driver would be pursued. And this is a law that is found to expedite the appropriate enforcement of good driving and safety for people on the highways, and it's a provision that the members opposite, as recently as a year ago, introduced into the legislature.

Mr. Martens: — Now, Mr. Chairman, I was recently visiting with a number of RCMP on this, and after this goes through, it will be the first time that they will be able to do that. That's what they told me . . . (inaudible interjection) . . . Well I'm just telling you what they told me. Okay? And so I'm telling you that if they could have done it for the last

25 or 30 years, as you're indicating, why weren't they doing it?

The concern that I have is now you're going to start issuing tickets on the basis of an individual not being at the scene of the incident, and he is going to get a summons, and he doesn't know anything about it. And that's the concern that I have.

And I could list you a number of cases where those kinds of things have happened. And the individual, because it was recorded at the time, was not the owner of the vehicle where the incident occurred — the accident or the misdemeanour of a traffic violation. And so I want to know when this started, because the Mounties are telling me that it's going to start when you get this through.

Hon. Mr. Wiens: — Mr. Chairman, if the member opposite checks the legislation, our officials don't have the exact year of the introduction of that measure but it is in excess of 30 years that it has been in place. It may be possible that the police officers with whom you spoke have graduated recently, since that provision was not used because the Charter of Rights and Freedoms had come in the way of the enforcement because of the possibility that someone could go to jail.

Clearly there must have been charges laid or the challenge would not have been begun that struck . . . that caused it to no longer be used since 1987. But the facts are that, the officials tell me, that in excess of 30 years this provision has been in place in the manner in which it will again be able to be used.

Mr. Martens: — I guess I'm going to raise it from this perspective, Mr. Minister. Don't you see the problem occurring . . . Now let's take an example of someone driving my vehicle past a bus that has the flashing lights on and hits someone and then leaves the scene of the accident. I'm the first one that is notified on the basis of that, that I have had criminal action intended on me. They don't have to catch the . . . stop the vehicle. They don't have to apprehend the individual that did it.

When do I have my day in court to determine that I wasn't there doing it? And that's what we're getting at in this section here. We don't understand why that has to be. It needs to be the individual apprehended.

If I have my son or my daughter or a friend who is staying in my home going by and steal something out of the store, they don't come to me to apprehend me for that violation. They go to the individual who did it.

In a driver's licence you have the legal right to drive a vehicle and I don't know where you should ever have the responsibility of your vehicle when someone else is driving it.

And I can cite you case after case. If you've got teenage and older kids that are there, you could have your vehicle driven by 10 different people on a given evening. And that is the concern that we have and we want you to understand that we have that concern.

Hon. Mr. Wiens: — Mr. Chairman, the Act has not yet

been changed in that regard. The Act continues to say what the Act has said for in excess of 30 years. So this is through the 10 years of the member opposite's government. He gets rather excited about it now, but in the time of his government the Act said what it says now. The amendments that are introduced to say that you cannot go to jail for it is a new provision that clarifies the use of the Act in law enforcement.

But let me read the Act as it's stated and has been stated for a long time:

The holder of a certificate of registration or registration permit of a motor vehicle, trailer or semi-trailer is liable for a violation of this Act or the regulations, unless he proves to the satisfaction of the court that at the time of the offence the vehicle was not being operated by him, nor by any other person with his consent, express or implied.

That is a very old provision. And the feigned offence of the members opposite about something that's been in there for 30 years is remarkable.

Mr. Martens: — Well, Mr. Minister, the point is that we didn't get everything done in 10 years that we had intended to do. And if we would have been there another 10 years, we probably would have got some of this stuff straightened out. Having given that, now I'm here and I'm asking you to fix it and make it right.

This is my question. If the charter said you couldn't go to jail as a punishment, why would you have . . . because of charter application, why is a fine any different than going to a jail? If you can't be sent to jail, then why can you be fined for the same crime?

That's the question we have. And that underlines all of the discussion that we've got here right now.

Hon. Mr. Wiens: — Mr. Chairman, not only did the members opposite accept the Act as it was for 10 years, and I'm sure that the Highways ministers before me knew perfectly well of the provisions in the Act because they were being enforced under them, but they brought in the very same provision as is now being introduced so that people could not go to jail for the application of this Act.

The fact is that one must be able to protect the interests of people on the highways. If the member opposite has no concern for the violation of the Act with respect to school bus children, if the member opposite has no recognition of the fact that a school bus driver is not in a position to pursue to find out if Joan Smith or John Doe is driving a vehicle, if the member opposite believes that the law for the protection of children being served by a school bus system is valid, then there must be a way of enforcing the law.

(1545)

The member opposite may shake his head, but you can't have it both ways. You can't protect the interests of innocent children who are being picked up in a school bus along the highway and ignore the violation by the person who is driving the vehicle for whom the

responsibility comes back to the owner. If I own a vehicle, it is my responsibility to see to it that it is safely operated.

And if in fact you do not trust the person that you may . . . that may be driving your vehicle, then I would suggest that you ought not to leave a vehicle in a position where somebody you don't trust could take it over. It's clear that the law must be enforced. And it's clear that the members opposite believed the law must be enforced for the last 10 years.

And it's certainly my intent to continue with this legislation, to in fact clarify the law that says that the school bus drivers have the capacity to identify vehicles that disobey the law, so in fact that those kinds of offences and others on the highway can be properly attended to.

Mr. Martens: — Mr. Minister, if a person using my car is caught for dangerous driving, which is in excess of 85 miles an hour or something like that — I don't know what the kilometres are — he gets put in jail. Now, he's using my vehicle. He's driving in excess of 85 miles an hour. He gets put in jail. Is that legal under the charter, according to the way you set this Bill up?

Hon. Mr. Wiens: — Mr. Chairman, dangerous driving is a criminal offence and this Act does not apply in that case.

Mr. Martens: — Is there any cases where an action taken by a vehicle, a driver of a vehicle, that he would be put in jail? Is hit and run a criminal offence as well in that case? Could you give me that observation?

Hon. Mr. Wiens: — Mr. Chairman, the hit and run is another criminal offence. The circumstance under The Highway Traffic Act, there is no direct provision for going to jail. It is only as a result of non-payment of a fine levied under The Highway Traffic Act where jail could be a possible outcome. And in fact with this amendment, it says you could not go to jail under this amendment that's brought here.

Mr. Martens: — Is there a process whereby an individual could take an individual who had not assumed the proper responsibility in driving my vehicle, is there a way that I can take him to court for suit and damages without having me tell a police officer that he stole the vehicle?

Hon. Mr. Wiens: — The provision, as explained to me by our officials, is that you do not have to declare the vehicle stolen, although if it is you can. You simply have to identify who was driving the vehicle, and the police will pursue the person who was driving the vehicle.

Mr. Martens: — If they don't find that individual, then I have the responsibility of paying the fine. Is that correct?

Hon. Mr. Wiens: — Mr. Chairman, the circumstance the member opposite describes is one that could arise if the enforcing officer was not convinced by the explanation by the owner and there was no way of pursuing the alleged driver. There is, within the realm of possibility, the circumstance the member describes. If I may read again from the Act:

The holder of a certificate of registration or

registration permit of a motor vehicle, trailer or semi-trailer is liable for a violation of this Act or the regulations, unless he proves to the satisfaction of the court that at the time of the offence the vehicle was not being operated by him, nor by any other person with his consent, express or implied.

So that the practice of the officers is in fact to follow your advice with respect to who was driving it. If it seemed as though that led nowhere, there is a possibility that the owner in fact would end up paying the fine.

Mr. Martens: — I will go to another item that was raised earlier. And that deals with the portable scale scenario and you said that you would hope that the judge would have discretion. Well if the Bill says that he shall use a portable scale, then he will have to use a portable scale. He doesn't have discretion. He doesn't have discretion under that.

And I would say that you could not have any discretion. If it says, portable scale can be used, he doesn't have . . . You have to put it in here to allow discretion, if you want him to have discretion.

I want to point out one other thing. Under (a) 'stationary scale,' you say it has to be:

. . . bearing a date not more than one year prior to or subsequent to the date of the offence charged in the information or complaint, has been issued and signed or purports to have been signed by an inspector within the meaning of the *Weights and Measures* . . .

You don't do that with the portable scale. Which raises the question, why don't you? Because you probably can't get it legalized for one year. It probably can't be done. And that's what the member from Maple Creek was raising here before. And it raises a concern on that basis.

If the judge has made a decision prior to this that says, I'm not going to include a portable scale, and then you put it into the Bill that he has to, he doesn't have discretion. So you need to either put discretion in there or allow an opportunity for discretion at some point.

Hon. Mr. Wiens: — Mr. Chairman, the provision in the Act simply allows that a certificate stating the results of the test can be introduced into the court. The judge continues to be the person who must judge the quality of the evidence. And if there is doubt, if it cannot be demonstrated that the weight is accurate, then there clearly could not be a guilty charge.

Mr. Martens: — Can you define in which section of the Act that that is what it says, that he has discretion to make that decision. It's not in this part. But in the main Act, can you tell me where that is, and read it for me?

Hon. Mr. Wiens: — I'm not a lawyer, but if I read section 97(2):

In a prosecution for a violation of this Act, the regulations or a bylaw of a local government, the following certificates are admissible in evidence

as *prima facie* proof (my officials tell me that means at face value) of the facts stated in the certificate and of the authority of the person who issued and signed the certificate, without proof of his or her appointment or signature:

(a) a certificate: (and it goes on)

(i) stating the result of a test . . .

It simply allows it to be introduced at face value as evidence into the charges. The judge clearly has to judge the evidence brought before him/her.

Mr. Martens: — Yes, you're right. And what it does is it places stationary scales and portable scales on the same basis. And in here it doesn't even give you the benefit of having it checked. So the judge sees stationary scales are put in there, and that's right because they're checked. A portable comes in here, based on the signing of the certificate that the bylaw was contravened or the regulation was contravened, and the judge will have to take it at face value.

If he has to take the scale . . . the stationary scale at face value, he will have to take the portable scale at face value. And I want to know where you read discretion into there.

Hon. Mr. Wiens: — The information that's introduced as evidence is not in itself the . . . does not in itself provide for a verdict. The information that's introduced as evidence is information for the judge to make his or her judgement. And clearly if there is doubt as to the accuracy of the information, a judge, I believe it's their duty to determine that, and will, as they have in the past.

But as we had said earlier, I will ask the department to look into that in the immediate future and check what the nature of amendments would be that would be required to clarify that, if there in fact is legal cause to say that there should be an amendment introduced.

In the mean time it's my understanding from the officials that officers are instructed to give people that option, and I'm not aware of circumstances where people feel they have been abused by that practice at the moment.

Mr. Martens: — The reason, Mr. Minister, that they're given discretion is because it isn't in the Bill now. It's a practice that's followed, that's right. So you have discretion on the part of the officer who's making the assessment, can he go and get a different weight. In here he's already past that process. He's gotten to the place where he's in court and he's saying, I want to have a check on my weights because it was only a portable scale; how can you get it? How can you get that done? You can't.

And the judge is going to have to go on the basis of what you've got on your Bill. And that's the problem. The police officer, on the basis of regulations, has discretion. But the judge, when he sees this, doesn't have discretion. He has absolutely none. And that's the part . . . if you put this in the Bill next year and we've gone through it, how are we going to get it out? That's the question we have.

(1600)

Hon. Mr. Wiens: — Again, I'm not a lawyer, but it's my understanding of court practice that judges receive information. Evidence is information for them to make their decisions. If the information is flawed, as the member opposite would suggest, then if we have judges of the quality that I believe we have in the province, they would not convict someone on flawed information just because it is capable of being introduced. The information itself does not convict; the judgement of the judge convicts. And the information must be sound before a conviction can result.

Mr. Martens: — Well, Mr. Minister, it's a matter of logic. If the person who is prosecuting presents this as evidence before the court, today you do not have a portable scale that can be used as evidence except if it's ensured to be accurate. So why put it in there now to determine whether this is accurate?

If you put it into the Bill, it's accurate. It has no discretion. You put it in there; it's accurate. And you're putting it in at the same consistency as the stationary scale. That's what you've got in there. And that, Mr. Minister, is what we're talking about as being not proper, and we would like to have it out of there.

Hon. Mr. Wiens: — Well, Mr. Chairman, the circumstance continues to be one that says that if the charge is laid on the basis of a portable scale measurement and the portable scale measurement is introduced as evidence and the person being charged believes that it's inaccurate, the Crown would have to demonstrate that it is. And if the Crown can't demonstrate that it is, then the person accused would not be found guilty. It seems logical.

Mr. Martens: — Well you're also the minister that took away the rights to farmers in court, so that's . . . we'll just leave it there. I will also . . .

An Hon. Member: — Cheap shot, cheap shot.

Mr. Martens: — No, it was an expensive shot.

I want to also ask the minister about the seat-belts. Seat-belt that is worn has to be worn by an individual across the lap and over if that's the way the seat-belt is made.

Young children will put that across the chest behind them. It says in your explanation that any person 18 to 22 kilograms who find it uncomfortable to wear a shoulder-strap . . . Now a little bit tongue in cheek but are you going to have a portable scale to find out whether they're the right size to have the strap placed behind them? Are you inferring that an adult who has that shoulder-strap go across his face, should have it across his face, or should he have it behind him? That's the question that I would have in this case.

Hon. Mr. Wiens: — Mr. Chairman, the kinds of concerns that the member opposite raises will be addressed in regulations so that there is a definition of when it applies and when it does not.

I know from experience of someone in our family who has a colostomy, that they have been given exemptions from wearing belts. And I think those kinds of concerns will be addressed. If there are any specific concerns that the members opposite have, I would appreciate them forwarding a list of the kinds of things that should be addressed in regulations, that the department can consider.

Mr. Martens: — I know that this . . . You were making an observation about the other part of this Bill that was before this Assembly earlier on. I know that this part was not. I know definitely that it was not. And I was in strong objection to it at the time that it was put in, and I will be in strong objection to it now. Because children, or certain makes and models of vehicles, have different heights. And you can't adjust the strap that comes from the top of the door or the post. You can't adjust it to be at the proper location going across your chest.

And that's the kind of thing that could more injure an individual than help him if it was across his throat, across his face, or anywhere there. And I think that you have to be very serious about what you're going to do with this kind of a seat-belt regulation because behind you is way better than none at all in the case of an accident.

I'm not talking about getting caught and getting a \$40 fine or a \$50 fine; I'm talking about in a case of an accident. That individual who has it across his face is going to be seriously injured, and across his throat. It has to be down low enough so it maintains the volume of his body in the impact.

And I just raise this with you on this basis. I think that you're going to make it very, very difficult for a police officer to make sure that he knows where that seat-belt is supposed to be. Will he check every time? On my car I can move that shoulder strap up and down on the post, but you can't do that on the majority of cars. And even then, for a short person, it doesn't come nearly to the place where it's supposed to. It goes across your face or your throat and not across your chest, and that's why people put their arm over it.

What you're going to have, Mr. Minister, is people getting an exemption so that they won't use the seat-belt at all if that becomes uncomfortable. And then you're going to have a greater problem. And that's what I think is where we're getting to if we make the thing too restrictive.

Hon. Mr. Wiens: — Mr. Chairman, as I believe I said in the earlier answer, the regulations will address the circumstances the member opposite raises. If there are any special circumstances that the member opposite wants raised in the regulations, that will be provided for. It's recognized that there are people for whom the application of the shoulder strap under normal circumstances, if they are short people, could cause difficulties, and that will be addressed in regulations.

But I would appreciate receiving from the members opposite any other circumstances where a special regulation can define the wearing of seat-belts.

Mr. Goohsen: — Thank you, Mr. Chairman. Mr. Minister,

we appreciate your offer to consider our concerns and we will certainly begin that process as soon as we get finished here today.

I do have a question though that raises from my colleague's discussion with you. In this whole area of constitutional rights, I worry about the ability to make any law work any more. It gets extremely difficult I'm sure, from your point of view as well as from ours.

When a person decides that he wants to be a driver in our province, he must go to a licence bureau and take a test, and then he drives and he is assessed by an expert.

Fortunately through our school system, most young people have the opportunity to be able to train through a program before that happens, and they become reasonably good at the art of driving before they're given a licence.

But no licence is ever given, is my understanding, having talked to some of the people and having taken tests myself — no licence is ever granted to an individual who isn't seen to be good enough to have that responsibility of a driver. An expert hired by the government on behalf of the government grants that licence to that individual, would be my determination, that the government then has said that individual is capable of driving. Therefore we will allow him to buy a licence.

If they didn't say he was able to drive, they wouldn't give him the licence. So the onus of responsibility for that driver conducting himself in a responsible manner must therefore lie with the government to some extent.

Now we have the question of the motor vehicle that he drives. If he drives his own motor vehicle which he's able to finance or buy and he wrecks it or drives over somebody, he is responsible for his actions. If he is breaking the law when he does this infraction or hurts somebody and causes himself to be sued or causes some damage or expense, then who's responsible for the actions of that driver? Obviously no one ever takes the government to court and says, you gave this person a licence, therefore you're responsible for his actions. Nobody holds the car dealer responsible because he sold this individual a car.

And yet I might have a vehicle that I may give to one of my children who might have a licence that the government condones, who will take that vehicle, might in fact park it, inadvertently leaving the keys in the switch. And one of his buddies might come along, take that vehicle, go on a beer party, and wreck it by driving it into a school bus. He's done all kinds of bad things.

First of all, my son or daughter who might have gotten that vehicle would have had a licence granted by the government. The government has responsibility that they're responsible to have that licence. They may not have even left the keys in the vehicle. This individual might in fact have stolen it and hot-wired it. It doesn't matter how the process goes there.

But what I'm trying to get at is the process of responsibility here. I'm going to be held responsible for this wreck that

happens.

Or suppose the person, you know, side-swipes the bus and takes off. I guess the scenario would be better if he took off like lightning out of there and got away, and nobody could quite identify who the driver was. Then I as the owner of that vehicle am responsible. And I — going back to my colleague's discussion earlier — can't see why I as an owner of that vehicle should be held responsible for the actions of all of these other individuals in the world. Just because the police need to have it expedient to be able to pin it on somebody isn't good enough for me.

And I think that the process, even though it's been in place for 30 years, might be wrong enough, as I sit here and look at it and think about it, to warrant some changes. And you can blame the guys in the past for not making the changes in time, and I could blame you today for not doing it now. But in reality, what we could do is think about this and change it for the future. And that probably would serve the interests of everyone to a better extent.

Because I just can't see this business of my being responsible for another driver's actions when you say that I should've assessed how this individual would perform as a driver. I'm not going to try to quote you exactly, but I think you suggested that I should make a determination, as the owner of the vehicle, of the ability of a driver to perform that task of driving carefully and reasonably.

(1615)

And immediately I thought, didn't the person that gave this individual his driving licence have that responsibility? Was that the person that should have decided that this individual wasn't capable of driving? Why? How would I qualify to be that person to make that determination? And why would I be held responsible as an individual who happens to have enough money to be able to buy a vehicle? Why would I be put on the spot as being legally responsible for the actions of somebody else that has gotten a licence from a government dealer? And, you know, I think I should let you respond.

Hon. Mr. Wiens: — I don't know if the member opposite is suggesting that we live in a society without responsibility or that we should. Clearly the act of owning a vehicle in this society is an act that carries with it responsibility.

People who own vehicles own an instrument that can be very dangerously used by others. One ought not to carelessly leave vehicles like that in the hands of people in whom one does not have confidence.

The law in Saskatchewan — and I'm sure in every other place where vehicles are driven — suggests that if you own a vehicle, you're responsible for its usage. And if you own a vehicle, you ought to be very careful about who uses it while you're the owner.

There's another section, section 86 of the Act, that provides provision for other circumstances. It says:

When any loss, damage, or injury is caused to a

person by a motor vehicle, the person driving it at the time is liable for the loss, damage, or injury if it was caused by his negligence or improper conduct, and the owner of the motor vehicle is also liable to the same extent as the driver, unless at that time the motor vehicle had been stolen from the owner or otherwise wrongfully taken out of his possession or out of the possession of a person entrusted by him with its care.

The fact is that when you own property that can be used dangerously, you're responsible for who uses it. That I hope is a value we all accept in a society in which these kinds of things such as vehicles are commonly owned.

Mr. Goohsen: — Well I can't quite agree with that, Mr. Minister. This process of responsibility has gotten me really troubled. Suppose you were to borrow your rifle to another hunter who is, say, 30 years of age, has taken his tests that qualify him in the province of Saskatchewan. Now before you can buy a licence, you have to take a test apparently, from some wildlife people that qualify, and he's got this test. He goes and he buys a licence to hunt a deer. And he comes to you and he says, can I borrow your rifle to go hunting? Are you responsible if he shoots the tractor tire out on the neighbour's tractor?

Hon. Mr. Wiens: — Mr. Chairman, I am not a lawyer, and I suspect that's a good question to ask the Minister of Justice on another occasion, but it doesn't have a lot of applicability to this Bill.

Mr. Goohsen: — But, Mr. Minister, it has everything to do with it because what it does is to try to give you a refreshed look at the reality of a motor vehicle becoming a weapon of sorts. And that's what you're basically saying. If you take this vehicle out and kill somebody with it, it has become a weapon that you are responsible for even though somebody else is driving it.

And when I use the comparison of a rifle, let's take that one step further. Supposing I sold that rifle to that individual knowing that he was a careless individual who might have had a record of shooting tires out before. Am I now responsible for his actions even though he has the money to pay for it and has bought it? Has he bought a tool or has he bought a weapon, and am I responsible for his actions for ever and a day?

Now the same applies to a car. Supposing you're going to say I'm responsible if I own the car. Am I now responsible if I sell my car to my son and he goes out and does damage with it. He probably wouldn't have the money to pay for it, so I probably would say, I'm selling it to you a dollar down and a dollar a day for the rest of your life. Am I now responsible for the rest of his life and the rest of my life for that vehicle and everything that happens to it? The same scenario must follow through, must it not?

Hon. Mr. Wiens: — Well, Mr. Chairman, this is a very interesting and not going very far very fast conversation. But the fact is that the registered owner of the vehicle has responsibility for the vehicle.

May I read again:

When any loss, damage, or injury is caused to a person by a motor vehicle, the person driving it at the time is liable for the loss, damage or injury if it was caused by his negligence or improper conduct, and the owner of the motor vehicle is also liable to the same extent as the driver, unless at that time the motor vehicle has been stolen from the owner or otherwise wrongfully taken out of his possession or out of the possession of a person entrusted by him with its care.

The registered owner of the vehicle has responsibility for the vehicle. That's a common value. And while the member opposite says he has a little difficulty with the notion of responsibility, most of society does not. Most of society believes responsibility is something that we as adults take, and these are part of the descriptors of when we must take that responsibility.

Mr. Goohsen: — Well, Mr. Minister, I'm not so sure about the rest of society and how they think. So let's dwell into this just a little bit further.

You have the ability to stand in your place today and hold up a pamphlet or a brochure full of Acts and laws, and you read part of a law to me.

The fact that you have in your hand a written law that you can read doesn't necessarily make me believe that I agree with that law being right. The fact that it happens to have been 30 years old doesn't necessarily make me agree with the fact that it is right. And the fact that you take the premise of that law to expand a further law to restrict other people in society certainly is not justification in my mind either.

Now maybe the problem goes to the fact that the original law is wrong, even though it's been there for 30 years. And maybe that's what the charter of rights has been saying when judges have ruled that under the charter of rights you cannot hold responsible people for actions of other individuals. Who is responsible for the actions of an individual? Are you responsible for him? Is the government responsible for him? Or is he responsible for his own actions?

And I suggest to you, Mr. Minister, that people in our society must be responsible for their own actions. They must not be allowed to pass off responsibility to someone else, who in this case happens to have been the individual that bought a motor vehicle.

I'll carry that scenario one step further. And I think my colleague tried to make this point but didn't possibly get through to the way that we were trying to arrive at.

The charter of rights, you have claimed, protects an individual from being sent to jail. If that is true, then what you are saying is that the penalty of going to jail, the penalty of going to jail is too stiff a penalty for the crime involved, the so-called crime of responsibility.

If going to jail is too high a penalty to be paid, and the Supreme Court of Canada would uphold that, as I'm hearing you suggest, because of the charter of rights, would it not also follow true that a person who would find

himself fined or sued for large sums of money, might in fact find that to be too heavy a penalty to pay, and that he might rather go to jail than to have to pay all that money. Would he then have a legitimate case to say that he is being wrong done by having to pay the penalty of dollars rather than the penalty of jail? If jail is too stiff, could not fines or lawsuits similarly be too great a price to be paid?

Hon. Mr. Wiens: — Well that's a matter for the courts to decide. It is not the Charter of Rights and Freedoms that said someone should not go to jail. They simply said that because someone may go to jail, this Act could not be applied. So the Act now provides that you may not go to jail as a result of the application of this Act.

If someone who was fined and believed that they were unjustly fined as a result of the application of this Act, wanted to take it to court and say that that's an unfair provision, then they can. The fact is that in providing a balance for justice in our system, certain laws are enforced. And I think most of us would agree that when we own a vehicle, we are responsible for its use. And if we cannot be responsible, then we ought not to own a vehicle. And that, I think, is a value as common as motherhood and apple pie.

Mr. Goohsen: — Well, Mr. Minister, we can use clichés of all kind. Having a law that only part way applies, you can't send a person to jail but you can fine him and cause him to go bankrupt, in my scenario might be like trying to claim you're only a little bit pregnant.

You see, you're either being fined or penalized, or you're not. You're either pregnant, or you're not. It doesn't matter to me whether you have the penalty of going to jail or the penalty of being sued for all of your worldly goods. To me, the penalty, if the penalty is too stiff for one kind of penalty, the other penalty might be too stiff for another individual with a different set of values.

And so what we are saying to you is that when the Supreme Court or the court system, whichever court you're talking about, made this decision about people not being sent to jail because that would be too stiff a penalty, what they were trying to say to you, sir, as now a lawmaker, which you are — and that's what you are today; you are a lawmaker, not a law-breaker, a lawmaker, although some people might say this Bill would put you in the other category — the reality, Mr. Minister, is that you cannot force society in all fairness to take every element of every Bill to the court system for a decision.

When the court deals with a situation on one particular issue, they expect you, and I think society expects you, and the people that wrote the charter of rights expect you to use those decisions with some discretion as a precedence to establish a direction of policy and a direction of law making.

If we don't do that, Mr. Minister, in all fairness, we will have our society tied up in the court system for ever and a day, and the only people that are going to benefit by this will be the lawyers and the judges who will for ever have more work than they can ever possibly do.

So what they've said to you, sir, because you seem not to have grasped what I'm saying, they've said to you that here we've established a precedence that maybe the actual fabric of the old law might be wrong. The onus of responsibility may not be considered motherhood and apple pie any more. It might be considered that the individual that commits a crime or uses a vehicle wrongly is responsible for his own action.

And the guy that sells me a car is not responsible for how I drive it any more than I should be responsible for how a third party uses my vehicle if he happens to get it into his hands. So does that make any sense to you, Mr. Minister?

Hon. Mr. Wiens: — Well I guess the question I would ask, does it make any sense to the member opposite? The question that the member I think asks is: is this provision that's been provided in this Act, has it been tested? And yes, it has. It's been applied and tested in Alberta, and it has withstood the legal test.

So the provision that's being brought forward here has withstood a court challenge in Alberta, and we believe it to be appropriate within the law.

Mr. Goohsen: — Thank you, Mr. Minister. I want to go on to a few other points here because I know that one of my colleagues has some other questions. But I want to cover some other points while I've got your attention.

This 81.8, you pointed out, was a correction of an error. For those people that are watching, the question come to mind, they're going to maybe wonder what was that error. What did you correct?

Hon. Mr. Wiens: — Mr. Chairman, I can have the specific cross-referencing error identified in a moment. It refers in one section incorrectly to another subsection. Where it was referring to subsection (2), it is now more accurately referring to subsection (3) in that section.

(1630)

Mr. Goohsen: — So what you're saying is that people that write laws make mistakes, and you're correcting an error, typographical or whatever, and that there may in fact be a need to amend this Bill further when we get finished. And I'm glad that that scenario might be positively viewed.

I want to go back just to this weight thing because another question crossed my mind here. An individual who now owns a car and a trailer . . . This will not be cattle trailer. We're talking about the type of a trailer that you would use to live in.

An Hon. Member: — Holiday trailer.

Mr. Goohsen: — A holiday trailer — thank you, from my colleague here — a holiday trailer behind your car. If that unit is in excess of the 5,000 kilograms, are they now required to buy a truck licence or some other type of a vehicle licence to be legal under this Act?

Hon. Mr. Wiens: — Mr. Chairman, as I understand the circumstances, if you were contemplating, with your

private vehicle, pulling a very substantial load — the circumstance is difficult but not impossible to imagine — you could theoretically register a private vehicle for 54,000 kilograms if you wanted to build a lead-filled trailer. And if that was your intent, then you should register your car — your little Rabbit or whatever — for that 54,000 kilograms so that in fact you are not in breach of the registered weight.

Mr. Goohsen: — Well, Mr. Minister, I've got an Oldsmobile and it's really powerful. How much money am I going to have to spend on my licence now if I pull over the 5,000 kilometres of weight . . . or kilograms? I didn't get the right metric term. If I get over 5,000 kilograms with my car and my trailer, whether I can pull it or not, how much extra money am I going to have to pay for licencing to be legal?

The Chair: — Order, order. I'm having great difficulty hearing the member.

Mr. Goohsen: — Did the minister not hear? I'll just rephrase that. If I have an Oldsmobile with enough power to pull my house trailer, and it happens to weigh over 5,000 kilograms — not kilometres, kilograms — how much will it cost me to legally license that over and above a private vehicle licence?

Hon. Mr. Wiens: — Mr. Chairman, this only provides that clarification that when your vehicle exceeds 5,000 kilograms, that is the towing and the towed unit together, that you should register your towing vehicle for the total weight you expect your combined unit to be. We do not have the fees with us, but we are not changing the fee structure. It just defines that if you are going to exceed 5,000 kilograms for your . . . which is a substantial size of a combined load — if you're going to exceed that, you should then register your vehicle for that anticipated combined load. And you should make sure that you're not breaking any other laws in the process.

Mr. Goohsen: — Mr. Minister, what other laws would you anticipate I might be breaking?

Hon. Mr. Wiens: — The weights, the brakes that are required, the dimensions of the vehicle in order to get that weight into the space you've described — there are a number of areas one should be concerned about. But we don't have the fees for licensing here at the moment.

Mr. Goohsen: — Maybe as I have you answer my next question you'd also throw in for me who I'd find that information out from, because there are some people, believe it or not, who have some rather big-powered, older cars. And they do in fact in this province hook on to stock trailers and load them up with their children's furniture and move them from one university to another and that sort of thing. And I'm not just sure if they get over this 5,000 kilograms or not, but I suspect that they must be very close to it after I've carried it out for about a day and packed it all in there, and it feels like at least 5,000 kilograms on my back.

So knowing that these people do this sort of thing, it would be of great interest to us to find out what it's going to cost us to keep those units legal, and in fact, whether or

not they are considered as part of this package under the restrictions. And I'm taking it from your comments that they are.

Is there anything in this that would indicate the limit on the length of such a unit on the highway?

Hon. Mr. Wiens: — There are a number of provisions that the member opposite should check if you in fact want that kind of load behind your car, including the tonne capacity of the trailer, including as well the hitch on the car that may break loose and the mechanisms for attaching it.

You can contact SGI (Saskatchewan Government Insurance) for all the requirements that are there, that if you anticipate that kind of a load.

And when you have finished designing this vehicle for taking your children's furniture to university, I'd like to see it, please.

Mr. Goohsen: — Just drop around my farm any time, Mr. Minister, it's there.

I'm afraid that — on a serious note though, Mr. Minister, all kidding aside about this whole thing — there is some suggestion to me in this Bill that people are no longer innocent until they're proven guilty. Now they are guilty until they can prove themselves innocent.

And I'm wondering if that really is the intention that we want to take our province in that direction. Because if we're going to do it in a small traffic Bill, it almost seems inevitable that we will be leading that path in probably a total direction of the next three or four years. And if you think that we seem a little reluctant to accept some of the things at face value that you've given us, you must understand that we are in a position now of being somewhat fearful of what this administration might do to folks.

One of my colleagues made the comment, we are fearful now of where the slice of the socialist sickle will strike next. And that is an old expression that's been used many times in this world. It happens to now fall true in our province. And we are, I guess, pretty gun-shy about accepting anything that becomes a law from this administration, in view of all of the massive changes that we've seen that have genuinely hurt so many people in so many ways.

I do want to specifically deal with this Bill on one other aspect. I think my colleague talked to you for a few minutes about the seat-belt part of this legislation. Just to clarify for myself, could you tell me, does this Bill apply that you now have to wear a shoulder-belt as well as a lap-belt in all situations? Or are there some exemptions to that situation? And does this apply both to front seat and rear seat?

Hon. Mr. Wiens: — Mr. Chairman, I am interested by the concern the members opposite have about legislation that they themselves have designed and that they themselves have proposed amendments to, when we're introducing the same amendments.

With respect to the seat-belt provisions, if the shoulder strap and the lap belt are joined, they must be properly worn. There continue to be the exemptions that were always in place: medical exemptions, exemptions for delivery persons, and taxi drivers.

And as we answered for your colleague earlier, that in regulation there will be some provisions for people for whom the normal wearing of a shoulder strap would be dangerous, in regulations to exempt them. And if the members opposite have any particular situations they would like to have addressed in those provisions in the regulations, I'd appreciate having those ideas forwarded to my department.

Mr. Goohsen: — Yes, Mr. Minister, we certainly will bring those matters to your attention.

I do want to comment to your first comment, and that of course is that we somehow should feel some responsibility to drafting these Bills because we did something about it before. I assure you I had nothing to do ever before with any highway traffic Bill or any amendments thereto at any time ever that I'm consciously aware of, because I've never been in the government before this past election. And so your remarks have to be restricted to other people.

And I hope that you and the rest of the public will take note of that fact, that just because the laws were there before and a particular political party that I'm affiliated with put them in there, doesn't necessarily that I was always agree that those laws and regulations were the best ones for society around us.

As a municipal person, we often challenged the regulations that we were forced to live under within our society, and it didn't matter to us what the political stripe of the government of the day happened to be. We either supported them or opposed them, according to how we valued them as they affected our lives.

And so not having had any input into them in the past, I accept no responsibility for the rightness or wrongness of them. And those things that I feel are wrong, I'm going to bring to your attention; and those things that are right, I hope I have the courage to admit it and allow you to carry on.

I haven't got any more questions just at the moment, but my colleague does. So I will turn the matter over to him, unless you want to respond.

(1645)

Mr. Muirhead: — Thank you, Mr. Chairman. Mr. Minister, I've been listening to some of your comments about this Bill, and I guess it's probably . . . you had reasons to bring it in. But myself, I don't know about this. It just looks to me like another Bill that the government bring in where you're interfering in the private lives of people.

I can't understand where all the requests came from to bring a Bill like this in. I don't know where they came

from because I've never heard it. I've been a politician for 15 years; I've had no one ever say to me that we want something like this.

The kind of a question I'd like to ask you, and excuse me, Mr. Minister, if I do ask something that somebody else has already asked before because I . . . and correct me. If it's been answered before, I will look in the *Hansard*.

I'd just like to know what happens that if someone steals a vehicle from me or it's just missing from my yard without my permission, and there's an accident, who gets charged if they find the individual — he'll get charged or will I get charged?

Hon. Mr. Wiens: — Mr. Chairman, the person stealing the vehicle will be charged.

Mr. Muirhead: — All right. What if there's damage to that vehicle and the individual that took my vehicle absolutely hasn't got any money whatsoever, and I got a damaged vehicle? Will SGI repair my vehicle under my insurance?

And if he had smashed into somebody else and they catch the person and there's damage to somebody else, damage to property; say they run into a house or somebody else's vehicle — it doesn't have to be a vehicle; it can be something that's not insured — who's responsible? They caught him, they have him, but he has no money. Could they still come back on me?

Hon. Mr. Wiens: — Mr. Chairman, I believe that's a question of the applicability of the insurance, and you may on another day wish to ask the minister in charge of SGI.

Mr. Muirhead: — Well don't you think, Mr. Minister, that's something that . . . that's the kind of questions that I'm hearing since this Bill's been introduced; that's the kind of questions that people are asking. You must have been asked that, Mr. Minister, of who pays. You're saying, ask the minister of SGI. Well what if there's . . . the question I asked . . .

Let's put it this way. Someone comes into my Quonset or my garage. I've done everything that I could do. My keys are in the house. And the middle of night somebody breaks into my garage, and they hot-wire that vehicle and away they go. And they don't smash up a car. They wrecked that vehicle, but maybe they damaged something else. Maybe they run into somebody's house or a barn or something serious. Maybe they've even run over somebody. They injure some other individual.

Who gets charged if they find that person and he has absolutely no way of paying the damages? Can they come back on me, is what I'm saying, Mr. Minister. Can they come back on me if SGI has nothing to do with it? Just say there's damage to personal property and they've got him, but he has absolutely nothing. Can they come back on me?

Hon. Mr. Wiens: — Mr. Chairman, I will just read one more time, section 86, where it says:

. . . and the owner of the motor vehicle is also liable to the same extent as the driver, unless at that time the motor vehicle has been stolen from the owner or otherwise wrongfully taken out of his possession or out of the possession of a person entrusted by him with its care.

Mr. Muirhead: — So then, Mr. Minister, if I didn't give . . . somebody steals my vehicle — like I said, hot wires it and takes it away — I'm not responsible whatsoever. There's no responsibility can get back onto me. Whatever this individual does, whether they catch him or don't catch him, they cannot come back onto me under any circumstances?

Hon. Mr. Wiens: — I do not understand the full extent of the law in all matters, but they cannot come back to you under this Act.

Mr. Muirhead: — Well ask your officials if they can come back under any Act. They must look into all these avenues because you're the department that's opened this up, that's going to make the owner of the vehicle responsible. Like I heard you say a while ago to one of my colleagues, that if a person is going to own a vehicle, they'd better be responsible. If a person's going to own a vehicle, you better be responsible.

Well if somebody takes my vehicle without permission . . . And you got into a pretty dicey thing here. Here's somebody that's working for you, your hired man, or it could even be your son that doesn't live with you or it could be family members or it could be a neighbour. And you know who it is. But they haven't got my permission, and they take it away and smash it up and smash into another vehicle. And I say they never had permission.

Well how do you draw that fine line, whether they had permission or didn't? Because you're going to open up a ball of worms here because what's going to happen if . . . Everybody is going to say — not everybody, the honest people will say, yes I did give permission — but a lot of people will say, I didn't give my son or even my wife permission. What are you going to do in cases like that?

Hon. Mr. Wiens: — Mr. Chairman, we have not opened up any can of worms in this regard. We have not altered the provisions of the Act. If the members opposite are suggesting that we should introduce amendments to the Act at this point, those proposals could be made to us for a future year.

We have not amended the provisions of an Act that has stood for in excess of 30 years. All we have done is to say that under the provisions of this Act, you cannot go to jail, which means that it will now likely not be struck down under the Charter of Rights and Freedoms. So we have not changed the Act. We have not changed the provisions of the Act. We have not opened up any can of worms.

Mr. Muirhead: — I don't know, Mr. Minister. If you can't answer me that question . . . I asked you this question. You just got up and talked about the bag of worms.

I'm talking about if, if someone takes my vehicle and regardless who — but they may be somebody I know,

maybe are a family member or a neighbour, whatever — and they smash that vehicle up and smash up somebody else's vehicle and do a lot of damage, and there's a big suit going on here, who's responsible? The person, my neighbour, whoever took that vehicle? If I just come out and say, I didn't give permission, whether it be my . . . don't matter who it is. Am I home free?

Hon. Mr. Wiens: — Mr. Chairman, the member opposite needs to be aware that under the provisions of this Act that the driver . . . the owner of the vehicle can be held liable. The owner of the vehicle can identify another person who was driving, depending on what kind of case is involved, and the legal enforcement will pursue the driver if identified.

Mr. Toth: — Mr. Minister, what you're saying is that under this Act, if I understand you correctly, you are putting the onus on the owner of the vehicle to go to a court of law, should they receive a summons if a vehicle they own that happens to show up is involved in some kind of traffic violation, and prove before a court of law that they were not indeed the driver of the vehicle. Is that true?

Hon. Mr. Wiens: — We are not in fact changing the Act in that regard or introducing new measures. This is the provision that has been in the Act in excess of 30 years, that the responsibility for the use of the vehicle . . . or the responsibility is the owner's. All we've done is say that you cannot go to jail as a result of a charge laid in that fashion. So the provisions that have been under the Act for a long time are roughly accurately interpreted by you.

The practice, as I understand it, by the enforcement officials is that if a summons was delivered to you and you said no, I was not driving the vehicle, my daughter was driving the vehicle; or my daughter was driving the vehicle and she lent it to her boy-friend and the boy-friend says no, my friend drove it, that the police would pursue the person who was driving the vehicle. That would be their intent.

If all else failed, the responsibility would come back to the owner.

Mr. Toth: — So what you've just said . . . And you're saying that this Act has actually been in, whether it's been on the back burner for a number of years or . . . it's been part of the Act. And under the Act, as it was over the past number of years, if a person received a summons, that they were possibly liable to some term in jail if indeed, say, the court didn't believe or they couldn't prove that they weren't driving the vehicle.

You're putting the onus on the person to go to court, prove that they weren't driving the vehicle. Then who puts the . . . How do you put the onus on the responsible person? You have to, as an owner . . . I as an owner would then have to prove I wasn't the person driving the vehicle.

And then does the court then send out a summons to the person responsible? Or the individual who owns the vehicle has to try and prove who was driving the vehicle, specifically when you relate to, say, someone who has lifted the vehicle or taken the vehicle without your

knowledge or without anybody's knowledge?

The reason I raise that is not only the fact that you have this vehicle taken, and maybe your vehicle's wrecked and somebody else . . . maybe someone's life has been put in jeopardy because of an accident, but it's not just the insurance that you may be facing, Mr. Minister, it's also the fact that you're going to have a record against your licence or against your person that is going to translate into substantial costs to renew your licence. And there are two major factors that we face here, Mr. Minister.

Hon. Mr. Wiens: — Mr. Chairman, the practice is that the summons would be delivered to your door, to you, and you would identify another person who was driving the vehicle if in fact it was not you. The enforcement officer then, by practice, pursues the other person who was driving the vehicle. That's the manner in which this has been done for 30 years.

Mr. Toth: — You're saying it's delivered personally, not just thrown in the mail?

Hon. Mr. Wiens: — The expectation would be that the summons may in fact not be even delivered the first time; that the policeman would come to your door as part of an investigation to determine whether in fact it was you. But if a summons were being delivered, it would be hand delivered.

Mr. Toth: — Well, Mr. Minister, I'm not going to belabour the point on it but I think just recent events are a strong indication of the fact of how serious this piece of legislation can be. We just need to look a couple of days ago where a gentleman went to help some individuals and ended up losing his life, and his vehicle destroyed. There again, in some cases . . . in this case we're probably dealing with individuals who probably shouldn't have been on the street at the time.

But certainly it seems to me, Mr. Minister, as we've seen through a number of pieces of legislation, that we have areas where government . . . And I'm not exactly putting all the fault at your feet. I was very aware of the weight that can be put upon government officials, upon ministers, by even ministers of the department — or not to say ministers — but individuals and departments, because I worked on regulations and I worked on legislative review. And certainly a lot of times you're sitting there and you're trying to hammer out with department officials, are we going beyond what we should be doing? Are we properly protecting people?

I think, Mr. Minister, we certainly have to sit down and weigh the fact that we're not interfering with people's rights — and I think that's the area in question — while at the same time protecting individuals from harassment by . . . and when it comes to police services too. We know the fact that after all, a policeman has a notice to put forward a traffic violation. He's got the registration, he's got the vehicle, and he doesn't know whether you were driving it or not. And the person receiving that, who knows what can happen as people react to some of these notices handed to them, Mr. Minister. So that's the point we're trying to raise here today.

Hon. Mr. Wiens: — I thank the members opposite for their contribution.

Clause 1 agreed to.

Clauses 2 to 9 inclusive agreed to.

The committee agreed to report the Bill.

Mr. Goohsen: — Thank you, Mr. Chairman. Just before we run away here so quickly for our evening meal, I would like to take an opportunity to thank the officials for coming in and helping the minister with his answers today. I know they weren't all easy, and I know that some of them may have been confused. But I want to assure them that our intention to make this a better province to live in is all that we were aiming for. And we truly do thank the minister and his officials. Thank you.

Hon. Mr. Wiens: — Thank you. I again thank you for your contribution to the discussion and also thank our officials for their help in the discussions.

The committee recessed until 7 p.m.