

EVENING SITTING

ADJOURNED DEBATES

SECOND READINGS

Bill No. 5

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Carson that **Bill No. 5 — An Act to amend The Planning and Development Act, 1983** be now read a second time.

Mr. Toth: — Thank you, Mr. Speaker. Mr. Speaker, as I was saying before . . . I guess I really wasn't really rudely interrupted but we were all . . . decided maybe it was time to take a little break and get some nourishment. Now that we've got some nourishment under our belt we're ready and raring to go again, Mr. Speaker.

Anyway, Mr. Speaker, before us today as I mentioned prior to adjournment for the supper hour, I mentioned the fact that the Bill before us certainly addresses another new area of taxation, and that is taxation is a question that is becoming a major concern in the province of Saskatchewan today.

It's becoming a concern because it doesn't matter who you are, where you are in this province, it doesn't matter whether you're a public employee, whether you're a businessman or woman, or whether you're a home-owner, whether you're a farmer, Mr. Speaker, we find that for the last two years and we anticipate as a budget comes forward, that the government has indeed been dipping into our pockets.

Taxes have been increased, rates have increased, utility rates have increased, and the public in general, Mr. Speaker, is getting to the point where they are wondering when is this going to end. Are they going to be able to afford to continue to live in this province, and might even be much easier . . . In fact I've had people comment about the fact that if they had the ability and if they could sever their ties quickly, many of them would move to other parts of the country.

One of the big problems we have with this Bill, as I mentioned before too, Mr. Speaker, was the fact that again it's another avenue of the government offloading and, instead of accepting their responsibility, putting that responsibility on the hands of local governments.

Then we can see as the ministers stand in this House they will always argue the fact that: we didn't make the decision; it was the local government, it was the local board, it was the local health board or whatever making that decision. Local government may have all it can handle trying to collect enough money to run the health care system. After all, the Minister of Health is hoping to offload that cost onto local property taxes.

It seems that the government really doesn't know where it is going or what it is doing, and this is something that is becoming very obvious to all

Saskatchewan residents. The Minister of Health is offloading health costs. This Bill is offloading in the form of a development tax, offloading to rural governments, to municipal governments, and giving them added ability and onus to tax in order to make up the difference of what they're not receiving in grants from the provincial government.

And certainly in a week's time we will . . . in a week's time we'll find out exactly what is going to be available to municipal governments. And it's obvious that the Minister of Economic Development is quite pleased with my speech, just from his expressions in the House tonight.

And the Minister of Rural Development is saying the government is, and I quote . . . I believe the Minister of Rural Development on March 10, the Saskatoon *Star-Phoenix*, said, "The government is looking for ways to take education and health off property taxes." And yet this Bill would allow the local governments another avenue of tax generation.

So as I said, Mr. Speaker, it appears the government doesn't know which direction it is really going. They seem to be, as we've heard from different ministers throughout the course of this past spring . . . On one hand one minister will make a comment at one meeting. On the other hand, a day later, another minister will make a different comment and a different suggestion. It just appears that the ministers' comments are directed to whatever crowd or group they happen to be with at the time and whatever would be appropriate. They are all over the map.

And I find, Mr. Speaker, that people in Saskatchewan certainly are indicating they have had enough of NDP (New Democratic Party) promises that will never be kept, promises that will be broken at the government's discretion, and they have had enough of NDP taxes.

The minister responsible for Bill 5 claims that this new development tax is evidence of the NDP's support for local autonomy, and she claims that this Bill demonstrates the NDP's confidence in municipal governments. And I'm sure municipal governments would appreciate the ability of being able to provide services to their ratepayers, but they're also very dependent on the province of Saskatchewan and upon the revenue-sharing grants.

If the minister was sincere regarding her confidence in municipalities, she would urge her colleagues to take the advice of SARM (Saskatchewan Association of Rural Municipalities) and SUMA (Saskatchewan Urban Municipalities Association). She would urge her colleagues to repeal The Hospital Revenue Act, repeal the Act your government is depending on to fund the Minister of Health's wellness model. Repeal it and we may start believing that the NDP government has confidence in municipal governments.

I know a number of my colleagues have had the privilege of attending SARM, and SARM delegates

have also raised the question of offloading of taxes. And of course the property tax question is a question that has been there for a number of years through time, Mr. Speaker. It's interesting that one minister would suggest that we need to look at ways of taking the E&H (education and health) tax off property, and yet on the other hand, every time we turn around the opportunity, in fact the necessity, is going to be there, for whether it be municipal governments or regional health boards, to go to the local governments, be they municipal, be they urban, or rural, municipal governments asking them for revenue in order to fund the services they are providing.

And as the Minister of Health indicated, if the municipality would suggest, no we're not going to give you the revenue, then of course, as a health board, they could say well, really, do you want your hospital. We won't be able to maintain your hospital, or maintain your care home unless we have the revenue.

So this Bill, Mr. Speaker, we find in many cases just picks up where the Health Bill is picking up in a number of areas where the government has offloaded many of the responsibilities it now has. And I have to ask the government: when are they are going to accept the responsibility then and the trust that was put in their hands on October 21, 1991 when they were elected by the people of Saskatchewan to form government in this province?

So those are some of the areas, Mr. Speaker, that we will certainly be bringing to the forefront in this Bill and in other Bills as they are brought before this Assembly. Thank you.

Mr. Goohsen: — Thank you, Mr. Speaker. Mr. Speaker, I have a few comments to make regarding Bill 5, An Act to amend the Planning and Development Act, 1983.

I started out looking through this Bill earlier today, Mr. Speaker, when my colleague from Kindersley was at the SARM convention. And even though he has returned to his seat this evening and would be quite prepared to discuss this, because I'd spent too much time sort of trying to study up on his homework, I thought it best that I insist that I get a chance to discuss it at least for a few minutes. And he may want to take over when I'm finished to correct any of the errors we have.

The first thing that struck my mind, Mr. Speaker, is that here we have a Bill that refers to urban municipal situations, and we also — I know from past experience having been the reeve of a municipality — we know that there are zoning by-laws in rural Saskatchewan. And my concern immediately started to turn towards whether or not this Bill is a master draft of what will also be applied to rural municipalities in the future, or if perhaps this Bill might be able to be used on rural municipal affairs and their zoning by-laws without any further Bills being passed or anything like that.

So I'm advising my colleague from Kindersley of that

and asking him to investigate that for us before we go into this Bill in the final days to make sure that we don't get caught up in something that expands a lot further than we see on the surface.

I noted on the second page of the Bill that we have some problems that I envision in here with manipulations possible by municipalities, the way this Bill has been drafted. And I don't want to criticize too heavily because I don't really understand sometimes how legal people interpret things, but it looks to me like under this number (5), it says:

A bylaw made pursuant to subsection (2) shall provide that similar levies be imposed for developments that impose similar capital costs to the municipality.

In other words, what it's saying is that you can, pursuant to the things that are outlined in number (2), which are sewage, water or drainage works, public highways, parks, and recreation facilities and those kinds of things, that you can have a municipality pass into their zoning by-laws the necessity to levy and impose development costs. Now that immediately implies to me that a municipal structure can put on a new form of taxation. And it seems to me that if I were a business looking at coming into Saskatchewan and locating in an urban centre — and of course if this applies to rural, then also it would apply as well — that I would be concerned about locating in that area, simply because we now have this new ability of taxation facing us and our costs of course might go up. And it seems to me that we are looking at a possibility here that a new kind of taxation could further scare out any businesses that might want to locate.

Now I don't know what word would apply to this, but you have the potential when you go down through this to number (7) of being able to completely reverse this process because it says in here in number (7) now that:

A bylaw made pursuant to subsection (2) may exempt land uses, classes of development, zoning districts or defined areas specified in the bylaw from the levies.

Now what that means in my mind, Mr. Speaker, is that here in number (5) you've got the ability to levy a new tax against businesses coming in, and in (7) you have the ability now to remove that as well. And it seems to me like you could almost play favouritism when a law is drawn up like this.

A municipal authority might in fact levy the tax against one business that they particularly may not like or they may think that they have extra funds. And then if they happen to have a friend who has a business, they might decide to exempt him. And I find that kind of inconsistency not acceptable.

I believe that we have to be a little more firm in the rules, although I have to admit that right out front I think we are ruled and regulated to death in this province and it wouldn't hurt my feelings if we took

half of these Bills and just plain burned them and got rid of them all because we've got to the point where we've got such a massive structure of rules and regulations that anybody that wants to locate a business in our province almost has to hire a team of lawyers to find out what they're getting into before they ever start. Because there's all kinds of things that can sneak up on you.

Here we go to page 3 in this Bill and we're under 55.3, levies after the fact is what we're referring here to. And my question of course would be, how could anybody starting a new business possibly budget for the costs to go to a banker perhaps for loans and that sort of thing, how could you ever budget for those kind of things and satisfy your banker if in fact municipalities have the right to tax you or levy fees — if you want to call them that — for your business after the fact, after you've been established.

And this would be fees for things like maybe a road that was built and you may have made a deal with the RM (rural municipality) or an urban municipality that if you build my street, I'll put the business in there. And then a couple of years later a council may change their mind and say no, this guy got too hot of a deal, he's already established, he can't get away now. So retroactively we might deem that he now owes the penalty price of paying the levy that covers the total cost of that improvement.

Now that can, as we go back to this section number (2), can include all kinds of things like sewage, water, drainage works, public highways, parks and recreation facilities.

Suppose the jurisdiction, Mr. Speaker, built a park on the next lot to this business and said that your employees are now using that park, and as a result we're going to charge you with the cost of having located that park in that particular area. There's no stopping the imagination here of the kinds of potential costs that people might run into. And I would really think that you'd have to have a team of lawyers start sitting down and drawing up contracts with the municipal authority because they have this retroactive ability to basically levy anything that they want for all these improvements after the fact.

And I find that to be the kind of direction that a lot of the legislation in the last legislature last summer went in, where we seem to have the ability to go back. The Bill as you will recall, Mr. Speaker, concerning the oil and gas industry allowed the minister the right to retroactively charge royalties that he thought had not been paid in full.

(1915)

This same type of principle seems to be applied in this Bill and I find that that kind of a principle in general, long-term things within all of these Bills, is objectionable to business and to the job creators within our society. I should say the potential job creators, because new businesses that come in and locate under these by-laws are the ones that will

generate the jobs that everybody seems to be talking about we have such a great need for these days. So if we're going to discourage the very people that come in, we're not going to have those jobs and that kind of legislation seems to me to almost surely drive people to Alberta.

On page 5, I made a little note here on the variance. Now this section 73.1, Mr. Speaker, as I understand it, deals with the ability to allow a variance in your zoning by-law of the actual locations that you had established in the first draft of the by-law when you originally wrote it. Now you have the ability in this new legislation to vary by 10 per cent the location that a building would have to be, say from the . . . probably the outside edge of the frontage curb line or whatever and/or maybe you might be able to locate closer to another building where a fire regulation would have before caused you to stay away say 10 feet or 15 feet. Now you can have a 10 per cent variance in that through this part of the legislation.

I guess what I'd have to say I find wrong with all these kinds of rules and regulations, Mr. Speaker, is that we set up all of these rules and now we start to set up variances to all of the rules. In other words, now we have rules but we have rules that you can bend just a little bit. And if you're going to allow them to be bent just a little bit, why not just allow them to be bent a lot?

And it gets into a maze of possibilities of deals that you could make, and some people would be turned down and other people would be allowed to do what they like. And it may come to a point where it's more important who you know in local government rather than to follow the actual rules that are set down in legislation.

And that concerns me considerably, Mr. Speaker, because I think our rules should be designed so that there's absolutely no way that anybody can . . . could misconstrue what the meanings of our rules are, that there isn't that element of manipulation, that element of people to be able to sort of, you know, maybe bribe somebody or something like that to try and get favours to allow them to do different things.

But of course I have to go back to the most reprehensible part of the thing, and that being that ability to tax retroactively. And that will turn out in my view, of having scanned through the Bill today, as being the most objectionable part of it and it will probably hurt the province more in the long run than it will ever help.

I noted also in the explanations, Mr. Speaker, that we remove, in this one section, we go into removing the cap on the charges. And the cap as I recall was the \$100 cap. And here again I know that the costs of all things in our society are going up. Everybody knows that and maybe caps that were set a few years back are unrealistic, but reality of life is that if you don't put some kind of caps on how much can you charge for certain things, then you throw the door wide open for abuses.

And I'm suggesting to the government that under section 8 of the explanations, on page 7 under the existing provisions . . . and it does say here under the explanation that this section is to be repealed and the limitation of \$100 for application fee or assessing advertising costs is removed. Council will be able to determine fees for both applications in accordance with new subsections under 72(1)(g.2).

And I'm suggesting, Mr. Speaker, that maybe the amount might not be realistic but we should have a cap. There should be a limit to how much people can be charged. Otherwise, here again you have an element where business is going to say: well maybe there is no limit for me, maybe it could be \$10,000, maybe for somebody else it's \$50,000. And it could all depend on who you know and who you get along with, or who happens to like you, or who happens not to like you, and you could have an awful lot of discrimination and that sort of thing.

Even though not directly applied, it could be implied. And that could cause a whole lot of problems and hard feelings and a lot of court cases and that sort of thing could end up resulting from that sort of approach.

So I've seen some things in here, Mr. Speaker, that I feel are definitely needing of some further examination and further study and researching, and in order to give my colleague from Kindersley some time to be able to do that I'm going to move that we adjourn debate on this Bill No. 5.

Debate adjourned.

Bill No. 8

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Carson that **Bill No. 8 — An Act to amend The Uniform Building and Accessibility Standards Act and to make Related Amendments to Certain Other Acts** be now read a second time.

Mr. D'Autremont: — Thank you, Mr. Speaker. Bill No. 8 seems to be a rather innocuous Bill when you first consider it, but after you read through it, Mr. Speaker, you gain a different impression of it. From all of the name changes in this Bill, changes from inspector to building official, changes from chief inspector to chief building official, it seems to be this Bill should perhaps be named the paper suppliers' beneficial Act because it's going to create a large amount of paper shuffling. People are going to have to go out and buy an awful lot more letterhead than they did before.

An alternate name for this Bill might perhaps be the building owners taxation Act, because there's a fair number of areas in this Bill that allows the government to place deposits on certain requirements by a building owner. If a building owner wants to get a permit or appeal a decision by this new building official, he's going to have to supply a deposit.

In some locations in the Bill it talks about providing a refund mechanism by which the person can get his deposit back. In other areas of the Bill it seems to forget that. The person pays a deposit but there's no mechanism by which he can get his deposit back. And I think that's one of the areas, Mr. Speaker, where the government is going to have to seriously take a look at this Bill and perhaps make some corrections in it.

In other areas, the existing Bill talks about fees. Now in a fee you would assume that there is a fixed structure in place, that the person would know beforehand how much he's going to have to pay. In the new Bill they have changed that term "fee" to "deposit". Now in my mind, if you pay a deposit, that could be larger than a small fee for a licence but you would expect at some point in time to get some of that money back if you meet all the requirements. But in that particular section, where it was changed from fee to deposit, there is, as I mentioned before, no mechanism in place to have those funds returned.

This Bill talks about enforcement authorities dealing with regional and provincial parks. Well, Mr. Speaker, in rural Saskatchewan, provincial parks, rural and regional parks, are very important to the local people. They do a very, very good job of looking after those parks.

We have a very excellent park down at Oxbow called beaver park, and the town of Oxbow takes great pride in that location. They do their best in looking after it and they do an excellent job of that. And yet in this Bill the provincial government is now providing some authorities to look after . . . not to look after it, but to inspect it.

These parks are very important to the cultural aspects of those regions and yet we could have inspectors going in there and saying, these buildings, cultural buildings, do not meet their official stamp of approval. And I think we need some sort of mechanisms in place there to provide some control.

This Bill was supposed to bring together various Acts concerning the buildings under one umbrella. These Acts include The Parks Act, The Urban Municipality Act, and The Northern Municipalities Act are being brought under this Act dealing with buildings and fire safety.

The government is claiming, in their notes and in their speeches, that they have done a significant amount of consultation in dealing with this Bill. They are saying that they have consulted with municipalities, with building officials. Now I'm not sure if this means the new building officials that they're claiming in the Bill, the new titles, or if these are people who own and operate buildings, building designers, members of the construction industry and building owners, and the Saskatchewan Building and Accessibility Standards Appeal Board and their provincial staff.

Well, Mr. Speaker, if it's true that they have consulted with all these groups, they should be commended for it because that's a fairly large undertaking. But, Mr.

Speaker, when we consider how the government has been consulting with other groups around this province, it makes one wonder whether or not they have actually gone out and talked with all of these groups or whether we're hearing their empty rhetoric again. When you consider how well they have listened to SARM or to SUMA in regards to property taxes in the funding of health care, it makes you wonder whether or not they have talked to the municipalities about The Uniform Buildings and Accessibility Standards Act or whether they haven't. If they won't talk to them about property taxation, how could they also claim that they have talked to them about this Act?

Mr. Speaker, we really wonder whether or not the government is providing any consultation at all. The Minister of Health has claimed that she has been consulting, and yet when we have people coming into this Assembly, sitting in the galleries and saying that they as parents of children at the Wascana Rehab Centre have not been consulted, that the minister in fact avoided meeting with them, we have serious doubts as to whether or not the government ministers are meeting with any of the groups that they are claiming to.

Not only do we feel they are not consulting with the groups, but it seems that they are not returning the letters that they received or the phone calls.

Another example of their consultation, or lack thereof, was in discussions concerning the changes to the health care in the last session. The Saskatchewan Medical Association says they were not consulted with the government dealing with any of these changes, particularly with the changes to the chiropractic and optometric services, nor did the government consult with people when they tripled the prescription drug plan costs. Those costs went from \$125 to \$380 deductible per family in a year. And yet the government is claiming that on this Bill they have gone out and consulted. We just find it with great difficulty in believing that the government has indeed provided all this consultation that they have talked about.

We have to wonder why the government wants to change the names of all the groups . . . not the groups, but the people involved in this Act. What makes it so imperative to change the name of a building inspector to a building official? Does that person have a different job because he has a different title? Is his function somehow different? Are his qualifications different? Mr. Speaker, I would suggest they are not but this is simply an attempt by the government to put their stamp on a piece of legislation rather than saying this Bill was in place before.

Also in this Act, Mr. Speaker, the government is taking onto itself the power to designate persons as building officials. Those persons prior came through the public service and were hired and provided a service based on their qualifications. They met certain requirements. But now the government is taking that power on themselves to appoint these people.

They appoint them if they can demonstrate to a designated person that they have the qualifications. Under the existing Act, they had to meet certain qualifications and be approved by the chief inspector. But that no longer seems to be the case. Some other person, designated person, can fulfil that function.

The deposit issue, I believe, is quite important in this Bill because it shows up in a number of places. If you wish to file an appeal on a decision made by a building official, you have to pay the government to submit to an appeal process.

(1930)

I'm just wondering if the government is going to put this kind of fee in other pieces of legislation. There are a number of pieces of legislation where appeal processes are available without a fee. Yet in this piece of legislation, Mr. Speaker, the government is setting a fee, a deposit for appeal process. Is this a new type of principle that the government is bringing forward, that if you wish to utilize the systems and protect yourself from an arbitrary ruling by government, you will have to pay to do so?

Some of these deposits were fees previously and . . . Some of these fees were . . . Some of these deposits were fees previously. And, Mr. Speaker, they should remain as fees, if that's what the government wishes them to be. If they are to be deposits, then the government should provide some sort of a mechanism in place for a return of that monies that are being asked for.

In other part of the Bill, Mr. Speaker, it would seem that this Bill was written by a bureaucrat. It was my understanding that the government was going to try to make Bills understandable, that they were going to be written in English that was easily understood. In some parts of this Bill, Mr. Speaker, that is obviously not happening.

Also in this Bill, Mr. Speaker, if a building owner was not to follow through with an order given to him by a building official, the building official and the local authority board has the power to go onto the property and to make whatever changes, rectify any problems they perceive on their own volition.

I think the government needs to set out in here some form of mechanism by which the owner of the building is somehow protected. If the official has a brother-in-law who is a carpenter he can designate that person, under this Act, to go in and make the repairs, the repairs of which the building owner has to pay. This should be changed, Mr. Speaker, to allow tendering on this process. These building officials with their orders should have to submit tenders, call for tenders to do the repair work and then be compelled to take the lowest bid rather than simply designating someone to fulfil that function.

Another section of this Bill deals with taking a person to court because the building officials feel they are not

going to follow through with an order — not because they haven't followed through with an order but because they feel they are not going to follow through with an order. And I find it very difficult to believe that a court can find a person at fault because somebody else thought they were going to do something wrong before they have actually committed the grievous error. That's another area I believe, Mr. Speaker, where the government needs to take another look at this Bill.

Mr. Speaker, when an order is issued, the government is taking the power on to themselves to deem that the person who is sent an order has received that order when it is sent by registered mail. The person may indeed never have received it. He may not have been to his mail within the five-day period by which he is supposed to respond, and yet he is deemed to have received it and therefore is in violation of that order. Again, Mr. Speaker, that's another area where the government should take a very serious look at this Bill.

Because of these — what I consider to be — errors, Mr. Speaker, in this Bill, I believe the government needs time to take a look at it. We need time to consider the implications of these issues. So at this time, Mr. Speaker, I move we adjourn debate on Bill 8.

Debate adjourned.

Bill No. 9

The Assembly resumed the adjourned debate on the proposed motion by the Hon. Ms. Carson that **Bill No. 9 — An Act to amend The Emergency Planning Act** be now read a second time.

Mr. Boyd: — Thank you, Mr. Speaker. Mr. Speaker, Bill No. 9 has in our opinion a number of major problems, and we'd like to address them and make mention of them to the government members this evening.

The technical portions of this Bill pose no problems in principle. But, Mr. Speaker, the heart of this Bill, the disaster assistance provisions, give rise to serious concerns, Mr. Speaker. What this Bill does, Mr. Speaker, is give the cabinet the power to establish an entire program of disaster assistance simply by cabinet order. It confers sweeping power by the cabinet, Mr. Speaker, and of course I think the people of Saskatchewan would be concerned about that, Mr. Speaker.

We believe however that the original intent of this Bill was good, and we commend the government for bringing a Bill like this forward. We acknowledge that a better legal basis for emergency assistance needs to be put in place, and we believe this Bill was designed and drafted with that sincere intent.

But, Mr. Speaker, when we see the Bill and go through the provisions of the Bill, the government has gone a long way overboard, we believe, in its desire to make sure that whatever it does will be covered off by sweeping cabinet powers. Major programs of disaster

assistance should be subject to some kind of scrutiny in this Assembly, Mr. Speaker. We believe that's one of the fundamental principles of this Assembly . . . is that the MLAs (Member of the Legislative Assembly) collectively have the opportunity to review and decide and look at things of this nature and see whether we believe that what's happening is indeed the correct position.

At the same time, some such programs by their nature require immediate response and cannot wait for debate in the legislature, and we recognize that, Mr. Speaker. Emergency measures, obviously when there's a disaster, they have to be implemented and implemented quickly.

But, Mr. Speaker, we don't believe that the government's knee-jerk reaction to simply increase the wide and near total power of the cabinet . . . What is needed is some creative ideas to see how we can balance these competing needs, Mr. Speaker. And there are the need for legislative accountability and indeed input, along with the need for immediate response in genuine emergencies.

Mr. Speaker, both principles, we believe, can be upheld, but I'm afraid that the principles of this Bill are such that it is almost impossible . . . almost beyond the possibility of amending it to any kind of reasonable form, Mr. Speaker.

It appears on first examination of this whole Bill it will have to be thrown out and a new one introduced — so serious are the deficiencies we believe are in this Bill.

Mr. Speaker, we think there were choices that the government could have made about this rather than the choice that they did make, and the Bill does not address those kinds of choices that were available to the government. And I wish the government would start considering these kinds of new approaches and new ideas instead of claiming they have no choice and resorting to secret cabinet power at all times.

Mr. Speaker, for example the principle of this Bill could include . . . could indeed recognize the balance of needs if it were to explicitly provide different categories of disaster. And what I'm speaking about, Mr. Speaker, is a natural disaster involving tornadoes, fires. Things of that nature require immediate action, and we don't dispute that whatsoever. When something like that happens, the government has to act and act quick to stop any further damage that may result from something like that.

And we think that that could be defined in the Bill — things of that kind of disaster. A natural type disaster could be addressed in the Bill in one category and require immediate action that the cabinet could take, and everyone would uphold, I'm sure, that principle of government.

Another category could be defined into the law to support the principle of a balance. A category that defining disasters of a protracted nature but which pose no immediate or imminent danger to people or

property. And programs covering this ... that category or disaster could be ... require approval by motion in this Assembly, Mr. Speaker. The principles could be upheld even by more type of this innovative type of thinking.

For example, it is completely practical to say that a cabinet order establishing a disaster program does not come into effect until after consideration by a standing committee of this Assembly. This Bill could even include pre-emptive provisions to assure rapid consideration by such a committee.

Mr. Speaker, you can envision a provision that says, unless otherwise directed by a committee of the legislature, the cabinet order will take effect five days after the order has been submitted to the committee. And there are all kinds of other possibilities that could have been looked at by the government, Mr. Speaker, that I think have been overlooked.

My point is simply that we should not meekly allow this government to take on ever increasing powers by itself. We should simply not sit back and take for granted that the Premier had no other choices, because we believe — and we think that a lot other people believe — that there were other choices that could have been looked at. He has plenty ... the Premier has plenty of choices and I don't believe he looked at them. Nor do I believe that he consulted with very many people about this.

This Bill is based on the principle that the cabinet which meets in secret, debates in secret, supposedly consults, Mr. Speaker, but we've seen through the legislature here in the past year and a half that they don't consult on very many things whatsoever. They go in simply and say to whomever they're speaking with, this is the way it's going to be, and then they consider that consultation, Mr. Speaker.

The cabinet makes its decision in secret. But the secret cabinet is always the best and the only choice to address the needs of the Saskatchewan people. That is the principle of this Bill, Mr. Speaker, and we don't believe that that's a correct principle. We think it is a wrong-headed principle that the government should address. The people of Saskatchewan, I don't believe, would support this type of thing, Mr. Speaker.

This Assembly has within it, skill, creativity and the get-up-and-go to get the job done, and that means representing the people that they were elected to represent. We, in this Assembly, not only have the necessary talents to be a check on the secret cabinet, we also have a constitutional duty to contain the cabinet.

It's a little strange when you think about it, Mr. Speaker, the Premier has a huge majority in this Assembly, a massive unstoppable majority, Mr. Speaker, yet it is clear, it is clear, Mr. Speaker, that he does not even trust his own back-benchers to use their own judgement and skills and knowledge and to serve as an effective role in this system of government. Even with all of the NDP members, Mr. Speaker, he still

continues to sap power from this legislature and concentrates it in the hands of cabinet — an ever-expanding cabinet, I might add, Mr. Speaker.

Well I will surprise you, Mr. Speaker, by saying that I trust the member from Yorkton or the member from Nipawin to sit on a committee of this Assembly and pass judgement on a disaster assistance program, for example, for the livestock industry during a drought. I support them in that. I trust them in that. I trust the members more than I trust the Premier however.

I trust the member, Mr. Speaker, from Regina Victoria to sit and responsibly consider a program of disaster assistance should the city of Regina be engulfed in a massive spruce bud worm infestation. I trust that member to do that, Mr. Speaker, but the Premier of Saskatchewan obviously does not trust him.

I say, Mr. Speaker, that this Bill goes way too far in removing the rights, duties, and constitutional role of the members of this legislature even if it did start out with the best of intentions. Can the member from Eastview-Haultain be trusted to quickly come to a decision regarding disaster assistance, Mr. Speaker? Well I think he can. I think he can, but unfortunately the Premier of the province does not think so. He wants to have all of these types of disaster-type provisions only seen by cabinet, only decided upon cabinet. And yet he has members with not a whole lot to do that I think should be sitting on committees of this nature, a special committee on disasters.

Can the member from Albert South be trusted to provide valuable advice and input on basic decisions regarding such urgent matters? Well I think he can, Mr. Speaker. I think he can be trusted to do that. Mr. Speaker, I would think that the huge number of members on the government side would get a little frustrated at the fact that their own leader has so little faith in them that he must continually put more and more power into the hands of cabinet and never think twice about the beneficial work that the MLAs themselves might be able to do.

The Bill expresses that attitude, Mr. Speaker, in spades. This Bill does. I ask the government to withdraw this Bill for those very positive reasons. I ask that the Bill be withdrawn so that we can devise a new Bill which will respect this Assembly and its purposes. I ask that the Bill be withdrawn, Mr. Speaker, in the name of all MLAs.

(1945)

This government and the Premier talks a great deal about reform and about commitment to the parliamentary process. The Premier talks and talks about reform and commitment, Mr. Speaker, but what he does is centralize power, erode the role of this Assembly, and in fact move in a direction exactly opposite that was expressed so high mindedly in his words.

Mr. Speaker, I ask this government to withdraw this Bill and avail itself to the great opportunity to actually

put into practice what comes out of the mouth of the Premier. Mr. Speaker, in order to give the government some opportunity to take into consideration the arguments we've presented here tonight, I would like to move that we adjourn debate on this Bill.

Debate adjourned.

COMMITTEE OF THE WHOLE

Bill No. 12 — An Act to amend The Wascana Centre Act

Hon. Mr. Tchorzewski: — Thank you, Mr. Chairman. Indeed, I would like to introduce my officials. Behind me and to my right is Paul Robinson, the executive director of the Wascana Centre Authority. And immediately to my right is assistant director . . . John Edwards, assistant director of financial assistance services and policy division, Department of Community Services.

Clause 1

Mr. Toth: — Thank you, Mr. Chairman. Mr. Chairman, we don't have a lot of questions on this Bill, however we do have a couple we would like to bring to the minister's attention.

First of all — and I'll give the minister a couple of questions — we're just wondering, number one, the elements of this Bill, has the Wascana Authority been consulted regarding the Bill? And is the Wascana Authority in agreement with regards to the details of the Bill?

Hon. Mr. Tchorzewski: — Yes, as I indicated in my remarks, the Wascana Authority has been consulted. Two of the amendments are actually at the initiation of the Authority and the Wascana Authority has, at a meeting of the board, approved and agreed to proceed with these amendments.

Mr. D'Autremont: — Thank you, Mr. Chairman. Mr. Minister, a group has been trying to put a statue into Wascana Park dealing with the World War I or World War II veterans. In this Act you are changing some of the requirements from construction to reconstruction. Would this be part of that attempt?

Hon. Mr. Tchorzewski: — No. In response to the question, Mr. Chairman, this legislation would have no impact on that at all. But I am informed that that project has already been approved by the Authority so, Bill or not, that's on the way. And it's only a matter of the principals raising some money that they need to raise in order to be able to put it into place.

Clause 1 agreed to.

Clauses 2 to 10 inclusive agreed to.

The committee agreed to report the Bill.

Mr. Toth: — Yes, Mr. Chairman. Thank you. I'd just like to thank the minister and his officials for taking the

time to come and address the two questions. I know they were simple and short and straightforward, but when a minister brings a Bill that's fairly straightforward it certainly makes it a lot easier.

Hon. Mr. Tchorzewski: — Thank you. Mr. Chairman, I also want to thank the officials and thank members of the opposition for their interest. And I don't think the questions were simple at all. They were significant and important.

THIRD READINGS

Bill No. 12 — An Act to amend The Wascana Centre Act

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

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

The Assembly adjourned at 7:55 p.m.